

# Public Document Pack

## ENVIRONMENT SCRUTINY PANEL

**Venue:** Council Chamber, Town Hall, Moorgate Street, Rotherham  
**Date:** Thursday, 20 May 2004  
**Time:** 9.30 a.m.

### A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Questions from members of the public and the press.
4. Declarations of Interest.

### FOR INFORMATION

5. Housing Related Anti-Social Behaviour in Rotherham (Pages 1 - 13)  
Presentation by Helen Nixon, Anti-Social Behaviour Manager.
6. Draft Anti-Social Behaviour Strategy (Pages 14 - 43)  
Presentation by Helen Nixon, Anti-Social Behaviour Manager
7. Housing Disrepair Claims (Pages 44 - 53)  
Report submitted by Head of Housing Services

### FOR DECISION

8. 2004 Scrutiny Panel Forward Plan (Pages 54 - 60)  
Report of Bronwen Moss, Scrutiny Adviser

### FOR MONITORING

9. Housing and Environmental Services Decisions meetings held on 19th and 28th April and 10th May, 2004 (Pages 61 - 79)

## **MINUTES - FOR INFORMATION**

10. Minutes of the Scrutiny Panel held on 15th April, 2004. (Pages 80 - 85)
11. Minutes of the Performance and Scrutiny Overview Committee held on 12th and 26th March, 16th and 23rd April, 2004 (Pages 86 - 108)
12. Minutes of the Asylum Seekers Working Party held on 31st March, 2004 (Pages 109 - 112)

**Date of Next Meeting:-  
Thursday, 1 July 2004**

### **Membership:-**

Chairman – Councillor F. Wright  
Vice-Chairman – Councillor Heaps  
Councillors:-Atkin, Burke, Furnell, Goulty, Hall, Hodgkiss, Jackson, Nightingale, Rashid,  
The Mayor (Councillor R. S. Russell), Senior and S. Smith

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

1. **Meeting** ENVIRONMENT SCRUTINY PANEL
2. **Date of Meeting** 20 May 2004
3. **Title** HOUSING RELATED ANTI- SOCIAL BEHAVIOUR IN ROTHERHAM
4. **Originating Officer** Helen Nixon  
Anti Social Behaviour Manager  
Tel Ext 4362

5. **Issue**  
On 14 November 2002 the Environment Scrutiny Panel decided to undertake a review of anti social behaviour from a housing perspective, under the theme of tenancy management. Subsequently a working party was formed to examine in more detail the issue of housing related anti social behaviour. In April 2003 a report was produced along with a fifteen-point action plan.

6. **Summary**  
The action plan on Housing Related Anti Social Behaviour produced Fifteen Action Points in relation to anti social behaviour. The Environment Scrutiny Panel has been updated on two occasions in relation to the progress of each action point. This report outlines progress to date.

7. **Clearance/Consultation**  
The Anti Social Behaviour Unit, Estate Management Section and the Neighbourhood Wardens Section have all been consulted and have played an active role in the continued implementations set out in the report.

8. **Timing**  
The timing of this report is in line with recommendations set out in the Housing Related Anti Social Behaviour in Rotherham Environment Scrutiny Panel Report April 2003.

9. **Background**  
The Anti Social Behaviour (Housing) Working Group drew several conclusions following its investigations. The main findings were that Housing related anti social behaviour can cause serious distress, disruption and misery for families and individuals which can potentially lead to a spiral of decline for an area if action is not taken to address the problems. Anti social behaviour affects all types of housing regardless of tenure, and concerns have been raised that the Council is not applying sufficient resources to tackle it.

10. **Argument**  
It is clear that whilst a wide range of agencies and officers respond to anti social behaviour, it is necessary for a more strategic approach to be taken. In line with this, any future strategy for tackling anti social behaviour should be cross tenure which the Council is required to take account of in its budget planning process for 2004/05.

11. **Risks and Uncertainties**

Failure to effectively tackle anti social behaviour can contribute to a spiral of decline on estates and in communities. Costs of managing such areas invariably rise as a result.

12. **Finance**

There are no direct financial implications arising from this report.

13. **Sustainability**

Anti social behaviour causes serious problems for tenants and residents alike and therefore threatens the cohesion of our communities. Housing Services, within the Safer Rotherham Partnership, must play its part in tackling and preventing such behaviour.

14. **Wards Affected**

All

15. **References**

Housing Related Anti Social Behaviour in Rotherham, Report of the Environmental Scrutiny Panel April 2003

16. **Presentation**

Appendix 1 Action Plan on Housing Related Anti Social Behaviour Progress Report May 2004.

Appendix 2 – Housing Related Anti Social Behaviour – Action Plan

17. **Recommendations**

**THAT CHAIRMAN AND VICE-CHAIRMAN TAKE NOTE OF THE REPORT AND THE PROPOSALS FOR SUSTAINABLE ACTIONS ON TACKLING ANTI SOCIAL BEHAVIOUR IN ROTHERHAM**

## **Action Plan on Housing Related Anti Social Behaviour**

This is the Fourth progress report on the Action Plan on Housing related Anti Social Behaviour in Rotherham. As mentioned in the three previous reports, for the purpose of this report and in line with the previous report the actions are numbered 1 to 15. A brief comment is made on each of the actions in order to give updated information.

### **Action Point 1 – Importance of a Strategic Multi Agency Approach**

In the previous report new targets were highlighted for the Anti Social Behaviour Task Group, part of the Safer Rotherham Partnership. The agreed targets are now in place and are as follows: -

1. By March 2004 to develop and implement a Borough wide anti social behaviour strategy
2. By March 2004 to identify and develop a suite of baseline indicators to measure against.
3. By March 2005 to apply for 5 anti social behaviour orders and increase by 50% the number of ABC's issued
4. By March 2004 develop a mediation service within Housing Services and by March 2005 develop a mediation service across all tenures.
5. By March 2005 to have created 7 Safer Estates Groups at Area Assembly Level.
6. By March 2005 to reduce by 25% the number of reports of off-road motorcycle nuisance in targeted areas.
7. By March 2005 to have developed 6 multi agency problem solving projects targeted at youth nuisance hotspots.

### **Action Point 2 – Strategy for Tackling Anti Social Behaviour across All Tenure**

Following concerns regarding the funding of the anti social behaviour unit and its necessity to work increasingly across tenure the unit is now funded through the Housing Revenue Account and the General Fund in order to continue its work for all residents in Rotherham.

In addition to this further changes have been made to the working pattern of the anti social behaviour officers to ensure that they are able to work outside normal working hours. In order to sustain this work it will be necessary to secure further mainstream funding for 2005 in order to maintain the current good work being carried out by the team.

### **Action Point 3 – Audit of Anti Social Behaviour in Housing Across Rotherham.**

On Friday 24 October 2003 a meeting took place with officers of the Council, tenants and resident representatives, Registered Social Landlords, South Yorkshire Fire and Rescue Service. The purpose of the meeting was to set out how agencies deal with anti social behaviour and to brainstorm ideas for the anti social behaviour strategy. From the information received on the day it is evident that further work is required by other agencies as to how they deal with complaints of anti social behaviour before a full and detailed audit can be carried out.

#### **Action Point 4 – Information Exchange Protocols**

Throughout the Council there are protocols in place for exchanging information. As mentioned in previous updates, a favourable way forward to engage with Registered Social Landlords is to possibly charge for the services of the anti social behaviour unit. This option has now been explored and a meeting took place on 22 April 2004. Following this meeting the anti social behaviour unit has had its first case referred to it by Housing Association for a fixed fee.

#### **Action Point 5 – Re-engagement of Social Landlords**

Work is continuing with the private rented sector through the Rotherham Landlords Association. The development of the Landlord Accreditation Scheme is progressing. The Council has now joined in the UK National Accreditation Network and is drawing on best practice advice from the organization.

An awareness event for private landlords was held on 30<sup>th</sup> January 2004 to promote better understanding between the Local Authority and private rented sector landlords.

#### **Action Point 6 – Review of the Tenancy Agreement**

The review has been completed and the tenancy agreement is now with the Legal Services as part of the consultation process. It is important to point out that Central Government have indicated that they want to see a tenancy agreement that covers all Social Landlords in 2005 this target may have to be revised pending further guidelines from Government Office.

#### **Action Point 7 – Introductory Tenancy – Mediation Service**

Introductory Tenancies came into effect on the 13<sup>th</sup> October 2003.

Mediation Rotherham is now set up and working in line with requests set out in the review. Cases are now currently being referred. A number of volunteers have been trained to carry out cases. This follows a successful recruitment campaign and mentoring of cases through the Going Local pilot. The service is currently dealing with 3 cases. A recent case in the Pilot Area was resolved after previous attempts failed. Leaflets and posters promoting the service are now available in each of the Area Offices. All front line staff has received training on how to decide on which cases are suitable.

#### **Action Point 8 - Anti Social Behaviour Unit Office Accommodation**

The anti social behaviour unit has now moved to Eastwood Depot, which is a permanent move. The accommodation is also large enough to allow for the unit to expand. South Yorkshire Police have carried out its inspection and minor alterations in respect of security have been carried out and costings are currently being explored by South Yorkshire Police with the view to the Police Computer being fitted shortly.

### **Action Point 9 – Corporate Statements to Government on Future Legislation**

All new legislation is raised, discussed and minuted at the anti social behaviour task group meetings, and findings will be forwarded to the Scrutiny Advisor in order for a final report to be drafted and sent to Government.

### **Action Point 10 – Future Funding for Neighbourhood Wardens**

The unit has been successful in obtaining funding from NRF and SRB 6 (50% Match) for the provision of a Neighbourhood Warden team in East Herringthorpe (The Valley) for one year until August 2004.

The team will consist of 1 supervisor and 4 Wardens and will work from and under the supervision of the Rawmarsh based scheme manager.

Patrols commenced in the area in November 2003.

This development coincides with the announcement from the ODPM in January 2004 regarding the further funding of the Rawmarsh West and Kilnhurst Street Warden side of the scheme for a further year to March 2005. Match funding for this part of the project has been achieved. This will cover the costs of 1 supervisor and 3 Wardens.

Funding for the remainder of the unit i.e. Manager, Admin assistant, 1 Supervisor and 5 Wardens has been achieved via NRF. This funding will allow the original Neighbourhood Wardens scheme and the Dalton and Thrybergh extension of the unit to be funded until March 2005 and will run in conjunction with the Street Warden funding.

Restructuring within housing on neighbourhood management lines is intended to address some of the issues which the Neighbourhood Wardens scheme deals with.

In March 2004 the leader of the Council announced a figure of £125,000 was to be placed within the Neighbourhood Warden scheme with a view to extending the existing team and to facilitate a closer working relationship with the Park Rangers scheme running within the council,

However a major decision re regularising funding for the whole Neighbourhood Warden structure is required.

### **Action Point 11 – Seconded Police Officer to the Anti Social Behaviour Unit**

As mentioned in the December update, PC Perry Mangles has been seconded to the anti social behaviour unit. He started in the position on 27 October 2003 and was previously a Community Constable at Maltby. He is proving to be a considerable asset to the unit and has improved working relationships between the Police and Council Officers.

### **Action Point 12 – Strategy for Rehabilitating Perpetrators**

In the December 2003 update it was mentioned that on 29 July 2003 a Community Safety Conference was held to identify how Housing can improve its performance and contribution to the delivery of Rotherham Borough's Strategy to Reduce Crime and Disorder. In line with the Safer Rotherham Partnership's Anti Social Behaviour Task Groups priority to produce an Anti Social Behaviour Strategy for Rotherham, rehabilitation

of perpetrators is one of the three key areas in setting out a strategy. The draft strategy has now been produced and details will be presented to the Environment Scrutiny Panel.

**Action Point 13 Scrutiny Review into Anti Social Behaviour**

Following publication of the report on housing related anti social behaviour the matter was forwarded to the Democratic and Resources Scrutiny Panel who will shortly publish a remit of the review.

**Action Point 14 – Links with Best Value of Community Safety**

The Community Safety Unit are continuing to work alongside housing and share information on housing related anti social behaviour.

**Action Point 15 – Progress Report on Housing Related Anti Social Behaviour**

In July this year Cabinet requested that a progress report be made in relation to anti social behaviour in December, hence this report and the previous updates.



Housing Related Anti-Social Behaviour – Action Plan

Ref. No.	Recommendation	Lead Agency (ies)	Timescale	Update Information	Action By
1.	This Working Group recognises the importance of a strategic multi-agency and co-ordinated approach to housing related anti-social behaviour as part of a wider response to all forms of anti-social behaviour and requests that a strategic review be undertaken as a matter of priority by the key partners involved in addressing related housing anti-social behaviour in the Borough	Housing Services and partner agencies	February, 2004	Overview to take place in July via Anti Social Behaviour Task Group	ASB Task Group
2.	Given that housing related anti-social behaviour can affect all housing tenures the future strategy for housing related anti-social behaviour should be cross-tenure and work should be undertaken to identify the costs involved in supporting a multi-tenure approach, as part of the Council's budget planning process for 2004/05 and taking account of the view of the Working Group that the costs of a multi-tenure approach should, in the main, be borne from the Council's general revenue fund, with a proportionate contribution from the Housing Revenue Account	Housing Services, all relevant agencies	Budget planning for 2004/05	Work load of ASB Unit being monitored to gather information on amount of cross tenure work taking place.  Closer working with private landlords and other multi tenures is currently taking place and will be continuing now unit is funded through the Housing Revenue Account and the General Revenue Fund.  Concerns remain the same in	Helen Nixon

Ref. No.	Recommendation	Lead Agency (ies)	Timescale	Update Information	Action By
				relation to staff within the unit funded through NRF if posts not mainstream from 2005 this work will not continue.	
3.	An audit be undertaken, over the next six months, to take account of the nature and extent of housing related anti-social behaviour in Rotherham, the activities undertaken by Council services including those services provided by Education, Culture and Leisure Services and other agencies, to deal with anti-social behaviour in order to examine whether resources being committed are appropriate and targeted and that the strategic review is based on robust information.	Housing Services and partner agencies	November, 2003	24 October 2003 a meeting took place in respect of all agencies in how they deal with anti social behaviour and how it can be linked into the anti social behaviour strategy. There is clear evidence that other agencies do not monitor anti social behaviour and need to look closely at the issues as individual agencies.	Helen Nixon
4.	It is important that there are well structured and clear communications between services and all agencies at both a strategic level and at a service delivery level and, to this effect, information exchange protocols be developed	Housing Services and partner agencies	September, 2003	Protocols in place within the authority. ASB Unit Manager met with RSL's with a view to charging for services on 2 April 2004. The ASB Unit has taken its first case for a fixed fee from 22 April 2004.	Helen Nixon
5.	The Head of Housing Services be requested to take steps to re-engage housing associations, registered social landlords and private landlords as part housing association and landlords	Housing Services, Housing Associations, Registered Landlords	September, 2003	Looking at setting up a Landlord Accreditation Scheme in September 2003.	Rob Pearce

Ref. No.	Recommendation	Lead Agency (ies)	Timescale	Update Information	Action By
	forums with a view to promoting practices to tackle anti-social behaviour, information exchange and building on current examples of engagement				
6.	The Working Group supports a review of the Council's housing tenancy agreement with particular emphasis on highlighting the rights and responsibilities of Council house tenants and emphasising the potential effect of breaches in the terms of the agreement; steps be taken to ensure that proper arrangements are in place to enforce the tenancy agreement	Housing Services	September, 2003	Draft produced and now with Legal as part of the consultation process. Central Government have indicated that they want to see a tenancy agreement that covers all Social Landlords in 2005 this target may have to be revised pending further guidelines from Government Office	Barry Deakin
7.	Current proposals being developed for the introduction of a mediation service and introductory tenancies in respect of Council housing be welcomed as a positive step; housing associations be encouraged to "buy-in" to the mediation service; introductory tenancies and the mediation service be reviewed after the first year to assess effectiveness and for the Head of Housing and Building Works to explore the possibility of extending the mediation service as a multi-tenure service as part of the strategic review	Housing Services	April, 2004	Introductory tenancies - Task completed on 13 October 2003- Now at the monitoring stage  Mediation- now set up and initial task completed April 2004  Full compliment of volunteers in place from April 2004 via Rotherham Mediation Service. Work is in progress to develop a wider mediation	Barry Deakin

Ref. No.	Recommendation	Lead Agency (ies)	Timescale	Update Information	Action By
				service with other agencies including South Yorkshire Police.	
8.	For the Anti-Social Behaviour Unit based in the Housing Service to function more effectively a review of accommodation arrangements be undertaken as a matter of priority	Housing Services, Anti-Social Behaviour Unit	Immediate	The anti social behaviour unit has now moved to Eastwood Depot	Helen Nixon
9.	In view of anticipated forthcoming legislation designed to provide more measures and different approaches to tackling anti-social behaviour, as currently contained in the Government White Paper "Respect and Responsibility – Taking a Stand Against Anti-Social Behaviour", the Leader of Rotherham MBC and the Chief Executive be requested to write on behalf of the Council to the Secretary of State for the Home Department, together with local Members of Parliament, highlighting the concerns expressed by the Council and the people of Rotherham over the incidence of anti-social behaviour and requesting that more Government funding be directed to all agencies involved with tackling anti-social behaviour	Leader and Chief Executive, Rotherham MBC	Following the enactment of legislation	All new legislation is raised and discussed at the Safer Rotherham Partnership, Anti Social Behaviour Task Group.	Scrutiny Advisor

