

SUSTAINABLE COMMUNITIES SCRUTINY PANEL

Venue: Town Hall, Moorgate
Street, Rotherham.

Date: Thursday, 19 October 2006

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. Apologies and Communications.
4. Declarations of Interest.
5. Questions from members of the public and the press.

FOR DECISION

6. Home Appreciation Loans (Pages 1 - 17)
- report by Danielle Troop, Housing Solutions Officer, Housing Market Renewal Team

FOR MONITORING

7. Environmental Management Asset System
Presentation by David Rhodes, Property Environmental Manager
8. 1st Quarter Performance 2006/07 (Pages 18 - 27)
- report of John Mansergh, Performance Champion
9. Anti-Social Behaviour Client Review (Pages 28 - 39)
- report by Helen Nixon, Anti-Social Behaviour Manager
10. Safer Neighbourhood Teams - Update (Pages 40 - 55)
- report by Janet Greenwood, SNT Manager

11. "Here's the Deal" The Revised Tenants' Participation Compact (Pages 56 - 90)

FOR INFORMATION

12. Gambling Act (Pages 91 - 136)
- report by David Stockdale, Licensing Manager
13. Cabinet Member for Neighbourhoods (Pages 137 - 155)
- minutes of meetings held on 18th September and 2nd October, 2006

MINUTES FOR INFORMATION

14. Sustainable Communities Scrutiny Panel (Pages 156 - 162)
- minutes of meeting held on 21st September, 2006
15. Performance and Scrutiny Overview Committee (Pages 163 - 170)
- minutes of meeting held on 15th September, 2006

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act (information relating to the financial or business affairs of any person (including the Council))

16. Budget 2007/08 - 1st Round (Pages 171 - 194)
- presentation by Finance and Accountancy Manager

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

	Meeting:	Sustainable Communities Scrutiny Panel
	Date:	19th October 2006
	Title:	Home Appreciation Loans
	Programme Area:	Neighbourhoods

5. Summary

On 18th September 2006 Cabinet was informed of several measures to address private sector decency which had agreed funding from Regional Housing Board (RHB), the Housing Investment Programme (HIP) and/or Housing Market Renewal (HMR) Fund. This report brings forward detailed proposals to implement a Home Appreciation Loan Scheme (HALS) in conjunction with the Yorkshire and Humberside Regional Home Loans Service. It also proposes an amendment of the Council's Private Sector Housing Policy to enable delivery. Scrutiny is asked to note the Report.

6. Recommendations

- **NOTE THE INTENTION TO DELIVER A HOME APPRECIATION LOANS SCHEME IN LINE WITH THE 2005-2007 SERVICE LEVEL AGREEMENT (SLA) BETWEEN ROTHERHAM BC AND THE YORKSHIRE HOUSING FOUNDATION (YHF) ON A PILOT BASIS TO MARCH 31ST 2007;**
- **APPROVE THE CREATION OF AN ADDITIONAL SLA WITH THE YHF TO COVER THE INTERVIEWING FUNCTION OF THE HALS ON A PILOT BASIS TO MARCH 31ST 2007;**
- **COUNCIL TO DELEGATE THE HEAD OF NEIGHBOURHOOD DEVELOPMENT TO SIGN AND DELIVER A DELEGATION AGREEMENT SO THAT SUB-REGIONAL ADMINISTRATION OF THE HALS SCHEME CAN BE ENABLED;**
- **THAT THE EXTENDED 2003 PRIVATE SECTOR HOUSING ASSISTANCE POLICY RELATING TO LOAN ASSISTANCE AND LOAN SUPPORT GRANT SET OUT IN APPENDIX 1 BE APPROVED AND ADVERTISED IN LINE WITH THE REGULATORY REFORM ORDER (RRO) 2002, SUBJECT TO ANY COMMENTS BY THE SUSTAINABLE COMMUNITIES SCRUTINY PANEL**
- **NOMINATE A SENIOR OFFICER FOR THE PURPOSE OF VARYING THE AMOUNT OF LOAN TO BE REPAID SHOULD IT BE PROVEN THAT HARDSHIP WOULD OTHERWISE ENSUE.**
- **THAT A REPORT BE SUBMITTED AT THE END OF THE PILOT INCLUDING FEEDBACK FROM THOSE THAT HAD TAKEN ADVANTAGE OF THE LOAN AS TO THEIR EXPERIENCE**

7. Proposals and Details

7.1 Introduction

- 7.1.1 On 14th November 2005, Members resolved (minute 112) that approval for participation in the Yorkshire and Humber Home Loans Scheme be deferred pending a further report on delivery mechanisms.
- 7.1.2 The Yorkshire and Humber Home Loans Scheme (Y&HHLS) has been implemented on behalf of L.A's across the sub-region to enable loans for repairs, improvements or disabled adaptations to be offered to vulnerable clients within their Authority boundary, as defined by their Housing Assistance Policy. The scheme is run through Sheffield C.C. on behalf of all the named L.A's.
- 7.1.3 The Y&HHLS will deal with processing and administering of the monetary element of the Home Appreciation Loan Scheme (HALS) for all participating L.A's, from a client interview for a Home Appreciation Loan (HAL) up to sanctioning a loan and including the redemption of same.
- 7.1.4 The procedure for delivering the repairs element of HALs is identified within the existing SLA between Rotherham BC and the YHF. The 2005-2007 SLA outlines the referrals process, personal support and advice service, technical support and advice structure and fee structure. The agreement outlines the Council's intention to grant fund fee charges of the Agency in relation to repair work carried out on its behalf.
- 7.1.5 The scheme is vital as estimates for Rotherham suggest that the number of homes in the private sector requiring work to meet the decency target for vulnerable households, is 2,360 at a cost of £9.5m.
- 7.1.6 It is important to note that a proportion of RTB households situated within the ALMO's programme areas are likely to be eligible for HALs. In some instances, the problem of unimproved private housing detracting from the value of ALMO Decent Homes Investment will be alleviated.
- 7.1.7 It is also important to note that persons eligible for mandatory disabled facilities grant may also be able to benefit from "top up" HALs for disrepair in their home.

7.2 Delivery Mechanisms to Consider

- 7.2.1 The interview function of the HALS is lengthy and significantly different in character to that of issuing grants. The interviewing officer will provide financial advice concerning the householders assets and it could be conceived that an element of "selling" is involved. First-rate training, documentation and knowledgeable back-up and support is provided to all participating L.A's by Sheffield C.C.

- 7.2.2 For the HALS to become operative following an approval by the Council, it will be necessary to identify officers to undertake the interviewing function. In some participating authorities, acknowledgement of the reduced workload of grants officers has led to training to undertake this function. In others, the Y&HHLS have been able to factor in this additional service through use of Sheffield C.C. retrained grant officers. In a further group of L.A's, the Home Improvement Agency (HIA) is engaged to take on the interviewing function.
- 7.2.3 Following consultation with the Agency and Grants Team, the preferred short-term option is to engage the YHF to undertake the interview function. In doing so, the Council is afforded a seamless service as part of functions already carried out within the 2005/07 contract between Rotherham BC and the YHF. However, the need for a separate HALS SLA, linked to the existing contract is a requirement of Financial Services Act rules. It is proposed that for this pilot period to March 2007, interview funding is attached to the SLA with a claw back facility in the event that the HIA is unable to undertake the required number of interviews.

7.3 Key Amendments to Housing Assistance Policy

- 7.3.1 The 2003 Rotherham BC Private Sector Housing Assistance Policy has a key objective of steering households away from grants and towards loans. The proposed policy on loans, amending the existing policy is set out in **Appendix 1** and will be incorporated in the 2003 Private Sector Housing Assistance Policy. This extended policy is consistent with guidance on loan provision issued by the DCLG.
- 7.3.2 Eligibility criteria has been agreed with other L.A's participating in the HALS. Although the Council's own policy is not bound to reflect them, existing Rotherham BC eligibility criteria for equity release loans is highly restrictive. The 2003 Housing Assistance Policy only allows homeowners over the age of 75 to participate and **Appendix 1** therefore extends the eligibility criteria to include 'Vulnerable persons' as defined by the DCLG.
- 7.3.2 Under the policy as amended, the Y&HHLS would assess applications referred to it for loan assistance against the eligibility criteria. It would carry out assessment in line with the agreed criteria and decide whether to make a home improvement loan to the homeowner. The amended policy at **Appendix 1** provides that where the Council is satisfied that the homeowner would experience exceptional hardship if the full loan was repaid, the Council may vary the amount to be repaid through its' appointed officer at clause bii, **Appendix 1**. The policy also allows for the maximum amount of loan redeemed to be capped at the outset of the loan, so as to ensure that any future high house price increases do not unfairly increase the amount of loan to be redeemed.

7.4 Legal Framework

- 7.4.1 For the scheme to become operative, the Council must enter into a legal agreement with Sheffield C.C. This is to allow the discharge of the Equity Loan functions on behalf of Rotherham BC under the provisions of the Local

Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000 **Appendix 2**. Legal Services have been consulted and are satisfied that the Council has power to enter such an agreement in order that the HALS can be administered by the Y&HHLS.

- 7.4.2 Legal have furthermore confirmed that in holding HALS monies via a delegation agreement, Y&HHLS are accountable to DCLG for any misuse.
- 7.4.3 For the scheme to become operative, the Council must appoint a senior officer for the purpose of clause 25(a) of **Appendix 2**.