Ref. No.	Recommendation	Lead Agency (ies)	Timescale	Update Information	Action By
10.	In recognising the value of the work of Neighbourhood Wardens, an examination be undertaken to pursue all funding sources, including Council funding, which could provide a match to external funding, to enable an expansion of the service	Housing Services, Neighbourhood Wardens Manager	On-going	Various sources have been approached such as Objective 1, SRB, VAR, South Yorkshire Police, South Yorkshire Fire and Rescue Service, South Yorkshire Coalfield Pathfinder, Housing Associations and Rotherham Metropolitan Borough Council. On the whole approaches have been met with a negative response although offers of match funding kind have been made and in one or two cases no response has been received at all.	John Parks
11.	The Working Group welcomes consideration by South Yorkshire Police in respect of seconding a Police officer to the Housing Service Anti-Social Behaviour Unit and urges that a positive decision and subsequent deployment of an officer be taken as a matter of priority; other ways of developing joint working, such as the use of shared facilities, should also be explored	South Yorkshire Police	Immediate	PC Perry Mangles joined the anti social behaviour unit on 27 October 2003.	Helen Nixon

Ref. No.	Recommendation	Lead Agency (ies)	Timescale	Update Information	Action By
12.	In view of the recent publication of research into anti-social behaviour, notably a recent research study "Tackling Anti-Social Behaviour in Mixed Tenure Areas" commissioned by the Office of the Deputy Prime Minister and other available research, an examination be undertaken of good practice in tackling anti-social behaviour to inform the development of a local strategy including support for rehabilitating perpetrators	Housing Services, Anti-Social Behaviour Unit	On-going	Contacts have been made and the undertaking is a priority with Anti Social Behaviour Task Group with a view to a sub group being formed.  Draft Strategy now complete and is going through the consultation process, in line with the Safer Rotherham Partnerships Anti Social Behaviour Task Group's target of March 2004	Helen Nixon
13.	The Democratic Renewal Scrutiny Panel be requested to give consideration to undertaking a scrutiny review into anti-social behaviour which falls outside the remit of this review	Democratic Renewal Scrutiny Panel	Consideration as part of the Scrutiny Panel's forward work programme	Democratic and Resources Scrutiny Panel shortly to publish a remit of the review.	Scrutiny Advisor
14.	The outcome of this review be taken into account as part of the work of the Best Value Review of Community Safety	Team Leader, Best Value Review of Community Safety	As part of the Best Value Review	Revised timetable from Scrutiny Advisor is January 2004	Helen Nixon
15.	Progress on the Housing related Anti-Social Behaviour Action Plan attached as Appendix 3 be reported to the Environment Scrutiny Panel in six months' time	Environment Scrutiny Panel	Six months from Cabinet decision	Report produced for December 2003	Scrutiny Advisor



**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

1. **Meeting** ENVIRONMENT SCRUTINY PANEL
2. **Date of Meeting** 20 May 2004
3. **Title** Draft Anti Social Behaviour Strategy
4. **Originating Officer** Helen Nixon  
Anti Social Behaviour Manager  
Tel Ext 4362
5. **Issue**  
In line with the action plan outlined in the report produced by the Environment Scrutiny Panel, April 2003 and the Safer Rotherham Partnership's request for an Anti Social Behaviour Strategy for Rotherham, a draft strategy has been produced and is currently going through the consultation process.
6. **Summary**  
In order to tackle anti social behaviour throughout the Borough of Rotherham it is necessary to introduce a strategy taking into account, prevention, enforcement, rehabilitation and communication which will link all agencies to tackle the problem.
7. **Clearance/Consultation**  
Housing Services and the Community Safety Section have been tasked with consulting with local authority tenant representatives, the Safer Rotherham Partnership Anti Social Behaviour Task Group, Council Officers, Housing Associations and other agencies of the Council, all of whom play an active role in combating anti social behaviour in Rotherham. The document is subject to minor changes in line with the request of the South Yorkshire Police, the Youth Offending Service and Youth Services.
8. **Timing**  
This report is in line with the requests set out in the Anti Social Behaviour in Rotherham Environment Scrutiny Panel report dated April 2003, and following presentation to Cabinet Member for Housing and Environmental Services and in line with the expectations of the Safer Rotherham Partnership.
9. **Background**  
The Government regards tackling anti social behaviour as a high priority, in order to restore a sense of social responsibility to those whose behaviour has a detrimental effect on other people's lives. In order for a workable and effective strategy to be produced, it will be necessary to draw on the assistance and experience of all agencies.
10. **Argument**  
Anti Social Behaviour can cause social exclusion. No single agency can take sole responsibility to tackle the problem and there is a need for all agencies to work together in order to make a difference to those whose lives are restricted or blighted by the behaviour of other people.



11. **Risks and Uncertainties**

Failure to effectively tackle anti social behaviour can contribute to a spiral of decline on estates and in communities. Costs of managing such areas invariably rise as a result.

12. **Finance**

There are no direct financial implications arising from this report.

13. **Sustainability**

Anti social behaviour causes serious problems for tenants and residents alike and therefore threatens the cohesion of our communities. Housing Services, along with all other agencies, must play a part in tackling and preventing such behaviour.

14. **Wards Affected**

All

15. **References**

Housing Related Anti Social Behaviour in Rotherham, Report of the Environmental Scrutiny Panel April 2003

16. **Presentation**

Draft Anti Social Behaviour Strategy  
Appendix B Summary of Strategy

17. **Recommendations**

**THAT CHAIRMAN AND VICE-CHAIRMAN TAKE NOTE OF THE REPORT AND THE PROPOSALS FOR SUSTAINABLE ACTIONS ON TACKLING ANTI SOCIAL BEHAVIOUR IN ROTHERHAM**

## **DRAFT ANTI SOCIAL BEHAVIOUR STRATEGY**

### **INTRODUCTION**

The Safer Rotherham Partnership and associated agencies recognises that anti-social behaviour damages individuals and communities, and that tackling anti-social behaviour is a key activity in regenerating and sustaining our communities.

### **AIMS**

- The strategy outlines the Safer Rotherham Partnership's strategic intent with regard to tackling anti-social behaviour in Rotherham.
- The strategy sets out how the Safer Rotherham Partnership in conjunction with all agencies will deliver anti-social behaviour services across the Borough of Rotherham.
- The strategy will link in with the Corporate Plan, Community Safety Strategy, Corporate Housing Strategy and the Sub Region Plan, to deter and act against anti-social behaviour with a view to ensuring all residents of Rotherham have a better quality of life.
- The SRP is committed to working in partnership with all agencies and communities to devise and develop strategies which minimise the causal factors of anti-social behaviour and thereby prevent its occurrence.

### **DEFINITION**

The twin issues of tolerance and different community perceptions of what constitutes anti-social behaviour raise a number of important questions about the feasibility of developing a single shared definition.

Rather than attempting to reach agreement on a single definition of anti-social behaviour, an alternative is the use of a classification system capable of incorporating a wide spectrum of behaviours. This links in with the work commissioned by the Safer Rotherham Partnership in 2002. The report based on a system which has been developed by researchers at Glasgow University found that anti-social behaviour could be separated into the following three distinct types of disputes:

**Neighbour Problems** – disputes arising between people living in adjoining or neighbouring properties, involving complaints about for example, litter, noise, harassment, untidy gardens and boundary disputes, out of control children, harassment, verbal abuse, damage to property and vehicles, repairing cars, dog fouling etc

**Neighbourhood problems** – complaints concerning more general problem within a neighbourhood such as graffiti, rubbish in public places, off road cycling, football disorder, fly tipping, under age drinking, young people causing a nuisance, intimidation, abandoned cars, aggressive begging, abusive and offensive language or behaviour in the town centre etc.

**Crime Problems** – house breaking burglary, criminal damage, street drinking, drug dealing and abuse, car crime, arson, racial harassment and other homophobic and hate crimes, public order and assault

One of the advantages of using a classification system rather than attempting to formulate a simple “catch all” definition is that individual behaviours can be added to the classification system as and when they are reported as causing a problem. Furthermore, the classification system can be used as a management tool to help to identify the appropriate agency(s) to take the lead role in co-ordinating action to resolve different types of problems.

In addition to this, the classification can be given a risk value as follows:-

**Low risk – Neighbour Problems**

**Medium Risk – Neighbourhood Problems**

**High Risk – Crime Problems**

## STRATEGIC ELEMENTS

There are four broad elements to the strategy:

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<b>Prevention</b>	To reduce anti-social behaviour by identifying the causes and putting in place positive, joined-up, long-term solutions to anti social behaviour problems by preventing incidents arising in the first instance or tackle them as soon as they arise.
<b>Enforcement</b>	Demonstrate a commitment to tackling anti-social behaviour borough wide to deliver a rapid, robust and effective response using current legislative powers, targeted towards the more serious incidents of anti-social behaviour, to give long-term solutions.
<b>Rehabilitation</b>	Work to develop services to change perpetrator's behaviour, following enforcement action, in order to prevent the re-occurrence of anti-social behaviour.  Included in this will be work along with other agencies and local communities in consideration of the impact to the community's well being when rehabilitating perpetrators of anti-social behaviour.
<b>Communication</b>	To develop effective communication with both the public in Rotherham and across partner agencies. This will include making up to date information on services within Rotherham available. Increasing public reassurance by ensuring that public perception matches the reality and by highlighting successful resolutions to problems where appropriate.  Carrying out consultation to ensure that anti-social behaviour issues are heard.

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## STRATEGIC OBJECTIVES

### 1. PREVENTION

#### **Strategic Objective 1.1 - To prevent the involvement of children and young people in anti-social behaviour.**

Work with young people who are at risk or involved in anti-social behaviour at an early stage. This strategy will focus on children at risk but recognises that considerable work is occurring throughout Rotherham with children and young people prior to them reaching this level, e.g. Surestart

- Closer working of the Anti Social Behaviour Unit and the Youth Offending Service through the employment of the Youth Liaison Officer.
- Improved provision for children and young people at risk of falling out of the education system
- Closer co-ordination across partner agencies of preventative work carried out in schools
- To ensure continuous multi-agency involvement in Safer Estates process
- Ensure that anti-social behaviour issues are included in the Local Authority's Preventative Strategy [children at risk of social exclusion] and Rotherham's Parenting Strategy.
- Children and young people's anti-social behaviour to become a key area of consideration for the Rotherham Children's Board.
- Link anti-social behaviour information systems with Rotherham's 'IRT' developments in the recognition that risk of or involvement in anti-social behaviour will likely be an indicator of a 'child in need'.
- Develop positive alternatives for young people including informal learning opportunities, street work to divert young people from anti social activities.
- Encourage greater tolerance and understanding between young people and adults (both members of the community and officers working in the community) for example through mediation.

**Objective 1.2 – To maintain and further develop a visible Uniformed Presence in the Borough**

The Neighbourhood Wardens scheme was set up in 2001 initially in the Rawmarsh and Parkgate area. The scheme has expanded to cover other areas of the Borough. Environmental Wardens who work throughout the borough also add to security measures and in addition to this in 2003 Police Community Support Officers were introduced into Rotherham.

- Continuation and expansion of the Neighbourhood Wardens scheme ensuring that it is targeted at the highest problem areas.
- Continuation and expansion of the use of Police Community Support Officers targeting the highest problem areas.
- Co-ordination of the two schemes to ensure complimentary use.
- Training of Environmental Wardens in becoming eyes and ears of estates

**Objective 1.3 – To co-ordinate and improve physical measures carried out.**

Improving the physical environment by introducing crime prevention measures through a holistic problem solving approach will both reduce the occurrence of anti-social behaviour and increase public reassurance in those areas.

- Environmental works in the form of alleygating, street lighting, street cleansing through the Streetpride Service
- Overt CCTV in high problem areas e.g. Small Retailers in Deprived Areas funding has allowed CCTV systems in shopping parades in Thrybergh.
- To ensure multi-agency planning in 'high problem areas' which address the needs of young people in an inclusive and joined up way and thereby reduce the risk of anti-social behaviour.
- To prevent off road motor vehicle nuisance in high problem areas, access and boundary works carried out at identified pinch points.
- To explore partnership opportunities with other Local Authorities and relevant agencies, to develop an off-road facility within the Borough.

- The use of Secure by Design in projects for neighbourhood renewal and new build projects

#### **Objective 1.4 – To develop Mediation Services across all tenures**

Mediation services can effectively prevent anti-social behaviour re occurring in appropriate circumstances, which can include minor neighbour disputes. The use of mediation can be an effective tool in reducing calls for service to partner agencies

- Maintain the existing mediation service within Housing Services ensuring mainstream funding of the scheme
- Develop the current mediation service to include all tenures
- Extend the use of ABCs as an option for mediation with both young people and adults.

#### **Objective 1.5 – Increase the number of Acceptable Behaviour Contracts issued in Rotherham in line with the Housing Key Performance Indicator.**

ABC's are a voluntary agreement between the perpetrator of anti-social behaviour and the Local Authority and Police. Although not legally binding they clearly demonstrate to the perpetrator behaviours which will not be tolerated.

- Extend the training of Housing Officers and Police in the use of ABCs.
- Create an effective monitoring service of those contracts issued.
- Inform appropriate agencies when ABC's are issued to ensure effective monitoring takes place and that services are made available/delivered which will aid in the compliance of the ABC.



**Objective 1.6 – To ensure that all Tenancy Agreements in all tenures have the appropriate anti-social behaviour conditions.**

In line with the Anti Social Behaviour Act 2003 all tenancy agreements including Registered Social Landlords must include measures to tackle anti-social behaviour. Rotherham recognises that further to this legislation, additional work is required with private landlords. This also closely links with enforcement objectives within this strategy.

- Ensure RMBC Housing tenancy agreements have appropriate anti-social behaviour related conditions and that those conditions are conveyed to all tenants and make necessary changes with the new legislation expected by the Government in 2005/6
- Develop a Private Landlord Accreditation Scheme through RMBC Housing Services. Through the scheme landlords will be assured of support from the ASB Unit in the event of any problems arising and affecting the tenancy in relation to anti-social behaviour.
- To work alongside Registered Social Landlords in ensuring that reported anti-social behaviour is dealt with effectively, including the early identification of potential risks of anti-social behaviour and the prevention of escalation.
- RMBC will utilise legislation in relation to demoted tenancies where appropriate.
- Develop closer working with Registered Social Landlords across the Borough to tackle anti-social behaviour, using their tenancy agreements.
- Review and amend current the RMBC Housing Tenancy Agreement in relation to anti-social behaviour conditions
- Expansion of the ASB Unit to improve capacity to enforce tenancy agreements and take other appropriate enforcement actions across all tenure under the Anti Social Behaviour Act 2003.

## 2. Enforcement

### **Objective 2.1 – To effectively monitor ABCs in force and make appropriate use of Anti Social behaviour Orders issued in the Borough.**

ABC's are a voluntary agreement between the perpetrator of anti-social behaviour and the Local Authority and Police. Although not legally binding they clearly demonstrate to the perpetrator behaviours which will not be tolerated.

ASBO's are akin to injunctions. They are a legal sanction gained through court to stop anti-social behaviour continuing. ASBO's can be sought against anyone over the age of 10 years and last for a minimum of two years.

- Ensure that any breaches of ABCs are dealt with effectively through the ASB Case Conference procedure
- Raise awareness within partner agencies of the procedures for tackling anti-social behaviour
- To encourage reporting of anti-social behaviour, witness support should be provided where identified as a need, eg call out service, temporary alarm systems.
- Development of the ASB Unit working practices to become specialists in tackling anti-social behaviour eg carrying out surveillance, acting as professional witnesses.
- In all anti-social behaviour cases swift and appropriate action will be taken in line with the ASB Unit procedures.
- Extend the training of Housing Officers and Police in the use of ABCs.
- Create an effective monitoring service of ABCs issued.
- Create an effective mentoring service.
- Inform appropriate agencies when ABC's are issued to ensure effective monitoring takes place and that effective services are provided to ensure compliance with contracts.

### **Objective 2.2 – Utilise all enforcement measures where appropriate**

Examples of existing enforcement measures include injunctions, introductory tenancies, harassment legislation, hate crime legislation and Police Reform Act powers to seize motor vehicles, parenting orders

- Where necessary set up protocols/ policies for their use
- Ensure that enforcement measures are used as part of a multi agency approach to tackling anti-social behaviour
- The ASB Co-ordinator will keep abreast of current legislation and best practice to take on new enforcement measures
- The ASB Unit will develop closer links to existing groups tackling minority issues eg MAARI, LGBT Inter Agency Group, to ensure that anti social behaviour legislative powers are integrated into the measures available to tackle hate crime.
- Ensure as far as possible the protection of witnesses involved in an anti social behaviour investigation process. Including the provision of dispersed alarms, mobiles phones and 24hour call out facility to the ASB Unit.

### **Objective 2.3 – Utilise Criminal Sanctions where appropriate**

Where anti-social behaviour reported also falls under criminal legislation appropriate criminal sanctions will be applied for through the court process. Effective monitoring of ASBO's are required to ensure that where breaches occur they are dealt with.

- Where necessary criminal sanctions will be applied for in conjunction with the ASBO process.
- Ensure breaches of ASBO's are dealt with appropriately and effectively
- Develop an effective monitoring system of ASBO's in force in Rotherham
- Maintain and further develop South Yorkshire Police work within the ASB Unit through the secondment of police officers to the unit.

- Further develop the structure of the ASB Unit to include other appropriate agencies.

#### **Objective 2.4 – Work in line with the Anti Social Behaviour Act 2003**

The new ASB Act 2003 gives local agencies the tools to take action against anti-social behaviour. It also helps the Police and Local Authority to work together with local people. Provisions of the Act have to be used to protect victims of anti social behaviour and the communities most affected by the problem.

The Safer Rotherham Partnership will implement all relevant Parts of the Act.

- Part 1 – Closure of premises where drugs are used unlawfully. SYP working with the Drug Strategy Team to champion
- Part 2 – new powers for social landlords to tackle anti social behaviour tenants. RMBC Housing Services to champion
- Part 3 – Parents: meeting responsibilities to their children and to their community. Children and Young Peoples Executive to champion
- Part 4 – Dispersal: Dealing with intimidating groups. SYP to champion
- Part 5 – Firearms: Introducing new prohibitions on air weapons and imitation firearms. SYP to champion
- Part 6 – Environment: Cleaner and safer communities. Environmental Services to champion
- Part 7 – Public Order and trespass new powers. SYP to champion
- Part 8 – High Hedges. EDS Tress and Woodlands Section to champion
- Part 9 – Miscellaneous powers. A number of different powers are listed under this part of the Act which will be championed by the relevant agencies.

### 3. Rehabilitation

**Objective 3.1 – To ensure that rehabilitation forms an integral part of all anti –social behaviour casework**

There is a distinct overlap between prevention work and rehabilitation work. Multi agency work to prevent further instances of anti-social behaviour should not be withheld until legal action has been taken.

This work must also continue to give support following legal action in order to rehabilitate offenders.

- Ensure a multi-agency, problem solving approach to tackling the causes of anti social behaviour in the long term in all cases where action has been taken to resolve a problem.
- To liaise with all relevant agencies who give support following eviction, e.g. Supporting People, with a view to preventing the problem occurring again.
- To work with appropriate agencies to give support on orders that are a result of criminal conviction relating to anti-social behaviour
- Integrate offenders into community learning opportunities once they have completed Court orders.

## 4. Communication

### Objective 4.1 – Internal communication

Internal communication includes the sharing of information within relevant partner agencies on an individual anti-social behaviour case basis and on a general basis informing others of work or projects that are being carried out and that could be linked to.

- Ensure that appropriate agencies are fully integrated into the Housing led Safer Estates process across Rotherham and all agencies are attending the meeting (Housing Officers, Education Welfare, Social Services, Youth Services, Environmental Services, South Yorkshire Police and National Probation Service)
- Ensure that appropriate information exchange protocols are in place between partner agencies. In the case of children and young people these should link into both the children's IRT developments and the LCJB Criminal Justice IT system.
- A continuous awareness training programme in place for partner agencies including training for staff and Elected Members around tackling anti-social behaviour.
- A continuous process of advice and update for relevant partner agencies in respect of changes to legislation and development of anti-social behaviour services across the Borough
- Ensure that information relating to the anti social behaviour strategy is disseminated to all relevant front line staff in SYP, RMBC, RSLs and other relevant agencies

## Objective 4.2 – External Communication

External communication is the sharing information with the public who live and work in Rotherham.

It is important that the public are aware of mechanisms for reporting of anti-social behaviour problems as well as being made aware of the current work that is taking place to address anti-social behaviour.

It is important to tackle the public's fear of anti-social behaviour and its perception of the size and nature of the problem through positive messages and images about Rotherham.

It is also important that positive messages are reported to the public in relation to anti-social behaviour which has been effectively resolved.

There is also a need for improvement of anti-social behaviour reporting mechanisms for the public.

- RMBC Housing services will publish all procedures and policies and make available to all customers to tackle anti-social behaviour by December 2004 in line with the anti social behaviour act 2003
- Continuous plan of awareness raising sessions carried out to relevant public groups in relation to tackling anti-social behaviour.
- All witnesses and complainants will be kept fully informed on action being taken to resolve their anti-social behaviour problems.
- That both anti-social behaviour and positive social behaviour services/work are highlighted at all relevant events, e.g. The Rotherham Show
- Leaflets/information is available for customers in relation to anti-social behaviour services available. These should be available in a range of languages, use plain English and be available on tape.
- Where reporting restrictions do not apply any ASBOs gained will be publicised.
- Positive messages in relation to the resolution of anti-social behaviour will be publicised.

- We will ensure the development of more effective mechanisms for reporting anti-social behaviour, e.g. a telephone hotline and 'one stop shops'.

#### **Objective 4.3 – Consultation**

It is important that communication is not just one way but that mechanisms are in place for people's issues around anti-social behaviour to be heard and to influence any action taken.

- We will consult fully in respect of anti social behaviour and encourage involvement in issues and developments. This will include consultation with partner agencies, Elected Members, minority groups and tenants and residents of Rotherham.
- Through the Children and Young Peoples Executive Group consultation with children and young people will be sought.
- Through local crime and disorder problem solving partnerships at Area Assembly level, anti-social behaviour issues raised by the public and partner agencies will be dealt with appropriately.



**DELIVERING THE OBJECTIVES**

Taking the above prevention, enforcement, rehabilitation and communication elements, the Safer Rotherham Partnership will seek to tackle anti-social behaviour using the following key approaches:

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	The SARA problem solving method is
<b>Problem Solving</b>	<ul style="list-style-type: none"><li>• Scan</li><li>• Analyse</li><li>• Respond</li><li>• Assess</li></ul>
	This will be used through existing ASB reduction structures when anti-social behaviour problems are identified, for example the Anti Social Behaviour Task Group, Safer Estates Group South Yorkshire Police and the ASB Unit.

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	In areas where anti-social behaviour has been reported, the Anti Social Behaviour Unit/ South Yorkshire Police will:
<b>Customer Focus</b>	<ul style="list-style-type: none"><li>• Take swift action to support victims and witnesses.</li><li>• Act against the perpetrators.</li><li>• Offer positive interventions to prevent further anti social behaviour</li><li>• Deliver solutions that are proportionately effective, and take into account the circumstances of each case.</li><li>• Seek to identify and interview all interested parties for assessing for action and gathering evidence.</li><li>• Hold regular Safer Estates meetings</li></ul>

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**Locally  
Sensitive**

All agencies will work with customers:

- To identify causes and perpetrators of anti-social behaviour in their communities
  - To develop local solutions to problems of anti-social behaviour
  - To encourage local partnership working to deliver those solutions
- 

**Performance  
Excellence**

The Safer Rotherham Partnership will deliver performance excellence by:

- Ensuring that incidents of anti-social behaviour are recorded, monitored and data interpreted to ensure effective deployment of resources.
  - Training staff in processes and procedures on a continuous basis and update staff on Best Practice and new initiatives.
  - Continuing to benchmark our performance, policies and practice against other similar service providers.
  - Work in line with Best Value and monitor performance and create performance indicators where appropriate
-

**HOW THE SAFER ROTHERHAM PARTNERSHIP WILL MEET ITS AIMS AND OBJECTIVES**

The Safer Rotherham Partnership will pursue and implement key improvements to meet the objectives set out to tackle anti-social behaviour. The key improvements required will be detailed in an accompanying action plan outlining SMART targets, key actions, timescales, lead officers and resources required. The action plan will include regular updates on work towards the key actions and objectives.

In addition, resources will be sought from external funding such as the Neighbourhood Renewal Fund and the Building Safer Communities Funding. A number of projects that support the Prevention, Enforce and Rehabilitation agenda are already in place.

**HOW WILL THE STRATEGY BE MONITORED AND REVIEWED?**

This strategy will be monitored by the Safer Rotherham Partnership through the Anti Social Behaviour Task Group Chaired by Housing Services.

**WHEN WILL THE STRATEGY BE REVIEWED**

This Strategy will be reviewed on an annual basis and a report submitted to the SRP as part of the Anti Social Behaviour Task Group annual report.

The Action Plan will be reviewed on a bi-monthly basis through the Anti Social Behaviour Task Group Chaired by Housing Services.

RM/HN

7<sup>th</sup> May 2004

**DRAFT ANTI SOCIAL  
BEHAVIOUR STRATEGY  
ENVIRONMENT SCRUTINY PANEL  
20 MAY 2004**



# BACKGROUND TO THE STRATEGY

- Government White Paper ‘Respect and Responsibility - Taking a stand against Anti Social Behaviour’
- Safer Rotherham Partnerships - Anti Social Behaviour Task Group - Priority to produce Anti Social Behaviour Strategy
- Environment Scrutiny Panel Report - Housing related Anti Social Behaviour in Rotherham

# ELEMENTS OF THE ANTI SOCIAL BEHAVIOUR STRATEGY

- Prevention
- Enforcement
- Rehabilitation
- Communication

# PREVENTION

## Six objections outlined

1. To reduce the number of children involved in Anti Social Behaviour
2. Visible uniformed presence in the Borough
3. Co-ordinate and improve physical measures
4. Increase the number of Acceptable Behaviour Contracts throughout the Borough
5. Tenancy Agreements
6. To develop a mediation service across all tenures

# ENFORCEMENT

## Five Objectives Outlined

1. Tenancy Agreements with appropriate enforcement measures in relation to Anti Social Behaviour
2. Effective monitoring of Acceptable Behaviour Contracts
3. Utilise all enforcement measures
4. Utilise criminal sanctions where appropriate
5. Working in line with the Anti Social Behaviour Act 2003



# REHABILITATION

One objective outlined

- Ensure rehabilitation forms an integral part of all Anti Social Behaviour case work which will guarantee that a multi-agency approach will continue following legal action taken against perpetrators

# COMMUNICATION

Three objectives have been outlined

1. Internal Communications
2. External Communications
3. Consultation

# IMPLICATIONS

- The Implications are that an action plan will be produced which will ensure that all agencies play a part in working together to act against Anti Social Behaviour

## ARGUMENT

- The government is committed to ensuring that all local authorities take appropriate action to tackle Anti Social Behaviour
- This strategy will create a link in which all services play a part in ensuring all residents in Rotherham have a better quality of life
- The Anti Social Behaviour strategy links in with the Corporate Housing Strategy, Corporate Plan, Community Strategy and the Community Safety Plan

**THANK YOU**

**That concludes my presentation**

**Helen Nixon**

**Anti Social Behaviour Manager**

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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1. **Meeting** ENVIRONMENT SCRUTINY PANEL

2. **Date of Meeting** 20 May 2004

3. **Title** HOUSING DISREPAIR CLAIMS

4. **Originating Officer** Simon Bunker  
Head of Housing Services  
Tel Ext 3402

5. **Issue**  
Report progress with Housing Disrepair Claims for the 6-month period, following implementation of a pro-active management approach.

6. **Summary**  
The report sets out the impact of the new management strategy for dealing with disrepair claims (Section 11/82).

7. **Clearance/Consultation**  
Head of Housing Services.

8. **Timing**  
It is important that all cases of disrepair are dealt with as speedily as possible to minimise legal costs and to maximise the opportunity to deal with genuine disrepair claims as quickly as possible.

9. **Background**  
In common with many Local Authorities, in recent years Rotherham has experienced a dramatic increase in the number of disrepair claims being submitted on behalf of its tenants by solicitors, some of whom operate from outside the Borough and sub-region.

In the first 6-months of 2003/04 the number of cases had risen to such an extent that it was having a serious effect on the repairs budget. In view of this it was decided to take on additional specialist legal assistance in support of a more assertive approach to the solicitors' involved, whom it was suspected were submitting spurious claims. Rotherham also made clear, by way of publicity material, that tenants should submit repairs issues direct to Council staff and that spurious cases that were submitted would be contested with the utmost vigour.

The current position is that the number of cases fell during that 6-month period from **267** live claims to **211**, despite receiving **62 new claims** during this period.

**118 claims had settled**, comprising:  
34 cases where payment required  
74 cases where no payment required  
10 cases where we are to receive costs

Of the 34 cases where payment is required, the amount **paid to 26.3.04** is:

Payments to claimants	£34,225.63
Legal costs to solicitors	<u>£80,702.82</u>
<b>Total</b>	<b>£114,928.45</b>

However the above costs figure is for only 25 cases. Costs remains to be paid on 9 of these cases during 2004/05 and the estimated cost is a further £29,000, bring the total to **£144,000 approx.**

**10. Argument**

The Programme Area has benefited from having a dedicated specialist legal resource working on the resolution of Housing Disrepair claims.

**11. Risks and Uncertainties**

There is no way of knowing whether claims will continue to come in at the same rate, will diminish or will be received in similar quantities to those coming in this time last year. It is considered prudent to retain the legal assistance over the coming 12-months as it is quite likely that further claims from solicitors new to Rotherham may be submitted.

**12. Finance**

Comparison costs for the legal salary against savings on not defending claims are:

Average cost of the 34 claims paid out in this period is estimated at £4235.29.

Had all 118 settled cases proceeded undefended and cost the same average amount this could have cost,  $118 \times £4235.29 = £499,764.22$ .

The 74 cases settled without payment has potentially saved £313,411.46 ( $74 \times £4235.29$ ).

In addition, 10 cases have been successfully defended and costs orders obtained in our favour. Payment is expected during the 2004/05 year. The costs vary but average out at approx. £2,000 in legal fees plus a further £500 for the work of the in-house surveyor. We therefore expect to receive approx. £25,000 from these 10 claims.

The Council's legal input has been covered by the amount of fees we expect to recover for the 10 cases successfully defended.

**13. Sustainability**

N/A

**14. Wards Affected**

All

15. **References**

Case Outcome Schedule – 8.10.03 – 26.3.04

Cases Settled – no court proceedings – same dates

Breakdown of figures table

16. **Presentation**

Press cuttings prepared by Locum and appearing in local press and Rotherham Matters.

17. **Recommendations**

**TO NOTE THE BENEFICIAL IMPACT THAT A DEDICATED LEGAL RESOURCE IS  
HAVING ON NUMBERS AND OUTCOMES OF DISREPAIR CLAIMS**



## **Appendix 1 HOUSING DISREPAIR CLAIMS**

### **BACKGROUND**

As Landlords, RMBC is responsible for repairs to the housing stock. The tenant's rights and landlord's responsibilities are set out in the Tenancy Agreement.

Under Section.82 of the Environmental Protection Act 1990 and Section 11 of the Landlord and Tenant Act 1985, if a tenant advises a landlord of disrepair at the property and the landlord fails to repair this in a reasonable period of time (or at all) the tenant is entitled to financial compensation from the landlord.

Whilst tenants have, therefore, always had a right to compensation if the landlord fails to meet its responsibilities, it is only in the last 2 years that tenants have been actively encouraged to do so.

### **RECENT DEVELOPMENTS**

In the same way that Personal Injury Claims have become big business over the last few years, with lawyers advertising widely and certain firms cold calling and canvassing for work, there are now companies who seek Housing Disrepair clients in a similar way.

Teams of canvassers attend housing estates and approach tenants on their doorstep asking if they can make a claim for them. They apparently advise the tenant that it will cost them nothing but will get their repairs done and they will also be awarded compensation. Not unnaturally, many tenants agree to this.

They sign an agreement, and take out an insurance policy to cover legal fees. The house is inspected and a survey report prepared. They then sell the claims on to firms of solicitors.

Housing estates throughout the country have been targeted and the number of claims being handled by the various local authorities varies in proportion to the size of their housing stock. Leeds has over 900 claims, for example.

### **DISREPAIR PROTOCOL**

On 8 December 2003, the Government brought in a Housing Disrepair Protocol which sets down rules for bringing such claims to Court. It sets out every step of the procedure, from the initial letter of claim through to the issue of Court proceedings.

Under the Protocol the solicitors cannot now conduct the transaction in the way they have done previously. They should not now, for example, obtain a survey report before attempting to agree a joint surveyor with the landlord.

However, many solicitors are attempting to bend the Protocol rules to suit themselves, and it is important that any local authority seeking to defend such claims has thorough knowledge of the protocol.

#### KEEPING ABREAST OF DEVELOPMENTS

The Locum, on behalf of RMBC, has forged links with lawyers dealing with Housing Disrepair claims in other local authorities and attends meetings of the Northern Disrepair Group in order to ensure that RMBC keeps up to date with the overall picture of Housing Disrepair in the UK.

She has also attended a Continuing Professional Development course on Disrepair earlier this year and will be attending the National disrepair Conference in June 2004.