8. Financial Implications

- 8.1.1 £3.1m of RHB monies have been allocated to the Y&H HALS for 2006-8. Monies are apportioned on the level of private sector non-decency assessed within each L.A. boundary. Accordingly, £207,375.69 of the Regional Pot has been allocated to Rotherham for the 2006-8 period.
- 8.1.2 In addition, £100k of HMR Funding has been allocated for the 2007-8 period. Benchmarking between L.A's operating the scheme has indicated that the average loan is £10k in value and total monies available may equate to approximately thirty loans.
- 8.1.3 FEES: Sheffield C.C. top slice 4% for administering the scheme from the Regional Pot. Valuation and legal fees also come out of the Regional Pot to a maximum of £550 per case (£400 legal, £150 valuation). Agency fees for delivery of repairs have been stated as 10% of eligible works in the 2005-07 SLA between YHF and the Council.
- 8.1.4 The requirement for the Council to grant fund agency fees is governed by the 2005-07 SLA. Where the annual amount paid under the contract to the YHF is insufficient to cover fees for the required number of cases, HIP monies will be used to supplement any shortfall.
- 8.1.5 HIP monies will also be used to pay for the interview function of the HALS as part of a separate SLA between the Council and the YHF. By piloting this arrangement to March 2007 and including claw-back, the Council will be able to assess value for money against the cost of £230 per interview. £4.5k of HIP monies have been allocated for this purpose and for the purpose of supplementing any shortfall outlined at 8.1.4 above.
- 8.1.6 Marketing and promotional material is available from the Y&H HALS. Under the terms of their contract, the YHF is required to advise all clients as to their eligibility for loans to adapt, repair or improve their home. £500 of HIP monies has been set-aside to promote HALS in Rotherham.

9. Risks and Uncertainties

Available funds may not match demand but this is unlikely as HALS are untested here. More likely is that take up of available funds may not be sufficient to fully expend resources leading to claw back by funders. Preparation and effective marketing will be essential tactics to mitigate against this. In the longer term a successful deployment of HALS could

stimulate demand in excess of finance available which would require area-based prioritisation in accordance with regeneration targets.

10. Policy and Performance Agenda Implications

- 10.1 Alignment with delivery of four themes of the Community Strategy
Rotherham Proud – Rotherham will be a caring place, where the most vulnerable are supported.
- 10.2 Alignment with delivery of four themes of the Neighbourhood Renewal Strategy
Improving life chances for children and young people
Community of Interest – Vulnerable Older persons
- 10.3 Contribution to Sustainable Development
Delivering to Sustainable Communities in line with Housing Market Renewal Programme agenda
- 10.4 Contribution to Equalities and Diversity
Impact Equality Assessment has been undertaken
- 10.5 Contribution to Regeneration
Improving the quality of housing
- 10.6 Contribution to Health
The link between poor housing and poor health is well documented
- 10.7 Evidence of policy Appraisal
Quality Assessment appraisal submitted
- 10.8 Contribution to the Corporate Assessment – The introduction of HALS helps to demonstrate commitment to tackling non-decency in the private sector (PSA7). PSA7 is a Neighbourhood Renewal Floor target and a responsibility of the LSP

11. Background Papers and Consultation

- 2003 RMBC Private Sector Housing Assistance Policy
- Sub-Regional Home Appreciation Loan Scheme
- Sub-Regional Relocation Loans Appreciation Scheme
- 2002 Regulatory Reform Order
- 2004 Housing Act
- RMBC Housing Strategy
- Consultation with Legal
- Consultation with HALS Sub-Regional Officer Group
- Appendix 1 Home Appreciation Loans Policy
- Appendix 2 Delegated Authority Document

Contact Name : Danielle Troop, Housing Solutions Officer, Housing Market Renewal Team 01709 334969, Danielle.troop@rotherham.gov.uk

Appendix 1

Home Appreciation Loans Policy

1. Loan Assistance

1.1. Where an applicant applies for Loan Assistance for one or more of the purposes detailed in this section of the policy, meeting the criteria for Loan Assistance, the Council will assess the applicant's eligibility under its criteria for a loan and make a decision on whether to pay the applicant a loan. Where a dwelling is or will be owned jointly all joint owners must apply. Purposes for which a loan may be made are:-

- To assist the applicant to carry out repairs to their dwelling to enable it to meet the "Decency" Standard
- To supplement an existing Essential Works grant where the cost of essential work is greater than the maximum amount of grant available.
- To supplement the provision of Disabled Facilities Grant where the cost of work is greater than the maximum available grant.

2. The Amount of Loan

2.1 The amount of Loan will vary according to:-

- the value of eligible works
- the value of the property in its unimproved state
- the value of current charges or outstanding mortgage on the property.
- The maximum loan value for all secured borrowing, including the Home Appreciation Loan will not normally exceed 70% of the unimproved property value.
- The minimum loan will normally be £2000 and the maximum will normally be £30,000.
- The maximum value of a Home Appreciation Loan will not normally exceed 50 % of the unimproved property value.
- The Council, where it considers that the individual circumstances of the applicant merits special consideration, may make a loan outside the above limits. Circumstances and Eligibility

2.2 The Council will not entertain an application unless it is satisfied:-

- The dwelling is currently in owner occupation or, in exceptional circumstances is empty but will become the only or main residence of the applicant on completion of work
- Continued occupation of the dwelling is sustainable,
- The applicant is a vulnerable person

In respect of Loan Assistance the term Vulnerable Person shall mean a person who is in receipt of at least one of the Qualifying Benefits detailed in the table below:-

QUALIFYING BENEFITS	
For a person who is over 60, or over 25 weeks pregnant, or with a child under 16:-	For everyone else:-
<p>Income Support</p> <p>Income Based Job Seekers Allowance (over 60s only)</p> <p>Council Tax Benefit – not single person discount</p> <p>Attendance Allowance</p> <p>Disability Living Allowance</p> <p>Working Tax Credit (if including a disability element and household income is less than £14,600 per year)</p> <p>Child Tax Credit (if your household income is less than £14,600 per yr)</p> <p>Industrial Injuries Disablement Benefit (including Constant Attendance Allowance)</p> <p>War Disability Pension (including Mobility Support)</p>	<p>Income Support</p> <p>Council Tax Benefit (including disability element)</p> <p>Housing Benefit (including disability element)</p> <p>Attendance Allowance</p> <p>Disability Living Allowance</p> <p>Working Tax Credit (if including a disability element and household income is less than £14,600 per year)</p> <p>Child Tax Credit (if your household income is less than £14,600 per yr)</p> <p>Industrial Injuries Disablement Benefit (including Constant Attendance Allowance)</p> <p>War Disability Pension (including Mobility Support)</p>

- The applicant has an owner's interest in the property.
- At least 50 years remains on the lease of any leasehold properties considered for loan.
- The dwelling does not meet the decency standard, or requires adaptation for a disabled person, which does not fall within the scope of mandatory Disability Facility Grant entitlement
- The Council is satisfied that no other form of assistance other than from the Council is available which will enable the dwelling to be brought up the Decency Standard.

2.3 Individual Circumstances

- Where the applicant meets the eligibility criteria for Loan Assistance the Council will decide whether to make a loan having regard to available resources and the applicant's individual circumstances.

- The Council will decide the eligible works, which will be the subject of the loan. The Council will produce a works specification and the works shall be carried out to the Council's specification.
- The applicant will be required to take out Building Insurance in respect of their home for the re-instatement value quoted in the valuation report.

3.Conditions

- The Loan will be secured on the property registered as a Land Charge.
- The applicant will be subject to the conditions attached to the loan.

3. Payment of the loan funds

4.1 Payment of the loan will be made on completion of work to the satisfaction of the Council. Payment will be made direct:-

- To the contractor carrying out the work on completion of the works to the satisfaction of the Council or its agent
- To the Council in respect of the loan set up costs where a Loan Support Grant has not been made or the costs exceed the Loan Support Grant and the applicant decides these costs should be included in the loan amount.
- To the Council, the part of the assistance for preliminary and ancillary service charges (where this is not being paid as Loan Support Grant).

4.2 Where the applicant decides not to proceed with the loan application or if a

loan application is cancelled:-

- after the Council or its agent has instructed a valuer to carry out a valuation, the valuer's fee is recoverable from the applicant at cost
- after the Council or its agent has instructed a solicitor to carry out legal work connected to the loan, the solicitor's fee is recoverable from the applicant at cost.

4. Loan Support Grant

a. Where Loan Assistance is provided, a Loan Support Grant may be provided in respect of:-

- Property valuation fee
- Land Registry fee
- Solicitor's fees
- Administration charges
- Search Fee

- b.* Further grant assistance may be available to cover the Council's charges for preliminary and ancillary services to facilitate the work required. This would be payable to the Council.

5. Discretion within the Policy

a. Loan Amount

Where the applicant meets the Loan Assistance criteria, the Housing Solutions Officer shall decide the loan amount to be approved. When making these decisions the Housing Solutions Officer will have regard to the following:-

- Property Valuation and current available equity
- Property price trends in the immediate area.
- Impact of Council activities on House prices in the area.
- Other available solutions to meet the applicants home improvement needs.
- Any other relevant circumstances

b. Loan Redemption

- i.* The amount to be recovered on redemption shall be calculated in accordance with the individual loan agreement with the applicant. The amount to be redeemed will be capped at the outset of the loan. The actual amount of loan finally to be redeemed will be the lower of a) the equivalent cost of a loan calculated at the Base Rate set every month by the Monetary Policy Committee of the Bank of England prevailing at the point the loan was approved plus a further 2.75% calculated on a compound basis, or b) the percentage the original loan amount represented of the original property valuation, and applied to the value of the property at the point of redemption.
- ii.* Where the applicant requests that the loan repayment be reduced and the Housing Solutions Officer is satisfied that exceptional hardship would be caused were the full amount of loan to be recovered, the amount to be recovered may be varied. The Head of Housing Strategy, (in consultation with members of the Regional Loans group where the loan was made from funds borrowed pursuant to the regional loans scheme), shall decide the amount to be recovered.

Appendix 2

Delegated Authority

Rotherham Council

Date: []

Dear []

Homeowner loan scheme

For the purposes of this letter, the following definitions shall apply:

“Applicant” shall mean the homeowner making the Loan Application.