<b>CASE NO</b>	<b>Hearing date</b>	<b>Outcome</b>	<b>Comments</b>
1	No hearing fixed – settled 14.7.03	£760.00 for both damages and costs	Settled before court proceedings
2	10.09.03	<b>Claim dismissed</b>	Small claim - no order re costs
3	17.10.03	Generals £3000 Interest £40 Costs £10046.48 TOT: £13086.48	Apparently an inexperienced Judge. Accepted Claimants evidence of “notice” but not of £2,000 + specials
4	24.10.03	Claim for damages withdrawn.  Costs £2,500	The Claimants costs schedule was almost £15,000 – persuaded them to accept £2,500
5	24.10.03	Generals £750  Specials £250  Interest £27.50  Costs £5394.96  TOTAL £6422.46	At pre-trial conference Claimant offered to settle for £1500 + £6500 costs = £8000. Final costs would have been more but claimants solicitors could not find their CFA risk assessment and the Judge did not allow them a success fee. (They had claimed 50%).
6	28.10.03	Damages £2500 + costs of £5,000	Settlement out of Court
7	03.11.03	Damages £1250 +costs £3400	Settlement out of Court
8	06.11.03	Damages £900 + costs £5,500	Settlement before Hearing
9	07.11.03	Damages £1000 + costs £3000	Settlement out of court
10	11.11.03	Damages £1000 + costs to be agreed	Settlement out of Court
11	14.11.03	Damages £1750 Costs £4112.50	They were seeking £3000 + £6741.75
12	19.6.03  (costs settled 7.11.03)	£800 + costs of £5500	They wanted damages of £2,500, then £1250, settled for £800. Costs claimed were £8,911.11, settled for £5,500
13	27.11.03	£2,500 + costs	Settlement out of Court

14	2.12.03	<b>Case Discontinued – Damages £0 Costs £0</b>	Client left, owing rent. Pestered solicitors for her new address. They discontinued their claim on basis we didn't claim costs.
15	25.11.03	<b>Case Discontinued Damages £0 Costs £0</b>	Counsel had advised we offer to settle at £1000 + £3500 costs. Put forward our submissions and their case folded.
16	03.12.03	Damages £750 Costs £2250	Settlement at door of Court. They were claiming £2500 + £14,000+ costs
17	04.12.03	Damages £750 + costs	Settlement out of court
18	05.12.03	Damages £500 + Costs £4000	Settlement at door of Court
19	09.12.03 – settled 8.12.03	<b>Damages NIL Costs NIL</b>	Settlement out of Court
20	No hearing- settled 8.12.03	Damages £350 Costs £450	Settlement out of court
21	10.12.03	Damages £690 + costs	They were asking for £1500 + costs at the door of Court.
22	11.12.03	Damages £1500 + costs to be agreed	Settled at door of Court.  They were seeking £3,500 + costs. Counsel negotiated to £1500 + costs
23	11.12.03 – settled 10.12.03	Damages £1250 + costs	Counsel had advised making an offer of £2500 + costs to settle.
24	No hearing date : settled 12.12.03	Damages £500 Costs £450	Settlement out of Court
25	19.12.03	Settled 15.12.03  Damages £800 + costs	Settlement out of Court
26	22.12.03	<b>Discontinued on 15.12.03 – no damages, no costs.</b>	Settled 1 week before hearing Claimant being persuaded to discontinue, if we didn't claim costs

27	16.01.04	Damages £2,250 + costs of £7,750.00.	Settlement out of Court
28	15.12.03	Damages £2000 + costs £3100	Settlement out of Court (by PI lawyers)
29	Settled 9.1.04	Damages £500 + costs £450	Settlement out of Court
30	Settled 14.1.04	Damages £550 + costs £450	Settled out of Court
31	23.01.04  Settled 19.1.04	Damages £500 + costs to be agreed or assessed	Settlement out of Court. (They were wanting £1600 + costs. Counsel advised offering £750.00 + costs).
32	23.01.04  Settled 19.1.04	Damages £500 + costs to be agreed or assessed	Settlement out of Court
33	Settled 22.1.04	Damages £500 + £450 costs	Settlement out of Court
34	28.01.04  Settled 27.01.04	<b>Damages NIL</b> <b>Costs NIL</b> <b>Costs order in our favour</b>	Discontinued the day before hearing, <b>costs order in our favour.</b> costs to be assessed
35	29.01.04 Settled 27.01.04	<b>Damages NIL</b> <b>Costs NIL</b> <b>Costs order in our favour</b>	Discontinued two days before hearing, <b>costs order in our favour</b> - costs to be assessed
36	30.01.04  Settled 27.01.04	<b>Damages NIL</b> <b>Costs NIL</b> <b>Costs order in our favour</b>	Discontinued before hearing, <b>costs order in our favour</b> - costs to be assessed
37	02.02.03  Finally heard on 23.3.04	Damages £1208.13 (less any rent arrears). Costs £10,038.88	Adjourned in November and again in February.  They were asking for damages of £3000 + costs of £15,316.05
38	05.02.04  Settled 27.01.04	<b>Damages NIL</b> <b>Costs NIL</b> <b>Costs order in our favour</b>	Discontinued before hearing, <b>costs order in our favour</b> - costs to be assessed
39	No hearing – settled 6.2.04	Damages £400 + costs £260	Settled out of court. They were claiming £500 + £140 specials + potential personal injury claim for mother + costs.

40	No Hearing: settled 10.2.04	Damages £1250 + costs of £5,250.00	Reports showed quite a number of defects. They asked for £2250 + costs, we negotiated it down to £1250
41	No hearing. Settled 12.2.04	Damages £550 + costs £450	Settled out of Court. They were claiming £1160 + Fast Track costs. Settled for £550 + Small claims costs.
42	No hearing. Settled 16.2.04	Damages £500 + costs £450	Settled out of Court – they were claiming £2300 + Fast track costs. Settled for £500 + Small Claims costs.
43	No Hearing. Settled 20.2.04	<b>Damages NIL Costs NIL COSTS DUE IN OUR FAVOUR</b>	Case Discontinued. <b>We will be claiming for costs</b> , to be assessed by the Court if not agreed
44	No hearing date – settled 1.3.04	<b>Damages NIL Costs NIL COSTS DUE IN OUR FAVOUR</b>	Case Discontinued. <b>We will be claiming for costs</b> , to be assessed by the Court if not agreed
45	No hearing date – settled 3.3.04	Damages £700 + costs £450	They had been claiming £1200 + Fast track costs. Settled for £700 and Small Claims track costs.
46	No hearing Settled  3.3.04	<b>Damages – NIL Costs NIL</b>	Claim struck out after Claimants solicitors applied to come off the record. No order for costs either way. (NOTE We have paid £381.88 to external surveyor).
47	No hearing Settled 8.3.04	<b>Damages – NIL Costs – NIL COSTS DUE IN OUR FAVOUR</b>	Case Discontinued. <b>We will be claiming for costs</b> , to be assessed by the Court if not agreed

48	No hearing Settled  15.3.04	<b>Damages – NIL</b> <b>Costs – NIL</b> <b>COSTS DUE IN OUR FAVOUR</b>	Case Discontinued. <b>We will be claiming for costs</b> , to be assessed by the Court if not agreed
49	No hearing Settled  15.3.04	<b>Damages – NIL</b> <b>Costs – NIL</b> <b>COSTS DUE IN OUR FAVOUR</b>	Case Discontinued. <b>We will be claiming for costs</b> , to be assessed by the Court if not agreed
50	No date fixed	<b>Damages NIL</b> <b>Costs NIL</b> <b>COSTS DUE IN OUR FAVOUR</b>	Case Discontinued. <b>We will be claiming for costs</b> , to be assessed by the Court if not agreed

**SUMMARY:**

34 cases where payment required

10 cases where we are entitled to costs

6 cases where no payment of damages or costs required

**PLUS:**

A further 74 claims have been closed where no hearing was fixed and the claim has been settled on the basis that no damages and costs are to be paid.

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

1. **Meeting:** Environment Scrutiny Panel
2. **Date:** 20<sup>h</sup> May, 2004
3. **Title:** Scrutiny Panel Achievements and Forward Work Programme 2004/05
4. **Originating Officer:** Bronwen Moss, Scrutiny Adviser, extn 2790  
[bronwen.moss@rotherham.gov.uk](mailto:bronwen.moss@rotherham.gov.uk)
5. **Issue:**  
To consider the Environment Scrutiny Panel's achievements over the current Municipal Year and to suggest areas for inclusion in the work programme for 2004/2005.
6. **Summary:**  
The panel is responsible for reviewing services that fall under the scope of the Housing and Environment Services Programme Area. The panel has considered a variety of issues during the year and held a series of meetings to consider the budget for 2003/04. However, if scrutiny is to continue to add value to the work of the Council, we need to demonstrate that the work carried out by the panel contributed to service improvements for the people of Rotherham.
7. **Clearance/ Consultation:**  
This is brought to the panel at the request of the Chair, Cllr Fred Wright.
8. **Timing:**  
It is appropriate that the Panel give consideration to the work programme for 04/05 and to those areas of work that will provide clarity for both Members, officers and other bodies.
9. **Background:**  
The current scrutiny plan has been informed by the corporate priorities agreed by the council, issues raised by elected members on behalf of the communities they serve and with reference to national agendas (for example, the Decent Homes Programme and the continuing development of legislative tools to deal with Anti-Social Behaviour).  
Examples of work carried out by the Panel include the Review on Housing Related Anti-Social Behaviour, from which a number of recommendations have now been implemented. For example, the secondment of a police officer to the ASB Unit in October 03 and the introduction a mediation service with Sheffield Mediation.  
In addition, the panel completed a joint review with the Regeneration Scrutiny Panel on Air Pollution, showing member commitment for cross-cutting reviews across Corporate Priorities.  
Each of the Council's Scrutiny Panels is required to develop an annual report detailing their achievements over the current year and a forward programme of work for the new Municipal Year. It is important that the forward programme decided by the Panel is realistic in terms of the scope and number of issues to be considered and relevant in terms of adding value to the work of the Council or in responding to the community.



Scrutiny should be challenging if it is to be effective and a well thought out forward programme of work is important to enable this to happen.

The recent report into Community Leadership recommended that performance and monitoring issues should put on the agenda on quarterly basis. This would enable the other scheduled scrutiny meetings to focus on a particular theme or issue. Such an approach could, for example, look to examine strategic or cross-cutting issues and allow Members an opportunity to explore and scrutinise a particular issue in more detail.

This would also allow for representatives from other statutory bodies and the voluntary and private sectors as appropriate to share their knowledge and experiences and could involve working with other Scrutiny Panels.

**10. Argument:**

If scrutiny is to continue to add value to the work of the council and develop further as a strong influencing role, then it needs to be clear about what it wants to achieve over the coming months. Scrutiny needs to be both prepared through planning and be responsive to the unexpected.

**11. Risks and Uncertainties:**

Failure to consider and plan the work programme for the coming year is likely to result in difficulties in identifying priorities and being able to measure and monitor scrutiny's progress.

**12. Finance:**

There are no financial implications arising out of this report. Recommendations arising out of scrutiny reviews may have financial implications and these will need to be evaluated when such recommendations are referred to Cabinet.

**13. Sustainability:**

The work programme will need to take into account the Council's sustainability policies.

**14. Wards Affected: All**

**15. References:**

Annual Scrutiny Plan 2003-2004  
The Community Leadership Role of the Local Councillor – Democratic and Resources Scrutiny Panel Review Report  
Housing Related Anti Social Behaviour – Environment Scrutiny Panel Review Report

**16. Presentation:**

The programme will provide the basis for effective scrutiny covering the Housing and Environmental Services Programme Areas throughout the Municipal Year.

**17. Recommendations:**

That Members

- a) consider the achievements of the panel as set out in Appendix 1 and to suggest any additional areas for inclusion in the panel's submission to the Scrutiny Annual Report;

- b) consider whether they support the principle of quarterly performance monitoring meetings, with other scheduled scrutiny meetings being arranged around a particular focus or theme;
- c) endorse the areas set out in Appendix 2 for future scrutiny and suggest additional areas for consideration
- d) Members consider and agree those areas to be subject to detailed scrutiny review.

### Achievements over 2003/04

- Completion of Reviews:           Housing Related Anti-Social Review  
  Air Pollution Joint Review
- 13 November 2003 – Members initiated Fly Tipping Review – currently in progress and due for completion early June 04
- March 2003 - The panel considered the objectives of the Homelessness Review Strategy and resolved to further consider the completed Homelessness Review.
- March 2003 - Supported the introduction of Introductory Tenancies and a Mediation Service to complement existing tools for the enforcement of the Tenancy Agreement and prevention of neighbour nuisance and anti-social behaviour. The introduction of the mediation service being one of the targets of the Crime and Disorder Strategy 02-05.
- April 2003 – The Panel endorsed the recommendations of the Working Party on Housing Related Anti-Social behaviour and resolved that the progress of the ASB Action Plan should be monitored by the panel.
- April 2003 – Resolved to monitor the Area Management Pilot in Munsbrough and Kimberworth.
- April 2003 – The panel nominated the Chairman to serve on the staff/member focus group in relation to the Consultation Strategy for Tenants and Stakeholders on the Housing Option Appraisal.
- April 2003 – The panel considered a report on tackling racial harassment and raised a number of points, for example; wider consultation with BME communities who did not use the service of MAARI and that BME people need more support and encouragement to come forward.
- May 2003 – Presentation to the panel on the implications of the Housing Regulatory Reform Order 2002 – Private Sector Housing Assistance Policy. The panel noted the introduction of the new policy.
- June 2003 – Cllr Wyatt presented a report on the Environmental Action Strategy 2003 – 06 which strengthens the Councils commitment to environmental issues. The panel supported the submission of the Strategy to CMT.
- July 2003 – The panel considered the proposed ALMO option resulting from the Consultation Strategy for Tenants and Stakeholders on the Housing Option Appraisal. Members resolved to support the process and consider further details as the work developed.
- July 2003 – The panel approved the co-option of Mr Jack Carr as representative of the Yorkshire and Humber Society for Clean Air for the 03/04 Municipal Year.

- August 2003 – The panel received a presentation from the Senior Home Energy Adviser on the Affordable Warmth Strategy launched in September 03. The vision of the Strategy was to achieve 'Affordable Warmth for all Rotherham households by 2010.
- September 2003 – Cllr F Wright was nominated as a representative on the Arms Length Management Organisation Steering Group.
- September 2003 – The panel approved the implementation of the Recycling Action Plan.
- November 2003 – The Panel examined the report on the Wath Regeneration Estate – External Regeneration Works and requested further information at a future Panel meeting.
- December 2003 - The panel received a presentation on the South Yorkshire Housing Market Renewal Pathfinder. Members used the opportunity to ask a range of questions covering such as consultation, Decent Homes and ALMO, the use of funding and the priorities in the Community Strategy.
- January 2004 – Food Hygiene Service Plan – 03/04 was presented to panel. Members asked a range of questions covering staff training and recruitment, and Food Inspections. The panel supported the adoption of the Plan by the Council.
- January 2004 – The Executive Director for Environmental and Housing Services presented the budget for 04/05. Members requested a full report on a range of Performance Indicators relating to the Service.
- February 2004 – A Garage Management Review was debated and further details requested for consideration.
- March 2004 – Quarterly Performance Report was presented to panel to update members on areas of progress and consider those areas of work that did not meet their targets.
- March 2004 – Further debate and consideration took place on the Garage Management Review and outstanding issues were resolved.
- Throughout the year the panel received updates on the (Best Value Review) Repairs and Maintenance Improvement Plan for monitoring purposes.
- Wates Construction undertook a number of presentations to the panel on the progress made within the Decent Homes Programme.

**Regular Areas/Monitoring Activity/Significant Issues for the Environment Scrutiny Panel**

**Quarterly monitoring meetings to examine:**

- Scrutiny of Council's forward plan in relation to Housing and Environment key decisions
- Examination of the Programme Area contribution to the Council's overall Comprehensive Performance Assessment
- Issues emerging from inspection regimes
- Monitoring of Service Business Plans

**Quarterly Performance Monitoring Reports**

Best Value Performance Information, Performance Assessment Framework (PAF indicators)

To include specific information on areas of exception

**Budget (Quarterly Monitoring and annual Council budget planning cycle)**

- Housing Services
- Repairs and Maintenance
- Environmental Services

**Updates from previous scrutiny reviews**

- Housing Related Anti-Social Behaviour
- Air Pollution Review
- Fly Tipping

**Suggested Areas for Scrutiny Reviews 04/05**

- ALMO Improvement Plan
- The Role of the Wardens and Caretakers in EHS
- Homelessness Strategy
- BME Housing Strategy
- Food Inspection
- Laboratory Services
- Recycling and Waste Minimisation

- Review of Burial and Cremation Services
- Partnership Arrangements with Housing Associations

**Suggested Areas for Scrutiny to consider at themed meetings**

- Development of ALMO
- Progression of Decent Homes
- Repairs and Maintenance Improvement Plan
- Review into Neighbourhood Management
- Restructure of Housing Services
- Recycling and Waste Minimisation/Waste Management
- Extra Care Housing – jointly with SCS Panel

**DECISIONS TAKEN BY THE CABINET MEMBER FOR  
HOUSING AND ENVIRONMENTAL SERVICES  
19th April, 2004**

Present:- Councillor Ellis (in the Chair); Councillors Hamilton, Jack and Kaye (Policy Advisers).

**242. ANTI-SOCIAL BEHAVIOUR STRATEGY FOR ROTHERHAM**

The Head of Housing Services submitted the above draft Strategy which took into account prevention, enforcement, rehabilitation and communication which would link all agencies to tackle the problem of anti-social behaviour. The aforementioned four elements had the following objectives assigned to them:-

Prevention

- To reduce the involvement of children and young people in anti-social behaviour
- To maintain and further develop a visible uniformed presence in the Borough
- To co-ordinate and improve physical measures carried out
- To develop a Mediation Service across all tenures
- Increase the number of Acceptable Behaviour Contracts issued in Rotherham in line with Housing Key Performance Indicators
- Ensure that all Tenancy Agreements in all tenures have the appropriate anti-social behaviour conditions.

Enforcement

- Ensure all tenancy agreements across all tenures are appropriately enforced in relation to anti-social behaviour
- Effectively monitor Acceptable Behaviour Contracts in force and increase the number of Anti-Social Behaviour Orders issued in the Borough
- Utilise all enforcement measures where appropriate
- Utilise criminal sanctions where appropriate
- Work in line with the Anti-Social Behaviour Act 2003

Rehabilitation

- To ensure that rehabilitation forms an integral part of all anti-social behaviour case work

Communication

- Internal communication
- External communication
- Consultation

There would be an action plan accompanying the document in which each agency would have objectives.

The Head of Service drew to the Cabinet Member's attention the debate that was currently ongoing within the Safer Rotherham Partnership regarding the release of names of children under the age of 16 years. Prior to any case going to Court there was full consultation with all agencies where each had the chance to make representations including, in the case of a minor, the publicising of the name. Discussion ensued on this issue. It was felt that a decision should be made as to the releasing of a minor's name, or not as the case may be, prior to the case going to Court.

Resolved:- (1) That the report and draft Strategy be noted and forwarded to the Safer Rotherham Partnership.

(2) That the report be submitted to the Environment Scrutiny Panel at its May meeting.

#### **243. MERGING OF HOUSING SERVICES IMPROVEMENT PLANS**

The Head of Housing Services withdrew this item. It would be submitted at a later date.

Resolved:- That the report be received.

#### **244. WATH REGENERATION SCHEME – INCLUSION OF NON-TRADITIONAL PROPERTIES**

The Head of Housing Services submitted a report on the investigations that had taken place into the future viability of the non-traditional housing stock on the 'White Bear' and 'Wimpey' estates at Wath upon Dearne.

As part of the masterplan produced following consultation with the community, 141 non-traditional properties had been highlighted for refurbishment. The investigations had revealed that the properties could be refurbished to the Decent Homes standard at a similar cost to that of traditional stock. The cost of refurbishment, as part of the regeneration of the estate, had always been included in the cost projections and was still part of the £14 million budget committed for the scheme.

It was noted that where there were other areas of non-traditional properties, investigations would take place into their future viability with the outcome being submitted to the Cabinet Member for decision.

Resolved:- (1) That the report be received.

(2) That approval of the refurbishment of the non-traditional properties as part of the regeneration of the 'White Bear' and 'Wimpey' estates be confirmed.



(3) That the appropriate Ward Councillors be informed of (2) above.

#### **245. MARSHALL CLOSE, PARKGATE – PETITION**

Further to Minute No. 302 of January, 2003, the Head of Housing Services submitted a report highlighting the work that had taken place with regard to residents' requests for improvement works. The work included:-

- Advice given to residents that security doors would be fitted as part of the Decent Homes Programme.
- Outside lights (dawn to dusk type) had now been fitted to all bungalows.
- Funding via 'Safer Homes Scheme' had been secured and all bungalows were to be fitted with target hardening measures as described in the report submitted.
- Further suggestions for fencing were being considered by the Neighbourhood Warden Unit.
- Work had been completed to remove weeds, trim bushes and clear paths.

Resolved:- (1) That the actions taken be noted.

(2) That if future requests for similar work at sheltered housing schemes are received, checks be made to ascertain their position on the Decent Homes Programme.

#### **246. HOUSING AND ENVIRONMENTAL SERVICES GENERAL FUND REVENUE BUDGET MONITORING AS AT JANUARY AND FEBRUARY, 2004**

The Finance and Accountancy Manager reported on the Housing General Fund budget position for the period January and February, 2004.

At the end of February, the projected underspending had been £0.239M (2.2% of the total budget). This was made up of an overspending on the Housing General Fund and underspendings on the Environmental Health and Waste Collection and Disposal budgets as follows:-

Housing General Fund – An overspend of £89,000 against the budget of £742,453. It had been expected that the Service budget would be achieved, however, the latest projections indicated that the fee income generated in response of a major programme of private sector capital improvement works would not be achieved.

Environmental Health (excluding Waste Strategy) – There was an underspend of £148,000 (8.5%) from a budget of £1.733M. This was an increase to that projected in the last report attributable to an

increase in licensing income, underspending on salaries and staff costs, occupational health and food and drugs and reductions in the projected overspend on Pest Control and the Crematorium and Cemeteries.

Waste Strategy – The projected underspending was £180,000 (2.1%). This had been reduced from the £0.250M previously reported as a result of the increased cost of green waste collection in the Borough. The projected outturn position did, however, reflect continued high levels of throughput at recycling centres and lower waste arisings at landfill sites as well as the receipt of DEFRA grants for recycling initiatives.

Resolved:- That the report be received.

#### **247. HOUSING REVENUE ACCOUNT (HRA) BUDGET MONITORING AS AT JANUARY AND FEBRUARY, 2004**

The Finance and Accountancy Manager reported on the Housing Revenue Account budget position for January and February, 2004.

It was currently estimated that the HRA would achieve a surplus of approximately £0.500M. In spite of continued high levels of Right to Buy sales, income remained above budget levels. In addition, former tenants' rent arrears of approximately £0.4M had been written off during the year. It should be noted that the current budget projections assumed that the value of current tenants rent arrears would not increase in cash terms. Work with Benefits staff to assess the level of rent rebates and housing subsidy that would be received indicated that this was significantly above budget.

In terms of Right to Buy sales, there had been 185 properties sold in January with a further 186 in February resulting in total sales for 11 months of 1,327 above the original estimate of 1,180 for the whole year.

Although income levels had been higher than budgeted, this had been offset by increased expenditure attributed to several factors including the District Offices' budget, the Management and Administration budget and pressure on the repairs budget.

Resolved:- (1) That the report be noted.

(2) That the staffing restructure of District Offices be submitted to the Cabinet Member before it comes into effect.

#### **248. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the

following items of business on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs indicated below of Part I of Schedule 12A to the Local Government Act 1972.

**249. WASTE COLLECTION DIRECT SERVICE ORGANISATION AND HOUSING SERVICES DEPARTMENT DIRECT SERVICE ORGANISATION BUDGET MONITORING REPORT JANUARY TO FEBRUARY, 2004**

The Finance and Accountancy Manager submitted the current budget position for the Waste Collection and Housing Services trading accounts for January and February, 2004.

Based on activity levels, expenditure and income for the 11 months of the 2003/04 financial year that ended on 29<sup>th</sup> February and taking into account estimated turnover for March, 2004, the projected outturn position on the Waste Collection was a surplus of approximately £50,000 and Housing Services a small surplus of £98,000.

Resolved:- That the report be received.

(Exempt under Paragraph 8 of the Act – expenditure to be incurred by the Authority)

**250. PETITION – ANTI-SOCIAL BEHAVIOUR – EAST DENE**

The Democratic Services Manager reported receipt of a petition, containing 13 signatures, in respect of allegations of anti-social behaviour caused by children of two properties.

The petition had been handed to a Housing Assistant on 16<sup>th</sup> February, 2004, and a number of actions had been taken including Acceptable Behaviour Contracts on 2 of the children concerned.

Resolved:- That the petition and actions taken be noted.

(Exempt under Paragraphs 3 and 15 of the Act – accommodation provided by the Authority/protected informants)

**251. DALTON HOUSE SHELTERED SCHEME**

The Head of Housing Services submitted a report outlining an application submitted by Hallam Housing Society to the Housing Corporation to demolish Dalton House Sheltered Scheme and redevelop the site for Extra Care Sheltered Housing.

An unsuccessful bid had been submitted to the Office of the Deputy Prime Minister for capital finance from the Extra Care Housing Fund to redevelop the site. However, Hallam Housing Society had made a separate bid which had been successful.

The Extra Care Housing Strategy had been subject to widespread consultation including discussions with ROPES, Age Concern, Carers groups and colleagues in the Health Services. Focus groups of service users had been established and consulted. The outcome had been very positive.

Approval was sought to commence rehousing of the remaining 11 tenants who had all lived at Dalton House for longer than 12 months and, therefore, entitled to Home Loss and Disturbance allowances. Tenants would be given the option of returning to the new scheme which would be owned by Hallam Housing Society.

It was noted that the report was to be considered by the Cabinet at its meeting on 21<sup>st</sup> April, 2004.

Resolved:- (1) That the report be received.

(2) That, subject to the concurrence of the Cabinet, the rehousing of tenants at Dalton House be approved together with the payment of Home Loss and Disturbance allowance.

(Exempt under Paragraphs 3, 4 and 8 of the Act – accommodation provided by the Authority/services provided by the authority/expenditure to be incurred)

**252. MOVE ON PROCEDURES FOR ASYLUM SEEKERS**

The Head of Housing Services submitted a proposal to amend the current procedure for moving asylum seekers out of NASS (National Asylum Support Service) accommodation once their asylum claim had been determined.

Asylum seekers who received positive decisions and chose to remain in Rotherham were allowed to stay in the NASS accommodation until a suitable property was found for them. There was a reluctance to seek eviction knowing that the person was waiting for an allocation from Housing. However, the issue of single failed asylum applicants was complicated with limited options available. Work had been undertaken with other agencies to ensure that as far as possible they received some basic services though not temporary accommodation.

The suggested amendment would address the needs of those asylum seekers who had had their claim determined and ensured that the Asylum Team minimised the loss to its income from overstayers. The needs of single asylum seekers who had failed in their applications could not be fully met by the amendment unless there was evidence that the person was eligible for community care services.

Discussions had taken place with Legal Services with the suggestion made that it be made clear to the asylum seeker, in writing, at each stage, of their options.

Resolved:- (1) That the report be received.

(2) That the proposed amendment to the procedure, as set out in Appendix C of the report submitted, be approved.

(Exempt under Paragraphs 3 and 8 of the Act – accommodation provided by the Authority/expenditure to be incurred)

**253. INDEFINITE LEAVE TO REMAIN PROJECT – “AMNESTY FOR FAMILIES”**

The Head of Housing Services submitted a proposal for a change in procedures to meet the housing and social needs of asylum seeker families who had lived in Council accommodation for at least 3 years and who would now be granted Indefinite Leave to Remain (ILR) as part of the ILR Project.

The current occupancy agreement for asylum seekers specified that as soon as the applicant's decision was made the applicant had to leave the accommodation. In October, 2003, the Home Office announced an amnesty for families that had been waiting longer than 3 years for a decision about their claim for asylum. They proposed to give ILR

(refugee status) by April, 2004, to those families who had been waiting for more than 3 years for a decision.

Under the existing arrangements, the Asylum Team would end the occupancy agreement and a Notice to Leave issued. The families would then be allocated alternative accommodation through the Homeless Service. The amended procedure would offer them a secure tenancy giving them the right to remain and continue their established routine.

There would be no costs arising from rehousing the families. There would be a small charge for each family to purchase the furniture and fittings that had been supplied by the Asylum Team using the method as that of the Furnished Accommodation Scheme.

Resolved:- (1) That the report be received.

(2) That families affected by the ILR project be offered secure tenancies, if requested, for their current temporary properties and the procedure be amended accordingly.

(Exempt under Paragraphs 3 and 8 of the Act – accommodation provided by the Authority/expenditure to be incurred)

(The Chair authorised consideration of the following item to enable discussions with the workforce to commence.)

#### **254. REPLACEMENT OF BONUS RELATED REMUNERATION FOR CRAFT WORKERS WITHIN HOUSING SERVICES**

The Head of Housing Services submitted a report illustrating proposals for the replacement of bonus related remuneration for craft workers within Housing Services.

The trade unions (AMICUS, UCATT and UNISON) had been fully involved throughout the development of the proposals. Human Resources had also been consulted to ensure any corporate implications were fully considered.

Resolved:- That, subject to confirmation of certain financial details:-

(1) the replacement of bonus related remuneration for craft workers within Housing Services, with a salary related system, at the cost identified, be approved;

(2) that the service changes relating to working hours, multi-skilling, performance monitoring, overtime, holidays and mobile telephones be approved.

(Exempt under Paragraphs 1 and 11 of the Act – staffing and trade union matters)



**DECISIONS OF THE CABINET MEMBER FOR  
HOUSING AND ENVIRONMENTAL SERVICES  
28<sup>th</sup> April, 2004**

Present:- Councillor Ellis (in the Chair).

Apologies for absence were submitted by Councillors Heaps and F. Wright (Environment Scrutiny Panel).

**255. YEAR END PERFORMANCE REPORT 2003/04**

The Executive Director of Housing and Environmental Services submitted a report detailing the Programme Area's performance against relevant key performance indicators at the year end of the 2003/04 financial year.

77% of the Indicators had achieved or exceeded the year end target with action in place to ensure that experiences learnt would be enacted to further progress next year. This compared with 50% in the previous year. These results signified a "sea change" in performance management within the Programme Area as 43 (84%) of the Service's KPI's had improved over the last 12 months. Significant improvement had been seen in the Repairs and Maintenance Service, Void Management and Waste Management KPIs.

When compared to the All England figures published in December, 2003, 87.5% of the Indicators were in the top and upper middle quartiles. This compared to 57.5% of Indicators in the higher quartiles in 2002/03. All Housing Services' KPI's were achieving top or upper middle quartile. Since the end of 2003/04, 3 of the Programme Area's Indicators had moved up 2 quartile places, 4 had moved up 1 and 9 had remained static. During 2003/04 none had dropped a quartile place.

The Indicators that did not achieve their stretching top quartile aspiring target had achieved substantial improvement. An example was given of BVPI185 (repairs by appointment) which missed its target of 75% but compared to 2002/03 had improved 548% which demonstrated step change. Of the Programme Area's 19 customer developed Local Performance Indicators, 95% had improved over the 12 months.

Compared with ALMO authorities BVPI68 (void relet time) was achieving top quartile and recognised as fourth best in the country.

The Service believed that the excellent performance had been accomplished through a culture change in performance management. Over the last 12 months this had been achieved through the implementation of performance clinics, monthly target setting and action planning which were now felt to be embedded in the culture of the Programme Area. The Programme Area's aim is to achieve top quartile in 2005. It was felt that the outturn figures showed that the Programme Area was on target to achieve this. There were teams of officers and individuals already analysing 2003/04's performance to identify

those areas for further improvement to ensure targets for 2004/05 were attained.

The Programme Area's performance management framework had been assessed by the Corporate Performance Unit which had identified 38 areas of good practice which had been shared with the rest of the Council. Excellent feedback had also been received from the Audit Commission on the performance management framework and also acknowledged during the Inspection of the Repairs and Maintenance Service that step change had been seen in this area.

Resolved:- (1) That the report and progress made be noted.

(2) That acknowledgement be placed on record of the clear evidence of the sea change made in performance.

(3) That an analysis be submitted of the best and worst Performance Indicators and any suggested Policy reviews necessary in light of the progress made.

(4) That the plans to build upon the progress made into the forthcoming year be welcomed.

(5) That all the staff involved be thanked for their hardwork and dedication in achieving the excellent performance

**CABINET MEMBER FOR HOUSING AND ENVIRONMENTAL SERVICES  
10TH MAY, 2004**

Present:- Councillor Ellis (in the Chair); Councillors Kaye and Hamilton (Policy Advisors).

Apologies were received from Councillors F. Wright (Environment Scrutiny Panel).

**256. RECYCLING PLAN - AMENDMENT**

The Acting Head of Environmental Health submitted a report proposing an amendment to the Recycling Action Plan 2003/06 to allow for the extension of the Blue Box Scheme to a further 50,000 premises. This would replace the projected Scheme of placing 50,000 premises on a kerbside green waste collection service. The next phase will commence in May, 2004.

Following discussion with a number of Councils on green waste schemes, it was considered that full evaluation of the pilot scheme was required prior to determining the future “roll out” of a kerbside collection service. It was, therefore, proposed that, to ensure recycling rates continued to grow, the Blue Box Scheme be extended beyond the 25,000 premises scheduled Recycling Action Plan to a total of 50,000 premises within the Borough from May, 2004. This would allow a full evaluation exercise and further consultation to be undertaken with other Councils regarding the effects that sizeable implementation of a green waste collection service had had on waste arisings within their areas.

By adopting the proposal, the Scheme would serve over 95% of households across the Borough. This would put the Council in a strong position with regard to meeting the requirements of the Household Waste Bill 2004 which required all households within an area to receive a service for the collection of at least two recyclable materials by 2010.

Resolved:- (1) That amendment of the Recycling Action Plan, as contained within the report submitted, be approved to enable a Borough-wide implementation of the Blue Box Scheme to 100,000 premises a year ahead of schedule.

(2) That a full evaluation of the green waste pilot area be reported after six months operation to allow implementation of roll out of the Scheme from April, 2005.

(3) That a programme of visits to assess the implications of green waste collection in other local authorities operating larger scale schemes be undertaken.

**257. REGULAR PERFORMANCE ASSESSMENT - FINAL REPORT**

The Acting Head of Environmental Health submitted a report on the

outcome of the recent Regular Performance Assessment of the “Environment Block” undertaken in conjunction with the Audit Commission.

In October, 2003, the Council was required by the Audit Commission to undertake a self-assessment of its Environment Block services under the terms of the Comprehensive Performance Assessment model. The exercise was undertaken by officers with responsibility for the Transport, Planning and Waste functions of the Council. Following a recent evaluation by an Audit Commission Inspector the Council had received a positive response that could be used to drive future improvement.

The report had outlined a number of areas where development was required (the data used covered the Service’s 2002/03 year end results for the key performance indicators). This issue had been challenged through the positive moves that had been made in the last year that showed the step change in performance. It was accepted that further work was required to continue the momentum and benchmarking would be undertaken to compare the results and achieve top quartile status.

The Inspector had also highlighted issues such as working with business to promote waste reduction, targets to reduce waste, improve sickness absence and developing re-use schemes. There was a need to include those elements within Team plans although some of the issues were being progressed at the present time, a Service Plan would focus on the key issues to be developed as priority.

The Inspector had recommended that there was sufficient evidence of improvement in service quality to recommend a Waste Management Inspection in 2004.

Resolved:- (1) That the contents of the report be noted together with the positive statements made by the RPA Inspector, including that there had been sufficient evidence of improvement in service to recommend a Waste Management Inspection in 2004.

(2) That it be noted that the inspection of the Council’s Waste Management CPA block was scheduled for July, 2004.

(3) That the progression of the development of a Long Term Waste Strategy via employment of consultants be recognised.

## **258. SOUTH YORKSHIRE HOUSING MARKET RENEWAL PATHFINDER**

The Development Co-ordinator, Rotherham Investment and Development Office, submitted the Capital Procedure 1 Form and the procurement process proposed for the appointment of consultants to undertake a range of preliminary works to inform the implementation of the Housing Market Renewal Pathfinder Initiative in the Rotherham Town Centre.