“City Council” shall mean The Sheffield City Council

“Delegation” shall mean the formal delegation by Rotherham MBC to the City Council of the Function

“Home Improvement Assistance Policy” shall mean a Local Authority’s policy for providing financial or other assistance for home improvements as required by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

“Letter of Agreement” shall mean the terms of this letter of agreement including the attached appendices.

“Loan Application” shall mean an application for a Loan under the Local Authority’s Loan Assistance Scheme

“Loan” shall mean a sum of money paid as a loan to a homeowner provided under and in accordance with the Local Authority’s Loan Assistance Scheme.

“Loan Assistance Scheme” shall mean the Local Authority loan scheme provided under its Home Improvement Assistance Policy in which loans are provided to homeowners in the Local Authority’s area.

“Local Authorities” shall mean collectively Barnsley, Bradford, Calderdale, Doncaster, Kirklees, Leeds, Rotherham, Sheffield and Wakefield Local Authority” shall mean any one of the Local Authorities.

“ODPM” shall mean the Government office of the Office of the Deputy Prime Minister/DCLG

“Scheme” shall mean the Home Appreciation Loan scheme to be delivered by the City Council and Rotherham MBC as set out in the Scheme Handbook.

“Scheme Handbook” shall mean the document titled the Home Appreciation Loan Operational Handbook for the Yorkshire and Humber Regional Home Loans Service attached at Appendix 3 setting out the process and procedures for the delivery of the Scheme.

“Rotherham MBC” shall mean Rotherham Metropolitan Borough Council.

The City Council has been granted credit approval by the ODPM of £2.4 million for the period 1 April 2005 to 31 March 2006 for the provision of Loans by the City Council and on behalf of the Local Authorities in accordance with the Loan Assistance Scheme of the City Council and each Local Authority. The credit approval includes costs associated with the Loans such as appropriate legal and valuation fees and any costs in respect of relevant training provided by the City Council to officers of the Local Authorities. The credit approval was granted on the basis that the City Council issue Loans to homeowners resident in Sheffield and in each Local Authority’s area

In accordance with the provisions of the Local Government Act 2000 and Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000, in order for the City Council to issue Loans on behalf of the Local Authorities, it has been necessary for each of the Local Authorities to formally delegate to the City Council the function of the payment of Home Appreciation and Relocation Assistance loans by each Local Authority under its Loan Assistance Scheme (“the Function”).

The City Council has now received a Delegation from Rotherham MBC dated [] which confirms Rotherham MBC formal approval that the Function be delegated to the City Council.

In order to facilitate the issuing of Loans by the City Council on behalf of Rotherham MBC, the parties therefore agree that the Delegation be subject to the following terms:

1. Rotherham MBC hereby confirms that it has formally delegated, and has obtained all necessary approvals (statutory or otherwise) to delegate, its Function to the City Council.
2. The parties agree to deliver the Scheme and each party hereby agrees to comply with the appropriate provisions contained in the Scheme Handbook setting out the duties and responsibilities of each party for the delivery of the Scheme.
3. The terms of this Letter of Agreement shall be binding on each party from the date of this letter until the date on which the Letter of Agreement is terminated in accordance with paragraphs 22 or 23 ("Period of Agreement").
4. The City Council and Rotherham MBC hereby agree that upon receipt by Rotherham MBC of a Loan Application, Rotherham MBC and the City Council shall thereafter take the appropriate steps in respect of the Loan Application as set out in the Scheme Handbook.
5. Rotherham MBC shall ensure that any assessment made by it of a Loan Application is carried out appropriately in accordance with the procedures set out in the Scheme Handbook.
6. Rotherham MBC shall ensure that in respect of each Loan Application referred to the City Council under the Scheme:
 - a. the Loan Application shall comply with Rotherham MBC's Loan Assistance Scheme and Home Improvement Assistance Policy; and
 - b. Rotherham MBC shall have complied with the procedures set out at pages 22 to 58 of the Scheme Handbook in advance of such referral to the City Council.
7. Rotherham MBC shall use its best endeavours to ensure that any information it provides to the City Council in respect of an Applicant and/or Loan Application is true and accurate in all respects.
8. Rotherham MBC shall use its best endeavours to assist the City Council in delivering the Scheme during the Period of Agreement and shall, upon request, provide the City Council with any documentation it

may require in order for the City Council to deliver it's element of the Scheme or otherwise in connection with the Scheme or the terms of this Letter of Agreement. Rotherham MBC shall ensure that any documentation it provides to the City Council in accordance with this paragraph 8 shall be true and accurate in all respects.

9. Rotherham MBC shall ensure that it, and its employees or agents, do not take any decision or course of action which would prevent, restrict or affect in any manner the City Council's delivery of it's element of the Scheme or cause the City Council to be in breach of this Letter of Agreement or any relevant legislation save where such decision or course of action is necessary in order for Rotherham MBC to comply with any relevant legislation.
10. Rotherham MBC hereby agrees to indemnify the City Council and to keep it fully and effectively indemnified against all losses, costs, claims, expenses, demands and liabilities whatsoever which it may incur, receive or suffer as a result of any act, omission, or negligence by Rotherham MBC or its employees, successors, assigns and contractors in connection with or in respect or in consequence of the performance of Rotherham MBC's obligations under this Letter of Agreement and/or delivery of the Scheme by Rotherham MBC.
11. Rotherham MBC hereby warrants that:
 - a. It's Loan Assistance Scheme and Home Improvement Assistance Policy comply with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and will continue to so comply for the Period of Agreement;
 - b. Its Loan Assistance Scheme and Home Improvement Assistance Policy comply with the Scheme, provisions of Scheme Handbook and terms of this Letter of Agreement;
 - c. Subject to paragraph 12, its Loan Assistance Scheme and Home Improvement Assistance Policy will continue to comply with the Scheme, provisions of Scheme Handbook and terms of this Letter of Agreement (including any variations to the Scheme, provisions of Scheme Handbook and/or Letter of Agreement agreed by the parties under paragraph 18) for the Period of Agreement; and
 - d. it has obtained all approvals (statutory or otherwise) in respect of the Scheme, provisions of the Scheme Handbook and the terms of this Letter of Agreement;
 - e. its Delegation and the format thereof complies with all requirements of any relevant legislation (including, but not limited to the Local Authorities (Arrangement for the Discharge

of Functions) England Regulations 2000 and Local Government Act 2000)

12. In the event that Rotherham MBC proposes to revise its Loan Assistance Scheme and/or Home Improvement Assistance Policy in such a manner so as to create a conflict between any revised policy of Rotherham MBC and the terms of the Letter of Agreement (including the provisions of the Scheme Handbook) then Rotherham MBC shall inform the City Council as soon as reasonably practicable of that fact in writing (including the nature of such revision) and of the measures Rotherham MBC will take to deal with such conflict. The City Council shall be under no duty to process any Loan Application referred to it by Rotherham MBC whilst any such conflict subsists.
13. The parties hereby agree that in the event of any conflict between the terms of this letter and the provisions of the Scheme Handbook then the provisions of this letter shall apply.
14. The parties shall not disclose to any third party any documents and information in connection with the Scheme or this Letter of Agreement without the written permission of the other party unless such disclosure is necessary for the purposes of performing their obligations under this Letter of Agreement and/or a duty to disclose to any person is required of either party under any statute (including but not limited to the Freedom of Information Act 2000), regulations or by Court Order.
15. The obligations of each party specified in paragraph 14 shall cease where it can demonstrate that any such documents and/or information is already in the public domain through no fault of its own and through no contravention or failure to comply with its obligations under this Letter of Agreement.
16. Each party shall take all reasonable steps to ensure that its employees and the employees of its consultants or contractors are aware of and comply with the obligation of confidence provided at paragraph 14.
17. Subject to paragraphs 18 and 20, no party to this Letter of Agreement may vary any of the provisions of the Letter of Agreement (including the Scheme Handbook) without the written consent of the other party in writing.
18. During the Period of Agreement the City Council may, upon giving reasonable notice in writing to Rotherham MBC, unilaterally vary any of the provisions of the Scheme Handbook provided that the variation is as a result of any of the following:
 - a. any necessary changes in the administration or processes involved in the delivery of the Scheme (including, but not limited to, format of letters, standard forms, interview processes); or

- b. any necessary changes to the Scheme in order to comply with changes in relevant legislation or Government policy or guidance.
- 19. In the event that the City Council proposes to vary the Scheme Handbook in accordance with paragraph 18a. then it shall give reasonable consideration to the views of the other Local Authorities prior to effecting such variation.
- 20. If, following a request by the City Council, the ODPM offers the City Council any credit approval in respect of the Scheme in addition to that provided in this Letter of Agreement then the parties agree that this Letter of Agreement shall be varied appropriately in order for such additional credit approval to be incorporated into the provisions.
- 21. If, during the Period of Agreement, a Loan is repaid to the City Council by a homeowner then the City Council may use the funds received on repayment to provide further Loans to homeowners under the Scheme provided that any such further Loans are provided by the City Council during the Period of Agreement.
- 22. Either party may:
 - a. terminate this Letter of Agreement at any time on the giving of 6 months notice in writing to the other; or
 - b. terminate this Letter of Agreement forthwith in the event of any of the following:
 - i. the other party materially breaches any of the terms of the Letter of Agreement (including any provisions of the Scheme Handbook); or
 - ii. the details of any information provided by the other party (including the details of any Loan Application referred to the City Council by Rotherham MBC under the Scheme) are materially inaccurate or misrepresented in any respect whatsoever; or
 - iii. any conflict arising under paragraph 12 subsists following the period of 3 months from the date on which the City Council is informed of it under that paragraph 12.
- 23. In the event that, at any time during the Period of Agreement, the Delegation is rescinded by Rotherham MBC or the City Council decides to no longer exercise the Delegation then this Letter of Agreement shall terminate forthwith and the provisions of paragraph 24 shall apply.