The Town Centre Area Development Framework proposed a range of

preliminary work to be carried out to help inform the implementation of the programme. Studies would be progressed to support the implementation of a housing demonstrator project, a Living Over the Shops initiative, an acquisition strategy in the Westgate area and an examination of potential delivery vehicles. It would also allow the carrying out of a Housing Aspiration Study which would enable officers to gauge more accurately the level of interest within the development sector for mixed use/residential led schemes in the Town Centre.

The work would be funded 100% through the Housing Market Renewal Pathfinder Initiative.

It was noted that at a meeting with the Audit Commission the previous week, it had been proposed that the Housing Market Renewal Pathfinder funding for the Housing Study be increased from £30,000 to £60,000 to cover the cost of the work. The outcome of the proposal would be known later that day.

Resolved:- That the report and Capital Procedure 1 Form in respect of the Town Centre Housing Market Renewal Pathfinder be approved and the procurement processes, which were in accordance with Council Standing Orders and Financial Regulations, be noted.

## **259. HOMELESSNESS STRATEGY**

The Head of Housing Services submitted a progress report against the action plan for the Homelessness Strategy 2003-2008.

The Strategy's 3 strategic objectives were as follows:-

- to reduce homelessness through appropriate prevention measures
- to ensure appropriate accommodation and support services were available
- to improve information and service quality.

The prevention of homelessness had been established as a priority by the Government, recognising the impact it had on health, education, sustainable communities and social inclusion. The number of homelessness applications had risen substantially over the last 4 years in Rotherham from 1,646 in 1998/99 to 2,180 in 2002/03.

The work required to prevent homelessness would need to be addressed through a partnership approach involving Social Services, health services, probation services, registered social landlords, private landlords and voluntary agencies. It was vital that effective and committed partnerships were developed and sustained.

There had been difficulties with staffing resources within the Homelessness Team with reliance on temporary agency staff to maintain day-to-day performance. Proposals had been made to streamline the working of the Team and to improve efficiency and effectiveness and

were due to be implemented in the forthcoming restructuring process.

Resolved:- (1) That the report be received and the progress against the action plan noted.

(2) That an update be submitted to the Social Services and Scrutiny Support Scrutiny Panel to keep them informed of progress against the Strategy.

**260. PETITION - ANN RHODES CENTRE**

In accordance with Minute No. 233 of 29<sup>th</sup> March, 2004, the Head of Housing Services submitted a report on the investigations that had taken place into the issues raised by the residents.

The Decent Homes Programme was due to last until 2010, with some areas receiving works before others. The flow of works within estates must be carried out to ensure maximum efficiency from the current funding available. The properties within the complex were due to be surveyed within the current financial year to assess their level of decency.

Resolved:- (1) That the action taken be noted and the petitioners kept informed.

(2) That a further report be submitted to the Cabinet Member when the survey results were available.

(3) That options be considered for inclusion within the Annual Maintenance Plan given the timescale for approving the Plan.

**261. VOID PROPERTY MONITORING AS AT 30TH APRIL, 2004**

The Head of Housing Services submitted an update on void property re-let performance and associated issues for the period 5<sup>th</sup> to 30<sup>th</sup> April, 2004.

The number of voids as at 30<sup>th</sup> April, 2004, had increased by 14 from the start of the period to 384. The majority of voids, 228, were voids currently excluded from HES 68 and included properties such as those awaiting renovation. The number of voids that met the criteria to be included within HES 68 had increased by 12 during the said period to 156.

Overall performance against the Indicator was 24.44 days, a deterioration on the end of year performance for 2003/04.

The performance on allocating open access properties had continued with 10 open access properties being let in the period. The overall performance if all open access properties were removed from the Indicator would be 24.39 days.

Performance on HES 14 (average time taken to let a void from when one

tenancy terminated until the next one started), which excluded all those properties that were excluded from HES 68, was 20.68 days during the period.

There had been 105 terminations in the period, all of which met the criteria to be included in HES 68 and 126 lettings. The cumulative figures for the year were 105 terminations and 126 lettings. In addition, there had been 12 new tenancies created by mutual exchanges since April, 2004. The number of available to let properties at the start of the period was 40.

The amount of rent income lost on voids up to the 30<sup>th</sup> April, 2004, had improved from the year end to 1.56%. This level of performance, based on the 2001/02 comparative data, would continue to place the Authority in the upper quartile for Metropolitan Authorities.

The sustainability of tenancies (HES 5) measured the percentage of terminating tenancies in the year that had lasted longer than 12 months. The 2003/04 target had been revised from 80% to 90% because it was not sufficiently challenging. Performance for the 12 month period up to 30<sup>th</sup> April, 2004, was 95.82%. This did not include tenancies terminating within 12 months due to transfer, mutual exchanges and deaths. If those figures were included the figures would be 93.69%.

Resolved:- (1) That the report be received.

(2) That a report be submitted on the Going Local pilot.

## **262. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs indicated below of Part I of Schedule 12A to the Local Government Act 1972.

## **263. PETITION - ST. EDMUNDS AVENUE, THURCROFT**

The Democratic Services Manager submitted receipt of a petition containing 28 signatures from residents of St. Edmunds Avenue, Thurcroft, regarding the increase of vandalism, abusive and nuisance behaviour by tenants of a property of the said road and vandalism to the Council-owned garages.

Resolved:- (1) That the report be received.

(2) That investigations take place into the issues raised within a further report being submitted in 1 month's time.

## **264. DECENT HOMES SCHEME PHASE 1A AT WEST MELTON**

The Acting Housing Co-ordinator, Housing and Environmental Services,

and the Project and Partnership Manager, Economic and Development Services, submitted a joint report seeking authority to accept a negotiated cost tender from Bramall Construction Ltd. for the work involved in the first phase of the Decent Homes Scheme at West Melton.

The contract period was for 42 weeks with a start on site on 21<sup>st</sup> June, 2004.

Resolved:- That the target price tender of £1,514,413.07, submitted by Bramall Construction Ltd., on 8<sup>th</sup> April, 2004, for West Melton, based on their Stage 1 tender for the Decent Homes Scheme Partnering Agreement, be accepted and a start be made subject to the conditions of contract and parent company guarantee being accepted.

(Exempt under Paragraphs 8 and 9 of the Act – expenditure proposed to be incurred/terms to be negotiated for the supply of goods/services)

**265. ANNUAL MAINTENANCE PLAN 2004/05**

The Head of Housing Services submitted the proposed Annual Maintenance Plan for Repairs and Maintenance 2004/05 which reflected the current legislative and local changes within the Council together with the development of 'best value' principles.

The Plan was essential to map out overall budget commitment against ad hoc repairs, planned programmes of work, servicing and cyclical maintenance and capital Housing Investment Programmes.

Resolved:- That the Annual Maintenance Plan for Repairs and Maintenance 2004/05 be approved.

(Exempt under Paragraphs 8 and 9 of the Act – contract negotiations/expenditure proposed to be incurred)

**266. REPLACEMENT OF DISTRICT HEATING MAIN DISTRIBUTION PIPES - VALE ROAD, THRYBERGH AND MANSFIELD ROAD, ASTON**

The Head of Housing Services submitted a report requesting the suspension of Standing Order No. 44 (contracts valued at £50,000 or more) in respect of the installation of pre-insulated pipework.

There were only 2 manufacturers of pre-insulated pipework known each of which had appointed a single agent within the United Kingdom for the installation of their pipework. In order to maximise the life expectancy of the pipework it was vital that approved specialists carried out the work.

Resolved:- That the suspension of Standing Order No. 44 be approved for the installation of pre-insulated pipework.

(Exempt under Paragraph 8 of the Act – amount of expenditure proposed)



to be incurred by the Authority)

**267. ELECTRICAL UPGRADE OF COUNCIL PROPERTIES**

The Head of Housing Services submitted a proposed list of contractors who had expressed a wish to tender for the Electrical Upgrading of Council Properties contract.

Resolved:- That the proposed list of contractors be approved.

(Exempt under Paragraph 8 of the Act – amount of expenditure proposed to be incurred by the Authority)

**268. CONTRACT - FIXED WIRE TESTING OF DOMESTIC PROPERTIES**

The Head of Housing Services submitted a proposed list of contractors who had expressed a wish to tender for the Fixed Wire Testing of Domestic Properties Contract.

Resolved:- That the proposed select list of contractors be approved.

(Exempt under Paragraph 8 of the Act – amount of expenditure proposed to be incurred by the Authority)

**ENVIRONMENT SCRUTINY PANEL**  
**15<sup>th</sup> April, 2004**

Present:- Councillor Heaps (in the Chair); The Mayor (Councillor R. Russell), Councillors Atkin, Hall, Furnell, Hodgkiss, Jackson, Nightingale, Senior, Mr. D. Alderson (Housing Tenant Panel representative), Mr. J. Carr (National Society for Clean Air) and S. Mayo (Housing Tenant Panel representative).

Councillor Ellis was in attendance at the invitation of the Chairman.

**132. APOLOGIES FOR ABSENCE**

An apology for absence was submitted by Councillor F. Wright.

**133. QUESTION FROM THE PUBLIC**

There were no members of the public present.

**134. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**135. FURNISHED HOMES SCHEME**

Sandra Tolley, Open Access and Information Officer, Housing Services gave the following presentation on the above Scheme:-

Why furnish?

- Linkages with homelessness
- Reduces debt
- Sustainability – Turnover

Consultation

- 100 agencies
- Local Housing Offices
- Homelessness Unit
- Benchmarking

Performance Measures – Improvements to

- BVPI66 – Rent collected
- BVPI183 – average length of stay in bed and breakfast
- HES5 - % of new tenancies that last more than 12 months

Funding

- Local Public Service Agreement (pump priming funding grant)
- £40,000 grant
- £200,000 unsupported credit approval

Vision – What we want to achieve within 12 months

- 32 dispersed properties

2D

- 100 furnished homes
- Provide greater choice by offering furnished accommodation provision
- Improve sustainability

#### Dispersed Scheme

- Established in March, 2003
- To provide interim accommodation
- In conjunction with Supporting People
- Minimise the use of bed and breakfast

#### Furnished Home Pilot

- To set up 100 furnished homes throughout Rotherham within the first year
- The properties will be on a furnished-on-demand basis for people who cannot afford to buy furniture
- Generate waiting lists for furnished homes

#### Marketing – Could include

- Show house/flat
- Mail shots
- Area office posters/leaflets
- Local press

#### Conclusion

- Highly valued, one-stop service to access furniture provision
- Sustainability of tenancies and communities
- Helps deliver against vision of Better Place to Live

Discussion ensued on the presentation with the following points/issues raised:-

- The Scheme would provide options to the Service to assist their customers sustain their tenancies, prevent homelessness and fulfil its housing obligations.
- Consideration was also being given to the provision of move-in packs (bed sheets/linen etc.) at a charge of £2.00 per week.
- The charge for a furnished property would start at £23 per week rising to £43 for a 3 bed roomed house. This was payable in addition to rent. This was comparable to the private sector and other Local Authorities.
- The maintenance of white goods would be included in the charge.
- The charge was fully Housing Benefitable. If the tenant found that they could not afford the furnished charge, some of the furniture could be removed and pay a part-furnished charge. There would still be some charge as the property would have been decorated and carpeted. As the tenant's personal situation improved and they wanted to buy their own furniture, they could

return the Scheme's furniture and the charge would be reduced accordingly.

- If the furniture became the property of the tenant it would not meet the regulations for Housing Benefit.
- A regular inventory check would be conducted of the quality of the furnishings and ensure that it was maintained. If an item failed the inspection replacement would be considered.
- Included in the charge was an allowance for loss and depreciation.
- There would be no bond required.
- Discussions were taking place with the Police regarding the security dotting of furniture.
- The Service was looking to develop Service Standards and Customer Guarantees so that it was clearly set out what the Scheme was about and what the expectations were of the Service, as landlord, and of the customer.
- There was to be a supplement to the Tenancy Agreement which covered the furnished element. It would be classed as an Introductory Tenancy and throughout the interim period would work to the same regulations as an introductory tenant. This gave the Authority the fast tracking to gain possession if necessary.

The Panel expressed concern regarding the strategy for those tenants that wanted to move out of furnished accommodation and be independent. The Executive Director of Housing and Environmental Services stated that the Scheme would be a trial for 12 months. There would be a need to reassess it as issues became evident as it progressed.

Resolved:- (1) That the proposals to introduce a pilot Furnished Home Scheme as from 1<sup>st</sup> May, 2004, be supported.

(2) That Members of the Scrutiny Panel be provided with a copy of the Addendum to the Tenancy Agreement referring to the Furnished Scheme.

(3) That a progress report be submitted in 6 months' time.

### **136. HOUSING REPAIRS AND MAINTENANCE INSPECTION**

The Chairman moved this item into the exempt part of the meeting.

### **137. LOCUM SOLICITOR (SECTION 11/82 NOTICES)**

Resolved:- That a report on the above issue be submitted to the Panel's next meeting.

### **137. DECISIONS OF THE CABINET MEMBER FOR HOUSING AND ENVIRONMENTAL SERVICES**

The Panel noted the decisions made under delegated powers by the Cabinet Member for Housing and Environmental Services held on 15<sup>th</sup> and 29<sup>th</sup> March, 2004.

It was noted that plans were in the process of being finalised to provide a further 50,000 properties in May with Blue Boxes. This would then bring the total to 102,000 out of 107,000 properties. There would be a small number of outlying villages not on the Scheme but it was hoped they would be included by December, 2004.

Councillor Furnell expressed concern regarding miscellaneous properties and how they fitted in with the Decent Homes Programme. Tenants were paying rent and seeing what was happening with other properties under Decent Homes and wondered if it was a way to get them to move onto an estate so their property could be disposed of.

The Cabinet Member of Housing and Environmental Services replied that the Decent Homes Programme would be complete by 2010 when all properties would have been improved. The bigger estates were being improved at the beginning where there was a concentration of Council houses for economical reasons. Miscellaneous properties by their very nature tended to be one offs and when they became vacant investigations took place to ascertain what resources they would require and their viability. The Decent Homes Programme would eventually cover all Council properties.

The Scrutiny Panel was represented on the Decent Homes Board and it may be appropriate for the 2 representatives to raise these issues.

Resolved:- That an overall report on miscellaneous properties be submitted to the next meeting of this Scrutiny Panel.

#### **139. ENVIRONMENT SCRUTINY PANEL – 18<sup>TH</sup> MARCH, 2004**

The minutes of the meeting of the Panel held on 18<sup>th</sup> March, 2004, were noted.

It was noted that arrangements were being made for the Scrutiny Panel to visit the Asylum Team.

Resolved:- That, subject to his availability, Councillor Jackson represent this Scrutiny Panel on the Performance and Scrutiny Overview Review Group.

#### **140. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely

disclosure of exempt information as defined in those paragraphs indicated below of Part I of Schedule 12A to the Local Government Act 1972.

#### **141. HOUSING REPAIRS AND MAINTENANCE INSPECTION**

The Executive Director of Housing and Environmental Services gave a brief verbal report of a meeting with the Audit Commission regarding the recent Housing Repairs and Maintenance Inspection. However, the information was the subject of an embargo for one month.

(Exempt under Paragraphs 8 and 12 of the Act – provision of service/deciding of matter concerning the Council)

#### **142. HOUSEHOLD WHEELED BIN PROVISION AND REPLACEMENT**

In accordance with Minute No. 240 of 29<sup>th</sup> March, 2004, the Acting Head of Environmental Health submitted a report setting out suggested options in the adoption of a charging policy for the replacement of wheeled bins at domestic properties.

It was noted that the Cabinet Member had approved arrangements be progressed to introduce a charge for new bins at new build properties and that discussions be held with developers as appropriate. By adoption of this Policy approximately £30,000 would be recouped. Blue Boxes would also be provided.

The practice of developers providing wheeled bin provision may be new to Rotherham but it was already common practice in other parts of the country.

Resolved:- That the adoption of the Policy of charging for household wheeled bin provision at new build be supported.

(Exempt under Paragraphs 8 and 9 of the Act – expenditure proposed to be incurred by the Authority/supply of services)

#### **142. BEREAVEMENT SERVICES PROVISION**

In accordance with Minute No. 239 of 29<sup>th</sup> March, 2004, the Acting Head of Environmental Health submitted a report setting out the options considered by consultants for the future provision of the Cemeteries and Cremation Services.

Members of the Panel asked a range of questions which were answered by the Acting Head of Service and Manager of the Crematorium.

The Cabinet Member reported that this was the first report with further reports to be submitted once the feasibility options had been explored.

6D

Resolved:- That the report be noted and further reports be submitted in due course.

(Exempt under Paragraphs 8 and 9 of the Act – expenditure proposed to be incurred by the Authority/supply of service)

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**  
**12<sup>th</sup> March, 2004**

Present:- Councillor Stonebridge (in the Chair); Councillors Clarke, Doyle, Sangster, Whelbourn, F. Wright and S. Wright.

Apologies for absence were received from Councillors License, G. A. Russell and St. John.

The Chairman welcomed the Mayoress Elect to the meeting.

**165. NOTES OF THE MEMBER PLANNING SESSION**

The Committee considered the notes from the Member planning session held on 27<sup>th</sup> February, 2004 as presented by the Principal Officer, Scrutiny Services.

It was noted that, with regard to progress, it was proposed that a quarterly meeting be held between Cabinet and Scrutiny and a protocol be agreed with regard to reporting to Scrutiny/Executive.

It was also proposed that each Scrutiny Panel look at how to take things forward.