24. In the event that the Letter of Agreement is terminated in accordance with paragraphs 22 or 23 then the following shall apply:

- a. the City Council and Rotherham MBC shall cease forthwith to provide the Scheme;
- b. the provisions at paragraph 10 of this Letter of Agreement shall apply.

25. Any dispute which may arise between the parties concerning this Letter of Agreement shall be determined as follows:

- a. The dispute shall first be referred to the Programme Director Sheffield East of the City Council and [] of Rotherham MBC who shall negotiate in good faith in an attempt to resolve the dispute within 10 days of their commencement.
- b. Any dispute which is not resolved under paragraph 25a within the period of days set out thereunder shall be referred to the Chief Executive or his/her nominee of the City Council and the Chief Executive or his/her nominee of Rotherham MBC who shall negotiate in good faith in an attempt to resolve the dispute within 28 days of the date on which the matter is referred to them.
- c. In the event that any dispute is not resolved in accordance with paragraph 25b then the matter shall then be determined by mediation under the auspices of the Centre for Dispute Resolution, to which both parties hereby agree to submit. Neither party shall wilfully delay or obstruct the mediation process. Only in the event of failure of the mediation process shall either party be free to apply to the courts.

26. The parties agree that paragraphs 10, 14, 15, 16 and 25 shall survive termination of this Letter of Agreement.

27. The parties agree that a person who is not a party to this Letter of Agreement shall have no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Letter of Agreement.

Please confirm your authority's acceptance of the above conditions by arranging for both copies of this letter to be signed on behalf of your authority as indicated below. Both copies should then be returned to Denise Devoto at Private Sector Housing and Housing Advice, Howden House, 3rd Floor, 1 Union Street, Sheffield S1 2SH and arrangements will then be made for both copies to be signed on behalf of the City Council.

Once this is done, one copy of the signed letter will be returned to you for your authority's records.

Yours sincerely

Mrs Denise Devoto

Equity Release & Loans Team Leader

We hereby accept the terms of this letter of agreement

.....
Signed on behalf of Rotherham MB Council

.....
Dated

.....
Signed on behalf of the Sheffield City Council

.....
Dated

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	19th October 2006
3.	Title:	1 st Quarter Performance Report, 2006/07 All Wards Affected
4.	Programme Area:	Neighbourhoods

5. Summary

This report outlines the key performance indicator results and efficiency projections for the first quarter of 2006-07. Aligning financial performance with performance management reports is a key test of whether the Council is demonstrating impact from its use of resources. This report uses the Council's Performance Plus reporting system. This report is an exception report based on the measures contained within the Neighbourhoods Service Plan paying particular attention to the areas of greatest risk but also trying to highlight areas where current performance management activity is paying dividends.

6. Recommendations

THAT CABINET MEMBER IS ASKED TO NOTE THE PROGRESS MADE AND SUCCESSFUL ANNUAL AUDIT OF THE 2005-06 CPA INDICATORS.

7. Proposals and Details

At the end of the first quarter, 39 (81%) of Key Performance Indicators are on track to achieve their year end targets. This compares to 84% achievement last year. The indicators that are not currently on target are;

2010 Rotherham Limited

- % Planned / Responsive Repairs (Revenue) Expenditure
- Tenant satisfaction with the landlord service
- Tenant satisfaction with opportunities for decision making

Neighbourhood Services

- Kg's Waste Collected Per Head
- Violent Crime
- Vehicle Crime
- Number of reported LGBT incidents
- Acts of violence against licensed premises

Community Housing Services

- % Change in Families in Temporary Accommodation

Performance Improvement

The focus so far this year has been on improving all performance indicators but significant improvement has been made so far this year to improve the compositing performance indicator which was rated 'red' at the end of 2005-06.

% household waste composted

The impact of alternate weekly collections is having a positive impact on the range of indicators but has significantly led to better composting performance. Composting performance is 4.4% higher than at the same stage last year. We are confident that the investment set aside by the Council - £156k this year - to deliver alternate weekly collections and extra green bin capacity within the borough will help to achieve the stretching recycling and composting targets within Rotherham's Local Area Agreement. Currently 14,000 households are on alternate week collection; moving to 51,000 in 2006/07; 76,000 in 2007/08 and 109,000 in 2008/09.

Indicators where performance is cause for concern

% Planned / Responsive Repairs (revenue) Expenditure (2010 Rotherham Ltd)

Responsive spend is £1,825,344, planned spend of £101,795. The Audit Commission advise that good performance would be close to 60%. Current ALMO performance is poor (narrowly above CPA lower threshold levels) and does not demonstrate value for money for tenants or leaseholders. The Council rejected the ALMOs proposal for a 33% target this year as it did not represent the

necessary urgency required to improve this indicator. A robust Repairs and Maintenance Strategy is crucial to the delivery of the year end target and the ALMO have been asked to recover this position by November.

**Average Void Relet Times
(2010 Rotherham Ltd)**

Although performance levels place the ALMO as the best in the country, the Council is monitoring performance on this indicator closely. Performance at the same stage last year was worse (13.03 days) but there has been recent slippage. Performance on empty property management contributed £445k to the Council's 2005/06 Annual Efficiency Statement. It is important that levels remain low as the ALMO must contribute £246k savings this year for the Council's efficiency targets for 2006/07.

**Tenant satisfaction with the landlord service - 75%
Tenant satisfaction with opportunities for decision making – 55%
(2010 Rotherham Ltd)**

Although these are annual measures, our quarterly progress surveys suggest that satisfaction levels will not meet the year end targets.

Recovery plans were put in place by the ALMO to improve this indicator but little progress has been made. The impact of the Excellence Plan and Tenant Compact is crucial to improvements with these indicators. For CPA purposes, deprivation adjustments are taken into account which will mean that satisfaction levels are in the upper threshold for overall satisfaction with services (93%) and middle threshold for satisfaction with tenant involvement services (75%).

**Average time for non-urgent repairs
(2010 Rotherham Ltd)**

Performance is on target overall but the ALMO has held a performance clinic on the 'central trades' section who are accountable for the poor performance and reason for the decline of this indicator. Central trades perform at two and a half days worse than the ALMO average. Neighbourhood teams are generally improving and all are on target.

Kg's Waste Collected Per Head

Household waste arisings are just over 0.5% up on forecast. Although the tonnage of recyclables and compostables collected has increased, the amount of waste landfilled has not fallen to the same extent. It is too early in the year to tell if this increase in waste arisings is a temporary change or part of a longer term trend.

% Change in use of Temporary Accommodation

The indicator is based on the average number of families accommodated in temporary accommodation over the last two years. Last year there was an average of 40 families in temporary accommodation at any one time. The

average this year is currently 46 families. The recent policy change to improve access to social housing for vulnerable groups, approved by the Council in July, will improve this indicator throughout the year.

Community Safety Indicators

The Community Safety service transferred from the Chief Executive's department to Neighbourhoods at the start of the year. Unfortunately, some 'red' performance measures came to Neighbourhoods as a result of this structural change and we immediately set about unpicking the reasons for poor performance. We concluded that the previous performance management framework in place across the partnership was not fit for purpose. A new framework was put forward by Neighbourhoods and South Yorkshire Police and has now been agreed by the Safer Rotherham Partnership. Work is currently taking place with the partners to establish ownership and accountability across the range of community safety performance indicators. The new performance management framework, based on the Council's model, has been recognised as good practice by the regional representative from the Home Office.

ALMO Performance Monitoring Arrangements

The Council is currently reviewing its monitoring arrangements that it has with the ALMO to draw upon the latest best practice and to reflect the recommendations of the Audit Commission inspection. The inspection identified that the ALMO relies too heavily on the Council's performance management support and the lead inspector highlighted at the Round Table meeting on the 10 February 2006 that he didn't see an individual driving performance in the ALMO. He concluded that the ALMO needed increase its arms length role in relation to performance management. The ALMO has now increased its own performance management capacity by appointing a Performance and Service Improvement Manager at a senior level within the company.

The Council now needs to allow the ALMO to develop its arms length role whilst ensuring that they deliver continuous improvement in their performance results.

The Council's new performance monitoring arrangements will place a greater emphasis on outcomes and moving away from getting involved in the detail. The Council will, from time to time, formally request the ALMO to produce recovery plans in the case of poor or declining performance. This new approach has been supported by the Leader and the Chief Executive. The review of our monitoring arrangements will be presented to Members in October 2006.

Data Quality Audits

During quarter 1 a team of auditors from KPMG conducted data quality audits of the outturn figures for 10 CPA indicators. The audits this year investigate in more detail the systems and processes involved in collating the performance indicator.

There were **no issues** found by the auditors and KPMG complimented us on the tight controls that we have in place to ensure data quality with the ALMO. Due to the robustness of the audits this year KPMG have made a number of good practice recommendations. These are highlighted below:

Performance Indicator	Minor Issues Identified
BV 82a, b - (Waste Recycling & Composting)	Ensure that there is a robust system in place at the Waste Depot so that the 'blue box' weight bridge tickets reconcile with the tonnage collected by the vehicle.
BV 183a, b - (Bed and Breakfast use)	Keep and maintain a database of temporary accommodation in use, complete with surveyor's reports that show that they are self contained units and not hostels.
BV 184a - (Decent Homes)	There were two recommendations which are linked into the ALMO's work to improve the robustness of the stock condition database. <ul style="list-style-type: none"> • Ensure that the system is able to produce a report and audit trail at a specific snapshot in time so that the auditor is able to see movements between two key dates. • Ensure that the handheld electronic surveys are saved individually and backed up onto a separate spreadsheet.
BV 212 (Relet times)	Sample test a selection of Neighbourhood Office tenancy files to ensure that input error is kept to a minimum.
HIP % of planned responsive repairs	Implement a new reporting system to ensure that the financial system captures all the relevant data required for this performance measure. Re-run the report prior to audit so that period end adjustments are factored into the calculation.