Discussion ensued and the following issues were covered:-

- every Scrutiny Member participating in a review;
- review of the Constitution – it was noted that the Cabinet was to consider the review of the Constitution in April, 2004;
- discussion with the Press Office regarding utilisation of Rotherham Matters relating to the Forward Plan and also links with Area Assemblies.

Resolved:- (1) That the information be noted and Cath Saltis re-format the notes for submission to the individual Scrutiny Panels.

(2) That Scrutiny Panels be requested to do a stocktake of what had been achieved, where they were at and where they needed to go.

(3) That a session be arranged to look at the review of the Constitution.

(4) That, further to (3) above, a joint meeting be proposed with the Cabinet in May to discuss Constitution issues.

**166. REVENUE BUDGET MONITORING REPORT – 1<sup>ST</sup> APRIL, 2003 TO 31<sup>ST</sup> JANUARY, 2004**



The Committee considered the submitted budget monitoring report for the period 1<sup>st</sup> April, 2003 to 31<sup>st</sup> January, 2004 detailing the projected revenue outturn for 2003/04 along with the actions being taken, or proposed to be taken, to deal with the projected over or underspends. The information had been noted by the Cabinet and Corporate Management Team.

The report showed a projected overspend of £515,000 on the General Fund as compared with a projected overspend of £502,000 as at 31<sup>st</sup> December, 2003.

The report also showed a projected overspend of £40,000 on the Housing Revenue Account as compared with a projected overspend of £63,000 as at 31<sup>st</sup> December, 2003.

Discussion ensued and the following issues were covered:-

- Rotherham Managing Agency.
- Special Educational Needs.
- Economic and Development Services Business Unit.
- Building Works.

Resolved:- (1) That the report be noted.

(2) That further reports be submitted relating to:-

- (a) Special Educational Needs.
- (b) Economic and Development Services Business Unit.
- (c) Outcome of the previous review of Building Works.

(3) That, when considering future monitoring reports, an up-to-date summary be provided at the meeting.

**167. INVEST TO SAVE MONITORING REPORT – 1<sup>ST</sup> APRIL, 2003 TO 31<sup>ST</sup> JANUARY, 2004**

Further to Minutes Nos. 66(2) and 121(2) of the meetings of this Committee held on 29<sup>th</sup> August and 12<sup>th</sup> December, 2003 respectively, the Committee considered a monitoring report on the five Invest to Save approved projects.

The projects had been approved by Cabinet with an undertaking that quarterly monitoring of performance against plans would be carried out. Monitoring was vital to ensure efficient and effective use of the Council's resources.

Programme areas had been awarded their approved allocations but only one of the five projects was on target to spend its allocation by the end of the financial year.

Discussion ensued and the following issues were covered:-

- programme area representation at this Committee when monitoring reports are being discussed
- need to identify outcomes
- monies allocated and interest payments
- Culture, Leisure and Lifelong Learning Marketing Initiatives: cost savings
- Procurement of Inphase Performance Plus Performance: cost savings
- Member involvement at appraisal stage

Concerns were expressed regarding:-

- applications made
- current spending
- projected timescales for spending

Resolved:- (1) That the report be noted.

(2) That the Committee expresses its disquiet at performance against plans relating to the projects.

(3) That the original proposals be compared with these project monitoring reports.

(4) That future bid reports be accompanied by GANTT charts.

(5) That the respective responsible Programme Area Officers attend this Committee when monitoring reports are being discussed.

(6) That Cath Saltis submit a report to the joint meeting of Cabinet and Corporate Management Team clarifying what Scrutiny members are asking for.

#### **168. MINUTES**

Resolved:- That the minutes of the meeting held on 27<sup>h</sup> February, 2004 be approved as a correct record for signature by the Chairman.

#### **169. SCRUTINY CONFERENCE IN SHEFFIELD – 19<sup>TH</sup> MARCH, 2004**

Resolved:- That, as Councillors Sangster and S. Wright were now unable to attend the above, substitute attendance be arranged.

**170. THE POWER OF WELLBEING**

Further to Minute No. 158 of the meeting of this Committee held on 27<sup>th</sup> February, 2004, it was noted that the workshop to be held on Wednesday, 24<sup>th</sup> March, 2004 at the University of Birmingham was an elected Member only event.

**171. ELECTED MEMBER PERSONAL DEVELOPMENT PLAN**

Further to Minute No. 160 of the meeting of this Committee held on 27<sup>th</sup> February, 2004, consideration was given to the format of this document.

Resolved:- That the need to revise and simplify the document prior to distribution be referred to the Members' Training and Development Panel.

**172. WORK IN PROGRESS****(a) Environment Scrutiny Panel**

Councillor F. Wright reported that the review of flytipping was well under way and would be completed shortly.

**(b) Regeneration Scrutiny Panel**

Councillor S. Wright reported:-

- no reviews were currently being undertaken,
- a response was awaited to the CERB review,
- there was to be a presentation at the next meeting regarding policy relating to the sale of cars and parking on grass verges.

**(c) Social and Community Support Scrutiny Panel**

Councillor Doyle reported the view that reports from the joint review regarding the Children's Board should be presented to the respective Scrutiny Panels prior to submission to the Performance and Scrutiny Overview Committee.

**(d) Benefit Take Up**

General discussion ensued on the proposed future review of the above, including composition of the review group and scoping work.

**173. CALL-IN ISSUES**

There were no formal call-in requests.

**174. AUDIT COMMITTEE**

The Chairman reported that the next meeting of the Audit Committee had been scheduled for Friday, 26<sup>th</sup> March, 2004 commencing at 1.30 p.m.

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**  
**26<sup>th</sup> March, 2004**

Present:- Councillor Stonebridge (in the Chair); Councillors Doyle, License, G. A. Russell, Sangster, Whelbourn, F. Wright and S. Wright.

Also in attendance were Councillors Lakin, Pickering, Wardle and Wyatt for item 176.

Apologies for absence were received from Councillors Clarke and St. John.

**175. DECLARATIONS OF INTEREST**

Councillor License declared a personal interest in item 177 below (National Benefits Project).

**176. BEST VALUE REVIEW – SUPPORT FOR THE DEMOCRATIC PROCESS**

The Committee considered the above final report as introduced by Cath Saltis, Principal Officer, Scrutiny Services, and presented by Councillor Whelbourn, Chair of the Review Group. The report had been endorsed by the Member Working Group at its meeting on 19<sup>th</sup> February, 2004.

The report and presentation outlined the background to the review, composition of the Review Group, terms of reference and set out the findings and recommendation of the Review Group.

A question and answer session ensued and the following issues were covered:-

- Community leadership.
- Effective training.
- Need to review further Area Assemblies.
- Elements of the review already implemented.
- “Members On-line” and the extended use of I.T. facilities to enable access to a full range of available information.
- Need to encourage more use of the I.T. facilities.

Carol Mills (Review Sponsor) and Councillor Whelbourn (Chair) thanked everyone involved with the Review for their hard work.

Resolved:- (1) That, as far as this Committee is concerned, the report and its recommendations and actions for improvement be endorsed.

(2) That the review report be referred to Cabinet/Corporate Management Team for consideration.

(3) That a progress report be submitted in four months.

**177. NATIONAL BENEFITS PROJECT**

Further to Minute No. 164 of the meeting of this Committee held on 27<sup>th</sup> February, 2004, the Committee received a presentation from Mark Evans, Programme Manager, National Benefits Project, relating to the above. A presentation had been given to an all Member Seminar on 4<sup>th</sup> February, 2004.

The presentation covered:-

- National Benefits Project.
- Why Rotherham?
- Project context.
- Facts and figures.
- Project aims.
- Project structure.
- Project products.
- Value to local authorities.
- Project status.
- Advantages to Rotherham.

Discussion and a question and answer session ensued and the following issues were covered:-

- Major I.T. project and concerns regarding system delivery.
- Human rights, data protection and confidentiality issues.
- Risk assessment on behalf of the Authority.
- More monies unclaimed than lost to fraud.
- Elected Member involvement so far.
- Need for more statistics regarding Rotherham's position.
- Local situation.
- Turn round times.
- Promotion of work.
- Need for a review across all scrutiny.
- Lessons learnt in the Benefits Service developing from a two star service to be a national recognised benefits service.

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

(2) That further reports be submitted on:-

(a) Initiatives in Rotherham.

(b) The current state of play in Rotherham.

(3) That a report be submitted on the lessons learnt from the Benefits Service developing from a two star rated service to be a nationally recognised service.

(4) That Mark Evans be thanked for his presentation.

## 178. DEVELOPING THE CORPORATE APPROACH TO COMPLAINTS

Further to Minute No. 82 of the meeting of the Social and Community Support Scrutiny Panel held on 6<sup>th</sup> February, 2004 and Minute No. 156 of the meeting of this Committee held on 27<sup>th</sup> February, 2004, the Committee considered the submitted report presented by Michael Walker, Performance and Quality Manager, relating to the above.

The report indicated that, whilst the Council had a clear and well documented complaints procedure, the assessment of the Audit Commission pointed to a shortfall in the co-ordination and use of complaints information corporately, and in the overall development of complaints as a tool by which to learn and make service improvements. The Council's response to the assessments was detailed in the report covering the following six areas:-

- The Council Complaints Procedure.
- Reporting Council Wide Complaints.
- A Corporate Complaints Officer Group.
- RBT/Connect.
- Members' Surgery.
- Training and Awareness.

Discussion and a question and answer session ensued and the following issues were covered:-

- Concerns regarding the Members' Surgery System.
- Need for Member training.
- Need to ensure complaints are dealt with properly and lessons learnt.
- Need for monitoring reports on the nature of complaints.
- Specific training needed for Members regarding the Stage 3 level of complaints.
- Need for the monitoring of complaints to be overseen at Cabinet Member level.

Resolved:- (1) That, in the light of Social and Community Support Scrutiny Panel and C.P.A. recommendations, support be given to the following:-

- (a) Maintain the existing Council-wide complaints procedure, and monitor complainants' satisfaction with the procedure as a key measure of performance.
- (b) Produce regular corporate information on complaints across the Council to Corporate Management Team and Members, starting in May, 2004.
- (c) Explore the costs and benefits of integration of complaints management with RBT's Customer Relationship Management system by July, 2004

- (d) Monitor whether there is any unnecessary overlap or confusion between complaints made through the Council procedure and those referred through Members' Surgery
  - (e) Approach the Local Government Ombudsman to hold a training event for officers and Members during summer 2004, clearly defining the Council's requirements.
- (2) That this Committee should also receive the Council wide reports on complaints that are submitted to the Corporate Management Team.
- (3) That this matter be referred for consideration to the Corporate Management Team and Cabinet

### 179. PROPOSED POST OFFICE CLOSURES

Further to Minute No. B282 of the meeting of the Cabinet held on 24<sup>th</sup> March, 2004, the Committee considered the submitted report presented by the Social Inclusion Manager relating to a proposed response to proposals from the Post Office for further closures of Urban Post Office branches in Rotherham.

The Social Inclusion Manager reported on the Post Office Strategy and the proposals to close five further Post Offices. Proposals for each constituency had been released for consultation, the response deadline being 23<sup>rd</sup> April, 2004.

The proposed closures were:-

- Rotherham Constituency:-

College Road Post Office, 128 College Road, Rotherham.  
Eastwood View Post Office, 255 Doncaster Road, Rotherham.

- Wentworth Constituency:-

Bramley Post Office, 73 Bawtry Road, Bramley, Rotherham.

- Rother Valley Constituency:-

Morrell Street Post Office, Maltby, Rotherham.  
Swallownest Post Office, Manvers Road, Swallownest, Sheffield.

The Committee expressed concern at the proposed closures and the nature of the consultation process.

Reference was made to making representations through the Post Watch Organisation and local M.P.s. Reference was also made to requesting the Post Office to address this Committee on their proposals.



Resolved:- (1) That, under the power of well being, a review be held with regard to the issues of the proposed closures.

(2) That, to facilitate (1) above, a special meeting of this Committee be held on Friday, 16<sup>th</sup> April, 2004 at 2.00 p.m. (with a briefing at 1.00 p.m.) and the following be invited to attend:-

The Post Office  
Post Watch  
Post Office Users  
John Healey, M.P.

## **180. MINUTES**

Resolved:- That the minutes of the meeting held on 12<sup>th</sup> March, 2004 be approved as a correct record for signature by the Chairman.

## **181. WORK IN PROGRESS**

### **(a) Environment Scrutiny Panel**

Councillor F. Wright reported that the review of flytipping was nearing completion and would be reported shortly.

### **(b) Social and Community Support Scrutiny Panel**

Councillor Doyle reported the review of the Children's Board was ongoing.

### **(c) Democratic and Resources Scrutiny Panel**

Councillor Whelbourn reported that the Community Leadership review was ongoing and the review of Parish Councils was just beginning.

## **182. CALL-IN ISSUES**

There were no formal call-in requests.

(The Chairman authorised consideration of the following items to keep Members informed.)

## **183. ATLAS COURT – POLICE COMMUNICATION CENTRE**

Further to Minute No. 157 of the meeting of the Committee held on 27<sup>th</sup> February, 2004, the Chairman reported that the Police Authority was to undertake a best value review. It was anticipated the report would be available in June, 2004.

Resolved:- That the review be welcomed and the report be awaited.

**184. SCRUTINY PLANNING SESSION**

Resolved:- That the second scrutiny planning session be arranged provisionally for the morning of the special meeting to be held on Friday, 16<sup>th</sup> April, 2004.

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE****16<sup>th</sup> April, 2004**

Present:- Councillor Stonebridge (in the Chair); Councillors Doyle, G. A. Russell and Whelbourn.

Also in attendance were Councillors Austen, Boyes, Jackson, Stone, Walker, Wardle, and Wyatt, along with Kevin Barron MP.

Apologies for absence were received from Councillors License, Pickering, Sangster, St. John and F. Wright.

**185. POST OFFICE CLOSURES**

Further to Minute No. B282 of a meeting of the Cabinet held on the 24<sup>th</sup> March, 2004, the Chairman welcomed representatives of the Post Office Ltd, Post Watch and Age Concern. Several members of the public were in attendance who were also welcomed.

Post Office Ltd had recently undertaken a comprehensive review of the urban network of Post Office branches in each of the Rotherham constituencies, the aim of which was to ensure that the Post Office had an economically viable urban network in the future which remained accessible to customers with over 95% of the urban population living within one mile of a local branch.

Under the framework of the National Reinvention Programme, proposals for each constituency had been released for consultation, the period for which ended on the 23<sup>rd</sup> April, 2004.

The various representatives gave comments/evidence on the rationale for and likely impact of proposed Post Office closures.

Mr. M. Silcock of Post Office Ltd, gave an introduction to the background, outlining why changes were being made to the urban network to sustain its future and how the proposed network would be managed.

In this connection, particular reference was made to the following issues:-

- It was stated that the post office network had made an operational loss of £194m over the last year and had to make changes to be viable. Therefore changes were being proposed to the urban network (the Post Office definition of urban being where the population was over 10,000 inhabitants). It was suggested that individual offices were often under utilised which could lead to insufficient profits and a lack of investment in the business, with a knock-on effect on the quality of services to customers.
- The £210m compensation and investment package related to the closure programme with some branches having financial support to enable them to continue to operate

- The difficulties in recruiting sub-post masters and mistresses
- The support given to branches in rural communities which were unaffected by the urban Network Reinvention programme
- The post office closures already made in Rotherham and proposed closures for other branches in the area.

Subsequent comment/queries to the post office representative related to:-

- (a) the content and recommendations of the Counter-Revolution report and the criteria used to decide on post office closures; how were sites chosen for closure?

Mr. Silcock outlined the various elements taken into account when considering closure proposals such as viability/feasibility issues, with each area identified for closure being visited by a Network Manager to ascertain whether nearby post offices could take on displaced custom.

Post Office Ltd surveyed sub-post masters / mistresses to gauge whether they would consider volunteering to leave the network. Severance payments were offered to those people working at post offices approved for closure. Mr. Silcock reported that there were more volunteers wanting to leave than were required.

- (b) the proposals for the Swinton / Rawmarsh area, it being felt that a decision had been made despite consultation presently taking place.

The need for reinvention of the network was appreciated but the view was expressed that consultation should have been undertaken at a much earlier stage to explore whether alternatives were viable. The view was also expressed that consultation should have taken place before compensation packages were offered.

- (c) the likely impact on services for older people, their need for facilities to be easily available and whether consultation on this had been carried out.

It was stated by Mr. Silcock that consultations had included Age Concern and the needs of the older people had been taken into account.

The Post Office had not had regard to the fact that carers pay bills at post offices for their clients and closures could result in difficulties in such cases.

- (d) the system of paying benefits into bank accounts and the difficulties for customers, particularly older people, in making an application for these services. It was suggested that the delay in introducing universal

banking services had meant that banks had taken customers from the Post Offices.

This, together with the closure of post offices, had a profound social and economic impact for some local communities with loss of local trade and good, easily accessible services. A view was expressed that sections of the public (particularly older people) tended to trust post offices more than banks.

Mr. Silcock stated that the Post Office was working closely with banks and building societies in highlighting the benefits to the public of using them.

- (e) the need for areas of deprivation and regeneration areas to have accessible post office services
- (f) on proposals for closures, were programmes offered prior to severance packages?

This depended on the feasibility of the closure but generally severance packages were offered prior to any programme.

- (g) if consultation had taken place at an earlier stage, local authorities and other local partners may have been able to help on a cooperative basis, to explore alternatives.

With regard to this aspect, the Post Office representative stated that Local Authorities and Partnerships tended to work to longer term plans, whereas the post office closures were happening now for the reasons previously outlined.