8. Finance

Budget Pressures

Revenue budget monitoring reports for Neighbourhoods are showing just one significant budget pressure that is likely to increase collection costs and may impact on delivering our waste collection target. This is due to increased collection costs as a result of the closure of the clinical waste collection service at Rotherham Hospital. In addition, there are other budget pressures but these do not impact on Best Value or CPA performance indicators. Neighbourhoods have set aside £100k savings to contribute towards the General Fund corporate budget pressures for 2006-07. Overall, the savings will not have a negative effect on quality and performance indicator targets are not in jeopardy due to this action.

Gershon Performance

This report also includes the current projections against Neighbourhoods' contribution towards the Council's Annual Efficiency Statement for 2006/07. The 'Use of Resources' Key Lines of Enquiry, which was recently revised in April 2006, requires that progress in achieving planned efficiency gains is regularly reported to the Cabinet Member and Scrutiny.

Social Housing Work Streams (capital and revenue)

Target: £447k

Projection: £447

Description	Target	Projection	Reason for variance	On target
Matching disabled accommodation to a new database (capital)	£201k	£201k	N/A	✓
Reducing rent lost on empty properties (revenue)	£246k	£246k	N/A – current rent loss is £127k.	✓

Environment Work Stream

Target: £243k

Projection: £295k

Description	Target	Projection	Reason for variance	On target
Business Support rationalisation	£42k	£42	N/A – 2 posts disinvested	✓
Growth in Waste Arisings	£58k	£71k	Growth in household waste down on national trend.	✓
Alternate Week Collections	£113k	£171k	Less tax incurred through reduction in waste sent to landfill.	✓
Growth in households	£30k	£11k	Growth in new households has slowed down to under 0.5% per annum in Rotherham	X

9. Risks and Uncertainties

There are two key risks associated with key performance indicators – data quality and continuous improvement. Good data quality arrangements and continuously improving indicators are essential to improving the Councils performance and

Appendix A: Neighbourhoods - 1st Quarter Results 2006-07

Current performance	Measure name	What is good performance?	Baseline 2005/06	Quarter 1 Result	Change since last year	This year's target
2010 Rotherham Limited Performance (Isobel Riley)						
★	BV63 Average SAP rating	Higher is Better	60.00	60.00	→	61.00
★	BV66a % Rent Collected	Higher is Better	97.79	92.49	→	98.00
★	BV66b % Tenants in arrears	Lower is Better	3.14	3.27	→	3.12
★	BV66c % Tenants in arrears with legal notices	Lower is Better	12.19	2.88	→	15.00
★	BV66d % Tenants in arrears evicted	Lower is Better	0.40	0.11	→	0.50
★	BV72 Urgent repairs within govt limits	Higher is Better	98.20	98.93	→	98.50
★	BV73 Average time taken for non-urgent repairs	Lower is Better	11.27	9.07	→	10.00
▲	BV74a Satisfaction - tenants overall	Higher is Better	72.00	74.80	→	85.00
▲	BV75 Satisfaction - tenant participation	Higher is Better	59.00	54.60	→	69.00
★	BV164 Housing Racial Equality Standards	Higher is Better	1.00	1.00	→	1.00
★	BV184b % Change non-decent homes	Higher is Better	1.50	1.73	→	19.36
★	BV185 % Repair appointments	Higher is Better	94.35	96.50	→	95.00
▲	BV211a % Delivery of Planned Repairs	Higher is Better	27.00	5.29	→	43.00
★	BV211b %Delivery of Urgent Repairs	Lower is Better	26.00	25.00	→	24.00
★	BV212 Average Re-let Times	Lower is Better	10.81	11.51	→	11.00
Neighbourhood Development (Michelle Musgrave)						
★	BV62 Unfit private dwellings made fit/demolished	Higher is Better	3.94	0.00	→	3.00
★	BV64 Private sector dwellings used/demolished	Higher is Better	58.00	0.00	→	26.00
Neighbourhood Services (Bob Crosby)						
★	BV82ai % H'hold Waste Recycled	Higher is Better	15.41	14.51	→	16.76
★	BV82aii Tonnes H'hold Waste Recycled	Higher is Better	18553.82	4945.55	→	20138.41
★	BV82bi % H'hold Waste Compost	Higher is Better	7.26	11.82	→	8.94
★	BV82bii Tonnes H'hold Waste Compost	Higher is Better	8885.03	4028.43	→	10741.05
★	BV82di % Waste Landfilled	Lower is Better	77.57	73.68	→	74.30
★	BV82dii Tonnes H'hold Waste Landfill	Lower is Better	93409.15	25117.94	→	89289.87
▲	BV84a Tonnage Household Waste Collected	Lower is Better	477.30	538.90	→	474.90
★	BV86 Cost of waste collection / house	Lower is Better	46.67	44.58	→	47.70
★	BV87 Cost of waste disposal per tonne	Lower is Better	33.88	33.04	→	33.88
★	BV88 Collections missed per 100,000	Lower is Better	20.00	19.00	→	19.00
★	BV91a % kerbside recyclable	Higher is Better	100.00	100.00	→	100.00
★	BV91b % More than 2 K'side recyclables	Higher is Better	100.00	100.00	→	100.00
★	BV166a Checklist - Environmental Health	Higher is Better	100.00	100.00	→	100.00
★	BV166b Checklist - Trading Standards	Higher is Better	100.00	100.00	→	100.00
★	CPA32 Trading standards: High risk visits	Higher is Better	100.00	16.00	→	100.00
★	CPA33i Trading standards: High risk compliance	Higher is Better	98.70	88.00	→	99.00
★	CPA33ii Trading standards: Low risk compliance	Higher is Better	100.00	100.00	→	100.00
★	CPA33iii Trading standards: Medium risk compliance	Higher is Better	96.60	89.00	→	97.00
★	BV 126a Domestic burglaries per 1,000 population	Lower is Better	12.54	2.65	→	12.41
▲	BV 127a Violent Crime per 1,000 population	Lower is Better	21.78	6.05	→	21.78
★	BV 127b Robberies per 1,000 population	Lower is Better	0.44	0.1	→	0.48
▲	BV 128 Vehicle Crime per 1,000 population	Lower is Better	14.5	4.19	→	13.03
★	BV 174 Racial Incidents per 1,000 population	Lower is Better	123.64	72.12	→	105
★	BV 175 % Racial incidents: Further action taken	Lower is Better	100	89	→	100
▲	CS 105 Number of LGBT incidents reported	Higher is target	32	7	→	55
▲	CS 100 Acts of violence againts licensed premises	Lower is Better	382	114	→	314
Community Housing Services (Simon Bunker)						
★	BV183a Length of stay in B&B	Lower is Better	0.29	0.00	→	0.00
★	BV202 People sleeping rough	Lower is Better	1.00	2.00	→	3.00
▲	BV203 % Families in temporary accommodation	Lower is Better	104.94	12.88	→	9.00
★	BV213 Preventing Homelessness	Higher is Better	1.00	3.00	→	1.50
★	BV214 Repeat homelessness	Lower is Better	3.29	2.50	→	4.00

Appendix B: Neighbourhoods Performance Reports

Glossary

Arms Length Management Organisation	ALMO
Bed and Breakfast	B&B
Best Value	BV
Community Strategy	CS
Comprehensive Performance Assessment	CPA
Lesbian, Gay, Bisexual, Transgender	LGBT
Standard Assessment Procedure (Energy Efficiency)	SAP

Scorecard symbols

- ★ = On target or on course to exceed the year end target
- ▲ = Not on target high risk recovery action plan required
- ↗ = Direction of Travel of Performance Improved
- = Direction of Travel of Performance maintained
- ↘ = Direction of Travel of Performance declined

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1. Meeting:	Sustainable Communities Scrutiny Panel
2. Date:	19th October 2006
3. Title:	Anti-Social Behaviour Client Review – Update Report
4. Programme Area:	Neighbourhoods

5. Summary

The report sets out the progress on the recommendations of the Sustainable Communities Scrutiny Review of the Anti-Social Behaviour Client function. The Review was submitted to Cabinet on 3 May 2006 by the Head of Scrutiny Services and Member Support.

6. Recommendations

THAT THE SUSTAINABLE COMMUNITIES SCRUTINY PANEL NOTE THE POSITIVE ACTIONS TAKEN TO PROGRESS THE FINDINGS OF THE SCRUTINY REVIEW

7. Proposals and Details

The focus of the Scrutiny Review was to look at real life experiences of people who suffer Anti-Social Behaviour (ASB). The review took into account the front line experiences of officers of both the Council and 2010 Rotherham Limited. In addition the review also addressed improvements highlighted by the Indicative ALMO Inspection undertaken in December 2004.

The review identified a number of areas for action including:

- Developing closer links between the strategic function and the operational one.
- That staff resources and funding of the ASB Unit need to be reviewed.
- There have been some serious weaknesses in the ASB service but that changes will be implemented through the new SRP ASB Strategy and Action Plan.
- The interface between the ALMO Neighbourhood Offices and the ASB Unit need to be clarified.
- The responsibility for ASB does not just sit with the Neighbourhoods Programme Area but extends across all departments and outside agencies.
- A higher profile of the impact of ASB on tenants and residents of Rotherham is needed.
- A culture of strong action needs to be further developed and the One Council Approach strengthened.

Following the findings of the Review panel an Action Plan to address the recommendations has been developed. This is shown in Appendix 1.

8. Finance

There were significant financial implications associated with review's findings review, with an emphasis on the resourcing of the ASB function and increased marketing and public awareness campaigns. This has been partly addressed to date by increased mainstreaming of posts within the ASB Unit.

The Head of Neighbourhood Services has determined that the strengthening of the operational function of ASB would be best achieved by a re-alignment of existing services. Such a structure review would be cost neutral.

9. Risks and Uncertainties

The implications of not fully addressing the issues of the review will place at risk the delivery of a customer focused ASB service. The review places

emphasis on strong partnership working that deliver to key strategic priorities of both the Council and LSP.

10. Policy and Performance Agenda Implications

The issues in this report support the delivery of Rotherham's Community Safety Strategy 2005–08 and the Safer Rotherham Partnerships Anti-Social Behaviour Strategy. It will also strengthen the Council's capacity to fulfil its statutory duty to prevent crime and disorder under Section 17, Crime and Disorder Act 1998.

In addition the work to address ASB is directly related to the developing Safer Neighbourhood Team programme.

11. Background Papers and Consultation

Contributions to the Response were received from Adult Social Services, 2010 Rotherham Limited, Primary Health Care Trust and Education Welfare.

Contact Name: Helen Nixon Anti-Social Behaviour Manager Tel: 01709 334262
helen.nixon@rotherham.gov.uk

Appendix 1

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
Anti-Social Behaviour Unit					
Strengthen the ASB Unit by increasing the number of specialist ASB Officer Posts from 4 to 7.					
(i) The Council should retain the management of the Unit; but re-organise the structure of the Unit to align ASB officer posts to the 7 Area Assembly Boundaries and Safer Neighbourhood Teams.	Review ASB Unit to increase scope, legal range and skill mix of the team Re-align roles & responsibilities of the ASB team to the Safer Neighbourhood Team structure	September 2006 July 2006	Bob Crosby Helen Nixon	September 06 July 2006	Workforce skill matrix review completed Team officers have specific area based lead roles based on the SNT geographical arrangement
(ii) Consider the skills of existing enforcement staff within Neighbourhood Standards from which to draw these additional resources.	Review the scope, legal range and skill mix of the Neighbourhood Standards Unit to strengthen alignment to the ASB agenda Prepare and Submit a CMT on potential re-structuring	September 2006 September 2006.	Mark Parry Bob Crosby	September 2006 September 2006	Workforce skill matrix review completed and use of ASB powers in use Delayed reporting
(iii) In the allocation of SRP resources, consider whether funds can be allocated to support the additional posts.	Review costings required to fund additional 3 officers Agree resource requirements to ensure Value for Money additionality	April 2006	Mark Ford	August 2006	Suggested expansion would have a cost of £90-100,000. Re-alignment of services units would be cost neutral and contained within existing revenue budgets.
(iv) Align the ASB Unit with the Community Information Unit so that complementary, joint working can occur.	Ensure intelligence flow to the CIU to enable reports for local and strategic action in NAGs and JAGs	July 2006	Helen Nixon	July 2006	Utilisation of ANITE database software not embedded in the Unit – Intelligence sharing improved and reporting to NAG & JAG improved

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
(v) Long term funding of the Unit should be reviewed as a matter of urgency.	Review funding options as part of the MTFS of the Council	December 2006	Helen Nixon	December 2006	Funding considered as part of the 2006/07 MTFP process and exit strategy implemented. The only long term issue being that of the externally funded Youth Liaison Officer. The YLO post will be subject to a MTFS bid of £30,000 for 2007/08.
(vi) Review how the strategic and operational functions of the ASB Unit and the Community Safety Unit can develop closer links.	Review as part of function review with the re-alignment of the Community Safety Unit	July 2006	Bob Crosby	September 2006	Strategic ASB role now based within the Community Safety Unit
Produce a Service Level Agreement that sets out responsibilities of the ASB Unit and the ALMO Neighbourhood Teams – specifically, this document needs to clarify the interface between the ALMO and the ASB Unit.	The Executive Director of 2010 Rotherham Ltd. has confirmed that the first stage - the response to the Audit Commission recommendation to ensure that all service level agreements contain specific and measurable targets which are easy for both parties to measure currently taking place & will be complete at the end of June 2006.	All Service level agreements to be completed Timescales and action plan to be produced	Michelle Musgrave	June 2006	A Best Value review of the Service Level Agreements will take place later this year. Timelines by 2010 Rotherham Ltd. have not yet been set.

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
Neighbourhood Champion					
Review the job description of the Neighbourhood Champion in relation to their responsibilities for ASB and develop this so that specific skills and knowledge required to manage ASB are included in the Person Specification.	2010 Rotherham Ltd. to implement the changes identified dependant on the considerations of functions of service level agreements	Review and Rewrite Job Description of Neighbourhood Champion to include managing anti-social behaviour	Richard Walker	Complete	Complete
Ensure that training programmes incorporate and encourage the use of measures contained in current legislation.	2010 Rotherham Ltd has already outlined the issues with their new training officer and is setting out a programme to raise knowledge and skills. External training to address issues highlighted regarding legal powers, tools and intervention were carried out during 2005. Further training sessions to continue during 2006/7 including Mediation.	2010 Rotherham to identify issues. Training issues to be identified and an action plan to be put in place setting dates and timelines.	Richard Walker	Ongoing	External Training has been provided by Sheffield Home July 2006 Accreditation Courses in relation to ASB has been carried out by WFO Training
		Training in respect of Mediation to be timetabled and carried out	Helen Nixon	Ongoing	Training dates have been identified and will commence in Nov 2006 across Neighbourhoods
Undertake annual refresh training focussing on contemporary ASB issues.	2010 Rotherham to Liaise with ASB Manager in order to assess training required	Identify key training issues Role out training	Helen Nixon Richard Walker Rachael O'Neil	Ongoing	This is ongoing and to date Legal training has been highlighted and liaison is taking place with Legal Services in order to plan some training in respect of NSP's

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
Review and Research					
Commission a further study through Rotherham Reachout on the fear of crime in 2006	This is embedded within the Quality of Life Survey. The 2006 survey includes questions such as fear of crime. Results are expected towards the end of July 2006.	Identify areas of work and Development from Reachout	Tim Hawkins		<p>The Quality of Life Survey results have not yet been released.</p> <p>The Your Voice Counts survey lead by South Yorkshire Police Authority has worked with Neighbourhoods to ensure questions are asked about quality of life issues. 600 residents in each area assembly area will be surveyed. The outcomes will feed into the SNT area priorities.</p> <p>Priority setting has begun in October with a programme of Area Assembly events beginning this process. Each Area Assembly will ask residents what are the issue around the SAFE theme. Along with the work being carried out with the Partnership managers and the SNT's local priorities will emerge.</p>
Undertake further internal review into the use of ASBOs within the Council and who should manage them. Reference should be made to the ODFM Consultation Paper on 'Enabling local authorities to contract their Anti-Social Behaviour functions to organisations managing their housing stock'. (November 2005.)	<p>Review all enforcements actions and costings</p> <p>Ensure that all actions are included in the ASB Strategy Review and Refresh.</p>	<p>Carry out a review of all enforcement actions taken including envirocrime and Anti-Social Behaviour Orders.</p>	<p>Helen Nixon / Lewis Coates</p> <p>Rachael Marsh</p>	<p>September 06</p> <p>October 06</p>	<p>Report completed and is to be presented to Cabinet Member October 06</p> <p>The use of ASBOs, and other enforcement actions and related publicity schemes are included in the SRP ASB Strategy Refresh (October 2006). This will ensure the inclusion of</p>

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
	Ensure that The ODPM Consultation Paper 'Enabling local authorities to contract their Anti-Social Behaviour functions to organisations managing their housing stock'. (November 2005.)	Complete			current Government thinking and initiatives and will ensure public awareness of interventions to both promote reassurance and community policing of ASB issues. The Council has considered (Cabinet Member for Neighbourhoods 30 th January 2006) proposals within the consultation paper and, at this time, whilst recognising the potential to broaden the management responsibility of 2010 Rotherham Ltd. in this field, the supported view is to maintain Council leadership and management.
Introductory Tenancies					
Integrate the use of new powers to extend the life of Introductory Tenancies in all cases where ASB has occurred during the initial 12 months of a tenancy. (Housing Act 2004)	Report to be prepared to Cabinet Member	Report to be produced	Helen Nixon	Complete	Report presented to Cabinet member for Neighbourhoods 5th June and it was agreed that the proposal be developed in conjunction with 2010 Rotherham Ltd. Procedures completed
		Procedures to be produced Current Tenancy agreement to be reviewed and revamped	Tom Sweetman		Tenancy Agreement currently being reviewed and Cabinet Member report to be presented in December 06
		Amendment to be made to Tenancy	Tom Sweetman		

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
		Agreement with respect to extension of Introductory tenancies			April 2007
		Training to be carried out to 2010 Staff	Tom Sweetman / Helen Nixon		
Measuring Anti-social Behaviour					
In addition to the development of new targets for ASB, increase the measurement and monitoring of ASB in areas highlighted by the review.	SRP to set out Performance Management framework Negotiations are currently taking place between the partners of the SRP and the framework is to be agreed in July 2006. Introduce Comprehensive Performance Management framework	Partners to agree Framework Explore best practice and integrate into a fit for purpose Performance Management Framework Liaise with partners to look at current practices within the service taking into account, initial response, case management and customer satisfaction. Review formal management framework with 2010 Rotherham Limited	Dave Roddis	April 2007	Suite of indicators have been produced and presented to the SRP. Further report to be presented in October 06 and all partners will work to embed the indicators within their services and to drill down action plans which will be reported to the SRP on a monthly basis
Children's and Young Services					
Develop a campaign for schools (similar to the enviro-crime 'Toxic Campaign') on ASB incorporating the social impact of ASB, the law and the penalties	Work in line with current practices in Schools.	Carry out liaison with Police School Liaison Officer's to identify Schools to work with			A partnership approach with South Yorkshire Police (Miss Dorothy dvd) is being supported Additional input will be provided by the Youth Liaison Officer. Additional SRP resource will be