- (h) there was discussion as to when Rotherham MBC had been informed of the proposals for consultation and this was to be clarified.
- (i) Mr. R. Scholl of Age Concern raised the following points:-

- the difficulties for older people, particularly those with a physical disability, in getting to an alternative Post Office when their local one closes. Problems are not only distance but the type of route (paths which may have to be negotiated, and possibly a poor bus service).
- The knock-on effects for those branches still operating due to more people using them, particularly around queuing and the detrimental effect this had on older and disabled people

- (j) in response to several queries the Post Office representative responded as follows:-
  - the Post Office was interested in keeping counter business;

- the various recommendations of the Counter Revolution report had yet to be implemented;
- the closure proposals were for economically sustainable reasons for the Post Office, little account was taken of the knock-on effect for other businesses in the area;
- on the criteria for considering closures, all factors were taken into account, not just one element;
- packages available to post offices to improve security.

Comments were made on the diversification for businesses in urban areas, linking co-operatives to post offices and the availability of post office services in well-frequented retail areas. It was also suggested that the steps to improve security in receiving branches were not matched in rural areas, consequently rural branches may be seen as easier targets.

Mr. Silcock requested anyone with other views on the proposals to submit them as soon as possible.

Mr. C. Burcey outlined the role of the Postwatch to Members which was an independent watchdog body.

Postwatch was informed of all post office closures, and views of customers to the proposals were put to the Post Office Regulator by Postwatch.

It had raised concerns about the consultation process and the Minister had stated that there would be improvements to the process.

Mr. Burcey reported that a MORI poll had been undertaken on post office closures – 2576 people being polled – and although 90% of people continued to use post office services, a number of concerns and criticisms were raised including:

- post offices being used less
- a deterioration in access and parking
- delays in the refurbishment of retained branches

In response to the delays in refurbishment, it was accepted that the timing involved the availability of contractors but pressure needed to be exerted to improve the timing of refurbishment work. The process involved with contractors was outlined.

Further comments/queries raised related to:-

- (i) was Postwatch consulted on long term plans?

No information was provided to Postwatch.

- (ii) the inadequate size of some receiving branches which had little scope for expansion to cope with greater demand. This could result in them being used less by the public.

- (iii) the influence of Postwatch and how representations and complaints about closures could be made effectively.
- (iv) Postwatch making representations whenever this criteria for proposed closure is not met for 90-95% of local population to live within one mile of an urban post office branch.

The representations made on the distance criteria by Postwatch had resulted in objections to four proposed closures being successful. However, many other closures had been made despite Postwatch's objections

Representations made by Postwatch in respect of closures included aspects such as the difficulties in getting to an alternative branch due to excessive gradients, poor routes and lack of reasonable public transport.

Postwatch obtained the views on proposals from various bodies but, up to now, apparently no local authority had commented directly to the Post Office on closure proposals in relation to their powers of well-being.

The number of closures for this area were not disproportionately high when compared with proposals for closures in other regions.

- (v) the major regeneration areas in Rotherham and the need to have regard to the effect of local post office closures on these areas. Concern was expressed that the Post Office was proposing short term solutions rather than taking a strategic look at future regeneration developments in particular areas.
- (vi) A view was expressed that the policies of Government departments were not working as one, as the moves towards payment of benefits and pensions directly into bank accounts have had a detrimental effect on post office provision seemingly in contradiction to the recommendations of the Government's Counter Revolution report.

Resolved:- (1) That all representatives. Members of the public, Kevin Barron MP and members be thanked for their input into the meeting.

(2) That the various issues raised be put to the local MPs, particularly in relation to the non-implementation of the Counter Revolution's report and the operation of the investment and compensation programme, any feedback being welcomed.

(3) That on the various issues, attention be drawn to Post Office Ltd to the impact of post office closures in particular on:-

- Key regeneration projects and the need for the Post Office to be made aware of them at an early stage;
- Adverse effect on the demand for local post office services and knock-on effect for local business;

- Access Implications for older people and those with a disability regarding the location and size of branches, and length of queues.
- Loss of social cohesion and an information gap as post offices are a source of government and community information;
- The payment of benefits/bills to alternative post office branches or to banks;
- The increased pressure on receiving branches in coping with additional work.

(4) That representations be made to the Post Office for early consultation on future post office closure proposals in order that consideration can be given to possible partnership arrangements for offering relevant support/services.

(5) That Postwatch be informed of regeneration projects for the Rotherham area in order that appropriate representations can be made to the Post Office should it be necessary.



**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**  
**23<sup>rd</sup> April, 2004**

Present:- Councillor Stonebridge (in the Chair); Councillors Doyle, License, G. A. Russell, Sangster, St. John and S. Wright.

Apologies for absence were received from Councillors Clarke, Whelbourn and F. Wright.

**186. ROTHERHAM REACHOUT: RESULTS OF THE SEVENTH SURVEY**

The Committee considered a report by Emma Heyes, Consultation Co-ordinator, relating to the findings from the Seventh Rotherham Reachout survey and outlining a number of important policy implications for the Council.

The seventh survey, conducted in July, 2003, focused on:-

- Local Democracy and Community Involvement
- Rotherham Council Matters
- Licensing
- Eye Care

The key findings were outlined in the submitted executive summary.

The 69% response rate was the highest to date for the Panel which could be accredited mainly to the replenishment of a third of the Panel in Summer, 2003. The response was very good, particularly in relation to the response rates experienced for many other Panels elsewhere in the country. It was important to monitor response rates carefully and seek to ensure maximum response for future surveys.

Emma highlighted a number of wider policy implications for the Council and indicated that the findings would be shared with partner organisations, would be made publicly available and would be used to inform Council activity, policy and improvements to services.

Discussion and a question and answer session ensued and the following issues were covered:-

- demographic breakdown of the Panel being used
- cumulative breakdown of the responses on an Area Assembly basis
- Panel being representative of the community
- forward planning of surveys

- eye care and raising parent awareness
- need for more Member involvement in the future planning of surveys.

Resolved:- (1) That the findings of the seventh survey of Rotherham Reachout and the policy implications identified within the report be noted.

(2) That the Corporate Management Team be requested to disseminate the key findings within Programme Areas, consider implications for service delivery, service plans and the review of the Council's Corporate Plans and priorities.

(3) That the executive summary be circulated to all Members of the Council.

(4) That the report be forwarded to the Senior Management Team within the Primary Care Trust in order to disseminate the key findings and consider implications for service delivery.

(5) That the findings be made available on the intranet/internet.

(6) That the report be referred to Area Assemblies.

(7) That a further report be submitted indicating how the results are dealt with by Programme Areas.

#### **187. RESPONSE TO THE CONSULTATION ON POST OFFICE CLOSURES**

Further to Minutes Nos. B282 of a meeting of the Cabinet held on 24<sup>th</sup> March, 2004, and 179 of the meeting of this Committee held on 26<sup>th</sup> March, 2004, the Committee considered:-

- (a) the minutes of the special meeting of the Performance and Scrutiny Overview Committee held on 16<sup>th</sup> April, 2004, relating to the public scrutiny of the proposed Post Office closures;
- (b) the Council's formal response to the Post Office consultation on the proposed closures based on the considerations given at Cabinet and the special meeting of this Committee.

Resolved:- (1) That the minutes of the special meeting held on 16<sup>th</sup> April, 2004, be noted and approved as a correct record for signature by the Chairman.

(2) That the Council's response to the Post Office consultation on proposed closures be noted.

(3) That arrangements be made for an appropriate press release highlighting the points raised in the response.

#### **188. OUTCOME OF THE SCRUTINY FORWARD PLANNING MEETING**

Delia Watts, Scrutiny Adviser, presented briefly the submitted notes:-

- (a) reflecting on the discussions held at the first scrutiny planning session held on 27<sup>th</sup> February, 2004;
- (b) highlighting the key points emerging from the discussions held at the second scrutiny planning session on 16<sup>th</sup> April, 2004.

The discussions at the second session had focused on:-

- a pilot thematic approach to scrutiny
- different use of meetings including the development of quarterly performance meetings
- improved information
- Scrutiny member development
- reviews/select committees being the basis of engaging Members in the Scrutiny process (the view that every Scrutiny Member should participate in at least one Scrutiny Review per year was again expressed)

An example, though not exhaustive, of reconfigured Panels on the basis of themes from the Community Strategy and the Corporate Plan was submitted. Also submitted was a draft process for referrals to Scrutiny.

A lengthy discussion ensued and the following issues were covered:-

- duplication of work and effort
- need to be more proactive rather than responding to Programme Areas
- need to raise the profile of Scrutiny
- reconfiguration of Panels and thematic reviews
- need for more review meetings and less standard Scrutiny Panel meetings (less process)
- possible review of how Scrutiny is dealt with in other Authorities
- need to involve more Members (including those from the minority parties) in the Scrutiny process
- constitution and protocols for the Scrutiny/Executive relationship

- need for a further brainstorming session as a single item agenda for a future PSOC meeting (possibly facilitated by an independent person)
- need to 'beef up' the processes in existence, not change everything.

In concluding, the Chairman welcomed the debate and regretted such had not been possible at the planning session.

He concluded that the general feeling was:-

- (a) to focus on citizen wellbeing/good service and thus undertake cross cutting reviews where appropriate
- (b) the need for cogent arguments if change was desired
- (c) the need to set the agenda over the next twelve months for 2005 including:-
  - a clear framework for Scrutiny
  - a developed constitution
  - increased use of themed meetings and cross cutting reviews
  - operation of Scrutiny to engage more Members.

#### **189. FEEDBACK ON POLICY REVIEW**

The Chairman reported that the adoption of a Policy Development and Review Toolkit had been deferred to facilitate further work on the Toolkit by the Assistant Chief Executive.

The development of the Toolkit was an important component of implementing the Corporate Policy Framework, setting out corporate standards and providing a tool kit for policy development and review and enabling the Framework to be kept up-to-date.

#### **190. MINUTES**

Resolved:- That the minutes of the meeting held on 26<sup>th</sup> March, 2004, be approved as a correct record for signature by the Chairman.

#### **191. CHILDREN AND YOUNG PEOPLE'S BOARD SCRUTINY WORKING PARTY**

The Committee noted the minutes of a meeting of the Children and Young People's Board Scrutiny Working Party held on 3<sup>rd</sup> March, 2004.

#### **192. REVENUE BUDGET MONITORING REPORT – 1<sup>ST</sup> APRIL, 2003 TO 29<sup>TH</sup> FEBRUARY, 2004**

The Committee considered the submitted budget monitoring report for the period 1<sup>st</sup> April, 2003 to 29<sup>th</sup> February, 2004, detailing the projected revenue outturn for 2003/04 along with the actions being taken, or proposed to be taken, to deal with the projected over or underspends. The information had been noted by the Cabinet and Corporate Management Team.

The report showed a projected overspend of £442,000 on the General Fund as compared with a projected overspend of £515,000 as at 31<sup>st</sup> January, 2004.

The report also showed a projected overspend of £12,000 on the Housing Revenue Account as compared with a projected overspend of £40,000 as at 31<sup>st</sup> January, 2004.

Discussion ensued and the following issues were covered:-

- method of reporting
- latest projected figures

Resolved:- (1) That the report be noted.

(2) That the reducing overspends be welcomed and all concerned be congratulated on their efforts.

**193. WORK IN PROGRESS**

Delia Watts, Scrutiny Adviser, reported that the co-option review had now begun and the anticipated completion date was 6<sup>th</sup> June, 2004 when the final review report would be presented to this Committee.

**194. CALL- IN ISSUES**

There were no formal call-in requests.

(The Chairman authorised consideration of the following item to keep Members informed.)

**195. CENTRE FOR PUBLIC SCRUTINY CONFERENCE**

The Chairman reported that the above conference was being held on 23<sup>rd</sup> June, 2004.

Resolved:- That this matter be considered at the next meeting.

**ASYLUM SEEKERS WORKING PARTY**  
**31<sup>st</sup> March, 2004**

**Present:-**

Councillor Boyes	Cabinet Member for Education, Culture and Leisure Services
Councillor Ellis	Cabinet Member for Housing and Environmental Services
Councillor Robinson	Cabinet Member for Community Planning and Social Inclusion
Councillor Sharman	Deputy Leader <b>(in the Chair)</b>

**Officers:-**

Mr. A. Crowley	Team Leader, Asylum Project Team
Mr. G. Dermartino	Adult and Community Learning Development Officer
Mr. R. Higginbottom	Strategic Leader, Inclusion

**Apologies for Absence:-**

Mr. P. Kelly	Social Services
Ms. A. Smith	Housing and Environmental Services

**1. MINUTES**

Agreed:- That the minutes of the Working Party held on 25<sup>th</sup> February, 2004, be approved as a true record.

**2. MATTERS ARISING**

Arising from Minute No. 4(2), it was noted that Aileen Chambers would be the link person for the Planning Group.

Arising from Minute No. 6 (Indefinite Leave to Remain Project), it was noted that a report was to be considered by the Cabinet Member for Housing and Environmental Services on 19<sup>th</sup> April.

Arising from Minute No. 8 (Specialist Floating Support Service to Young Unaccompanied Children Asylum Seekers), it was noted that discussions were ongoing regarding the Support Worker.

Arising from Minute No. 9(3) (Northern Refuge Centre Development), it was noted that the project was now working with the CAB, therefore, the proposal would no longer proceed.

Agreed:- That Andrew Crowley submit a report detailing all the advice services available for asylum seekers in Rotherham.

**3. ASYLUM SEEKER PROGRAMME BUDGET**

Andrew Crowley submitted an update on the budget for the Asylum Seeker Programme giving an estimated balance at the end of the contract period in October, 2005.

It was noted that there were a number of risks and uncertainties associated with the budget.

Discussion took place on future initiatives including tenancy support for those asylum seekers that received decisions and support for other Programme Areas dealing with destitute asylum seekers.

Agreed:- (1) That the report be received.

(2) That the Executive Director of Social Services to submit a report on dealing with destitute asylum seekers.

(3) That the Executive Director of Housing and Environmental Services submit a report on tenancy support.

#### **4. MULTI-AGENCY UPDATE**

Andrew Crowley reported that discussion at the last multi-agency meeting had centred around Refugee Week which was to be held in June. There would be posters on display throughout the Council, training from the Multi-Cultural Worker for various agencies and a programme involving schools.

Agreed:- (1) That the report be received.

(2) That the minutes of the multi-agency group be submitted to this Working Party for information.

#### **5. EASTWOOD MISSION REFUGEE AND ASYLUM SEEKER DROP-IN CENTRE**

In accordance with Minute No. 3 of 17<sup>th</sup> December, 2003, Gaetano Demartino submitted a report giving a 6 month projection of the needs of the Drop-in Centre including recent or current work being carried out. The following points were highlighted:-

- Volunteers – They consistently turned up at the Centre.
- Open every Tuesday, 1.30 p.m.-3.00 p.m.
- Approximately 30 regular attendees
- Small amounts of funding had been found from various people that worked with asylum seekers.
- Iranian New Year – a very successful event had recently been held
- The Library Service were regular attenders at the Centre providing Home from Home learning and support and crèche type support.
- The Asylum Team attended on a weekly basis.

It was hoped to have consistent support from other agencies and Council departments. It was felt that a structured format would help Departments e.g. Social Services in attendance every second Tuesday.



Agreed:- (1) That the report be received.

(2) That the Mayor be asked to host a small 'thank you' reception for the volunteers at the Drop-in Centre.

**6. POST 2005 NASS CONTRACT**

Andrew Crowley reported that he was to attend a meeting regarding the above. Any extension to the contract would be submitted to Cabinet for approval by Council.

**7. EDUCATION, CULTURE AND LEISURE SERVICES – UPDATE**

Roger Higginbottom reported that the Welcome Centre continued to function effectively. An end of year report would be submitted shortly.

There had been a recent article in the local press regarding the impact of asylum seekers on local schools. Roger reported the following figures which showed this not to be the case:-

Secondary

1 <sup>st</sup> September, 2001-31 <sup>st</sup> August, 2002		29 applications received
		2 applications refused
	=	27 pupils placed

1 <sup>st</sup> September, 2002-31 <sup>st</sup> August, 2003		23 applications received
		10 applications refused
	=	13 pupils placed

1 <sup>st</sup> September, 2003 to date		20 applications received
		7 applications refused
	=	13 pupils placed

Primary (N.B. over 100 schools)

1 <sup>st</sup> September, 2001-31 <sup>st</sup> August, 2002	64 pupils placed
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1 <sup>st</sup> September, 2002-31 <sup>st</sup> August, 2003	34 pupils placed
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1 <sup>st</sup> September, 2003 to date	16 pupils placed
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**8. ANY OTHER BUSINESS**

(a) Destitute Asylum Seekers – Work was taking place within the Multi-Agency Group with a view to developing procedures in Rotherham to provide some assistance which the Authority could not do within the terms of the Legislation.

(b) Refugee Council – Emergency Accommodation in Rotherham – The problem of asylum seekers being given notice by the Refugee Council to leave accommodation and leaving them homeless had been highlighted in the last week. Unfortunately, Legislation prevented the Authority from offering

accommodation. A letter had been prepared for despatch to the three Local Members of Parliament.

Agreed:- That Members of the Working Party be notified when such a case arises in Rotherham in order that they can pass it onto the relevant Member of Parliament's attention.

(c) Barnsley Reception Centre – Councillor Ellis and Andrew Crowley had recently visited the Reception Centre.

**9. DATE OF NEXT MEETING**

Agreed:- That a further meeting be held on 12<sup>th</sup> May, 2004, commencing at 9.30 a.m.