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
					sought to develop future campaigns and a report to progress this will be made to the September SRP meeting
Develop comprehensive information leaflet for school staff explaining how to deal with ASB/who to contact for advice/who does what.	Provide leaflets for School Staff to be able identify and report ASB	Identify issues with Education Welfare Develop Leaflet Draft leaflet and consult with ASN Unit	Cath Ratcliffe	End October 2006	Complete, leaflet has been produced by Education Welfare and is currently being circulated to teaching staff within schools
Investigate the possibilities for the ASB Unit to work with Children and Young Peoples Services to provide specialist guidance to teaching and support staff in schools.	Maintain work implemented via the Youth Liaison Officer. This approach is currently being tested with a programme for training being introduced from September 2006.	Set up meeting with Schools Devise package Set up training with Schools	Trevor Richardson	Complete	This work is currently taking place and to date the Youth Liaison Officer has attended Swinton, Oakwood, Fenton Woods, Maltby Craggs, Brinsworth, Rawmarsh, Winterhill and Thrybergh to carry out presentations and work with the School
Marketing and Publicity					
Neighbourhood Standards to develop higher profile marketing on ASB.	Prioritise Marketing Initiatives and Identify key areas for marketing taking into account the SNT and the ASB Unit	Produce regular quarterly articles for Area Assembly Newsletters	Helen Nixon	Ongoing	Marketing initiatives are being prioritised and partnership approach is being maintained by participation in the SRP Communication & Reassurance Task Group. Publicity plan for the use of ASBO leaflets being considered by the SRP in October 06.
Pilot the use of public meetings across the Borough to talk about all aspects of ASB.	Carry out a series of public meetings to community groups and TARAs				ASB Unit Manager has already visited 1 Parish Councils visited during 2005. TARAs and Community Groups are being focused on during 2006/7
Adult Services					
Establish what	Adult Social Services have	Training to be identified	Nigel Mitchell	April 2007	The ASB Manager is to attend

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
procedures/training/information social services have on dealing with ASB.	recognised that there are no formal procedures / training in place. A Training package is to be developed and the ASB Unit Manager will assist on the content of any training provided. Ensure that employees in Social Services have the opportunity to attend external courses/workshops on ASB in accordance with the Council's Learning and Development Policy.	Identify funding regimes for funding Present report to Adult Training Panel in Social Services Look at how training is going carried out. Set up rolling programme			an Adult Services Workforce Planning and Development Meeting on 3 October 2006 in order for actions to be timetables in line with the service timescales and training availability.
In partnership with Neighbourhoods, develop a Tenancy Support Service designed specifically to support families with a history of ASB.	2010 Rotherham Ltd to carry out a feasibility study and review current service and future provision and costs. To be completed by September 2006 to enable a financial consideration to be included in the MTFS development for 2007/08	Carry out feasibility study and review future provision Carry out costing exercise and include in MTFP	Richard Walker		The Executive Director for 2010 Rotherham Ltd. has confirmed that a feasibility study will be undertaken reviewing current service and future provision and costs. To be completed by September 2006 to enable a financial consideration to be included in the MTFS development for 2007/08
Ensure that wardens working in sheltered housing schemes are aware of how to deal with ASB and who to contact/report it both as a council employee and a possible victim of ASB.	ASB Unit Manager to engage in training days starting September 2006	Identify Staff which require training Set up type of training	Di Stirling Chow		As the Warden Service has now moved to Neighbourhoods a pilot is taking place with a group which commenced at the beginning of October. This will progress until all wardens are trained.
Investigate opportunities for the ASB Unit to provide training and literature to Wardens.	As above	As above	As above		

Scrutiny Recommendation	Action	Milestone	Action Manager	Timescale	Current Status Red – Off target Amber - Concern Green- On target Black - Complete
Primary Care Trusts					
The ASB Unit to discuss and develop with PCTs how information on dealing with and reporting ASB can be placed into GP surgery waiting rooms.	<p>Develop ways to advertise information in relation to ASB</p> <p>Design and Produce Posters. ASB Manager and PCT Strategic Planning + Primary Care Assistant Director to liaise regarding distribution to GP Surgeries.</p> <p>ASB Unit Manager to liaise with SNT Manager regarding further information on the Single Non-Emergency Number and the posters – August 2007</p>	Identify types of advertisement with SRP Press Officer	Helen Nixon	August 2007	<p>Discussion and Meetings have taken place with the SRP Press officer. Details of reporting and identifying asb have been provided for QTV in Doctors Surgeries. This will be played for 2 months.</p> <p>In addition CD's will also be provided to 2010 Rotherham in order to be played in Neighbourhood Reception Areas. This will be done by Nov 06</p>

ROTHERHAM BOROUGH COUNCIL

1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	19th October 2006
3.	Title:	Safer Neighbourhood Teams – Update report
4.	Programme Area:	Neighbourhoods

5. Summary:

This report covers the development of the Safer Neighbourhoods Governance Structure and the implementation and outcomes of the Safer Neighbourhood Teams. The report explains the pivotal role of Neighbourhood Policing within community safety and why safer neighbourhoods can not be delivered in isolation. This report will show how we actively engage with communities to achieve neighbourhoods which feel safe. Appendix One lists the latest achievements in our communities delivered in partnership by the Safer Neighbourhood Teams. Key to achieving safer neighbourhoods is providing the following fundamentals to our local communities;

- **Access** – to policing or community safety services through a named point of contact
- **Influence** – over community safety priorities in their neighbourhoods
- **Interventions** – joint action with communities and partners to solve problems
- **Answers** – sustainable solutions to problems and feed back on results.

The report highlights the many successes brought by relationships with multi-agency teams – significantly local intelligence improvements show that Criminal Information is 95% higher than in the whole of 2005 and the number of stop and accounts/searches has tripled over a similar period from last year. Feed back from all those involved in SNT's is that the biggest success is the way in which the smaller, everyday problems are being resolved much quicker and more effectively. Examples range from the ability to prevent swimming and associated anti-social behaviour in Ulley Country Park to dealing with neighbour disputes quickly, identifying environmental problems sooner and preventing them from escalating.

6. Recommendations:

THE SUSTAINABLE COMMUNITIES SCRUTINY PANEL IS REQUESTED TO RECOGNISE:-

- **THE ACHIEVEMENTS OF THE SAFER NEIGHBOURHOOD TEAMS**
- **AND SAFER NEIGHBOURHOOD TEAMS AS A NEIGHBOURHOOD MANAGEMENT SIGNATURE PROJECT.**

7. Proposal and Details

7.1 Background

Safer Neighbourhood Teams are the key in bringing the strategic framework of the Safer Rotherham Partnership to a deliverable reality in local neighbourhoods – via the Joint Action Group (JAG) will be accountable to the Safer Rotherham Partnership. The initiative is a main strand to improve community confidence, reassurance and satisfaction with regard to Anti-Social Behaviour and other quality of life issues. The Safer Neighbourhood Teams are seen to be the tactical delivery arm of the Safer Rotherham Partnership. They also assist in achieving targets in the borough Community Safety Strategy and the Anti-Social Behaviour Strategy. The teams are engaging with communities to provide:

- **Access**
- **Influence**
- **Interventions**
- **Answers**

7.1 Access

The Safer Neighbourhood Teams are dedicated to a specific geographic area, well known and locally accountable. Close working relationships with partners and with local people are essential. Access to the teams can be made through a designated number to the individual SNT. This number is to leave information or to request for a member of the SNT contact them. These numbers are not staffed and act on a answer machine that is accessed frequently over the period of the SNT shift. The message left for the customer, states clearly that this is not a number for urgent or emergency calls and gives other options if the call is of that nature. The facility is to leave intelligence/information or to request a visit or a call from a member of the SNT. Longer term solutions for this will be the 101 Single Non Emergency Number which will come into being in the Summer next year. The teams are out daily on their patches, meeting residents and knocking on doors to pass information and to receive information. The SNT are all accommodated at offices that have a customer access point during office hours.

Area Assemblies

The Safer Neighbourhoods Teams will be informed by the Central Information Unit and the JAG and will report to and receive information from the Local Area Assembly. The priorities identified through local Community Planning and summarised in the Assembly Area Plans is being refreshed in September/October through events being held at each Area Assembly. This shared identity of the Safer Neighbourhoods Teams and the evidence of partnership commitment should go a long way to tackle the fear of crime, and help to develop longer lasting solutions through effective partnership work and problem solving. The Area Assembly Co-ordinating group will identify one of their members to sit on the Neighbourhood Action Group. This person will be supported with problem solving training which is scheduled for October 06.

This structure allows another avenue for access to the Safer Neighbourhood structure.

Communication

Communities need to know that the police and the council understand their problems and are doing something about them. Telling people what we are doing and publicising our successes increases their confidence in local policing and council services and their own ability to influence change.

A package of marketing material has been designed to use at the Rotherham Show for the SNT launch. This will be replicated across the SNT areas over the coming month. This has included posters, flyers and a newsletter informing communities what our achievements have been against their priorities.

The joint briefings have been an excellent feature of the SNT and all staff feel confident in attending, sharing information and being tasked accordingly. This area continues to strengthen, with greater input from CIU now being achieved and the introduction of NIR forms.

The Police Inspectors, Neighbourhood Managers and Safer Neighbourhood Team Manager have all attended the Area Assemblies, reporting on the work carried out in line with the customer priorities and also to promote SNT's and promote good practice.

7.2 Influence

Joint Action Group (JAG)

The JAG provides a mechanism to analyse data on both a strategic and tactical level. It uses analytical products such as Problem Profiles (Places and Events), Target Profiles (Offenders) and Market Profiles (Networks) to assess the issues so that effective action plans can be created and resources allocated. The process seeks to tackle issues through enforcement, intelligence development and prevention/partnership measures. The JAG has been developing to prioritise its activity against agreed objectives.

Through a review process which included, looking at good practice across the country, advice from Govt. Office and input from JAG membership, the JAG has re focused its business, has reduced its core representation, so that duplication of SRP and JAG members attendance was resolved. The Chair of the JAG, has now been handed to the Police Basic Command Unit Superintendent and the Head of Service for Neighbourhood Services, allowing the Executive Director of Neighbourhoods more time to focus on his new role as joint Chair of the Safer Rotherham Partnership.

The National Intelligence Model (NIM) is widely seen as good practice within the police service and as such has been mandated by the Home Office to be the operating framework within which all police forces in England and Wales must operate. The NIM is a 'business model' that provides a framework for resources to be tasked and co-ordinated against agreed strategic and tactical priorities. The JAG has adopted a template which is NIM compliant and is

made up of intelligence and data put against identified priorities. These priorities are taken from the Community Safety Strategy, SRP and hotspots highlighted by the Community Information Unit. The Community Information Unit will support the JAG with recommendations and problem solving packages.

The Area Assembly is an integral part of delivering Safer Neighbourhoods, the community planning processes will allow communities to influence where they want police and council services directed.

7.3 Intervention

The most appropriate actions or interventions will be identified through effective problem solving processes.

Neighbourhood Action Groups (NAGs)

The Neighbourhood Action Groups have been introduced and been running since April 06. Like the JAG the groups takes a problem solving approach and delivers against community priorities identified through the Community Planning processes (see Area Assemblies.) In July 06 a Review Day took place that brought together 80 multi-agency staff which were involved in Safer Neighbourhoods. The main outcome from the discussions about NAG's was the priorities currently being worked against are out of date. The NAG members were finding it difficult to make an informed decision on issues as the information supplied by the CIU was incomplete. This highlighted more work that was needed in developing the CIU. It was always anticipated that we would interrogate a number of partnership systems to ensure we have comprehensive information, this has been slow to take off due to the CIU not being fully staffed, this has now been resolved with a full team and the implementation of the Action Plan.

Community Information Unit

In order to make realistic assessments and implement a problem solving approach, it is essential that data is collected systematically and used appropriately to inform decisions. The Community Information Unit is unique in its make up, staffed by Council and South Yorkshire Police staff. At a review day held in July this year areas of development were highlighted. The key issues were around the robustness of the data supplied at each level of the governance structure. An Action plan has been drawn together to address the weaknesses and a multi-agency group has been tasked to deliver against the actions. This work is being sponsored by Supt Steve Parry and monitored through the Safer Neighbourhood Project Team, the first meeting of this group will be in Sept 06.

7.4 Answers

Safer Neighbourhood Teams

The Safer Neighbourhood teams are operational in all seven area assemblies. Feed back from all those involved is how successful the teams have been with addressing smaller, everyday problems quickly and effectively. These

smaller issues are the ones which blight our communities. There also seems to be an ever growing recognition in our communities that we are working in partnership and we are receiving positive feed back as a result.

Each SNT has a comprehensive engagement plan, which includes Key Individual Networks (KIN). A recent Safer Neighbourhood Team Impact Survey carried out by the Customer Inspection service in Wentworth South, carried out a door knocking exercise to a random of 60 residents.

Overall Headline Results:

- 55% of people surveyed were aware of Safer Neighbourhood Teams in the Wentworth South area
- On a scale of 1 to 10 (1=not a problem and 10=major problem), anti-social behaviour was rated at 5.8 (slight problem) and nuisance from motorcycles was rated at 8 (major problem)
- 83% of people surveyed were unaware that there is a dedicated telephone number to report nuisance from motorcycles
- On a scale of 1 to 10 (1=serious and 10=not a problem), graffiti was the most serious problem rated at 4.9 and stray dogs was the least problem rated at 5.9.
- On a scale of 1 to 10 (1=poor and 10=excellent), grass cutting was rated the highest at 6 and cleanliness was rated the lowest at 5.1.

Overall ratings in order of most important for Safer Neighbourhood Teams to deal with (customers' priorities): (1 being top priority)

Burglary	5
Anti-Social Behaviour (nuisance youths)	1
Motorcycle nuisance	2
Violent Offences	3
Damage	4

There has been a soft launch of SNT's, the perceptions of the teams have been made by either engagement with SNT or word of mouth in the community. The marketing of the teams is being addressed over the next few weeks, to co-inside with the launch of SNT's at Rotherham Show. The priorities identified are being delivered against through action at the daily briefing and longer term problem solving at the Neighbourhood Action Group.

The recruitment of three Children and Young Peoples Officer to cover each of the Safer Neighbourhood Areas, will see pro-active work with young people. These officers will work with problem schools and individuals. A project has began with Thrybergh comprehensive school. This has looked at target hardening of the site and also work with the young people, introducing them to the Safer Neighbourhood Teams and looking at issues such as the dangers of off road motor biking.

The recruitment of Police Community Support Officers (PCSOs) over the next year will have a great impact on the delivery of the teams. Rotherham will be getting 70 PCSOs by March 2007 and a further 20 by the end of that year. Six PCSOs have began work this month.

The introduction of NIR forms (National Intelligence Reporting forms) has seen the Warden Service using these forms supported by training from SYP. This will see a greater flow of intelligence and see an impact on reducing crime in our Neighbourhoods. An area for concern is the lack of take up from 2010 Neighbourhood Champions in the use of NIR reporting.

8. Finance

8.1 South Yorkshire Police have “new” funding in place for the development of Rotherham’s Safer Neighbourhood Teams saw £250,000 for 2005/06, increasing to £500,000 for this year and there on per annum.

8.2 Neighbourhoods contributed £50,000 for the development of the new structure, which included IT developments for the Community Information Unit.

8.3 The appointment of a Safer Neighbourhood Team Manager for the Council showed a commitment to the Safe agenda and to the partnership with South Yorkshire Police.

8.4 Accommodation for the 1st phase of the scheme will be provided at police offices in the north of the Borough, with office accommodation for the intelligence unit being based at Maltby police station. Council accommodation has been found for Rotherham South SNT and Rotherham North. A longer term accommodation strategy is being developed.

8.3 The council are covering the costs of the post of one CIU Analyst and one Data Co-ordinator at a cost of £57,600. This has been assured until 31st March 09.

8.4 South Yorkshire Police are covering the costs of one CIU Analyst and one Data Co-ordinator at the same costs of £57,600.

9. Risks and uncertainties

The Safer Neighbourhoods Teams will bring together people from a variety of agencies, many of whom will have their own aims, objectives and performance targets to achieve. Positioning of services within the framework will need to be considered on a “best fit” basis. There will need to be further discussions and negotiations to establish shared aims, objectives and performance targets if the idea of joint tasking is to work effectively. The Introduction of a Performance Management Framework for the Safer Rotherham Partnership, will contribute to realigning performance targets.

10. Policy and Performance Agenda Implications

The issues in this report support the development of Safer Neighbourhood Teams. It delivers the first stages of Neighbourhood Management and Neighbourhood Policing as an ACPO led and Office of the Deputy Prime Minister programme to achieve confident and secure neighbourhoods.

The Safer Neighbourhood structure will help deliver Rotherham’s Community Safety Strategy 2005 – 08 and the Anti-Social Behaviour Strategy and will

strengthen RMBC's capacity to fulfil its statutory duty to prevent crime and disorder under Section 17 of the 1998 Crime and Disorder Act.

11. Background Papers and Consultation

ODPM 'Why Neighbourhoods Matter – 2005

Home Office 'Beating Crime' 2005

Rotherham Community Strategy – 2005

ODPM Sustainable Communities: People, Places and Prosperity – 2005

ODPM Vibrant Local Leadership – 2005

ODPM Citizen Engagement and Public Services : Why Neighbourhoods Matter – 2005

Corporate Community Involvement and Consultation Framework – 2006

Community Engagement Strategy – South Yorkshire Police Authority 2006

**Contact Name: Janet Greenwood, Safer Neighbourhood Team Manager,
Ext 4540 Janet.Greenwood@rotherham.gov.uk**

Appendix One

**SAFER NEIGHBOURHOOD TEAMS
ACTIVITY AND NOTABLE ACHIEVEMENTS
September 06**

Rother Valley SNA	
Rother Valley South	
Motor cycle nuisance	<p>The SNT has dealt with over 120 nuisance bikers since April 06. Particular successes have been seen at Greenlands Park, North Anston and Park Avenue where complaints have fallen significantly and there has been recent positive comment from members of the public. The motor cycle operation of 27.8.06 netted 20 nuisance bikers, 4 of whom had their vehicles seized.</p>
Anti-Social Behaviour	<p>ASB relating to the Coop store at Kiveton - by working with the store manager and with partners arrangements have been made to clean off graffiti and erect fencing around the rear of the property to prevent youths gathering there. SNT officers conducted Hi Vis patrols and took action against key individuals in the form of penalty notices for disorder. Fencing is now in place and reports of nuisance activity at the location have reduced significantly.</p> <p>A group of transient workers took occupancy of a rented property in Laughton-en-le-Morthern and immediately generated complaints of loud music, anti-social behaviour and illegal use of motor vehicles - by working closely with Environmental Enforcement Officers re noise, Letting Agents re conditions of occupancy and by taking action to seize and crush one of the illegal vehicles the problem has been solved.</p>
Links to schools	Strong links have been formed with Dinnington Comprehensive School and

	the first school ABC's have been issued there sending a clear message to pupils that the SNT is working in partnership with the school.
Target Hardening	Target hardening has been arranged for properties in the area, including that of a very vulnerable 95 year old female in the Dinnington area. Operation Impact was conducted in Dinnington resulting in several arrests for a variety of offences. The operation also offered high visibility policing across the area.
Operation Impact	Operation Impact was conducted in Dinnington resulting in several arrests for a variety of offences. The operation also offered high visibility policing across the area.
Staffing	The integration of Special Constables onto the SNT is especially worthy of note here. Special Constables have assisted in numerous pre-planned operations, they have provided a visible presence at many summer community events and they have supported high visibility patrols in hot spot areas. Their commitment, has been exemplary and has made a significant contribution to the success of the team to date.
Environmental Issues/Problem Solving.	A new Neighbourhood Watch is being put in place in the villages of Brookhouse and Slade Hooton as a direct result of the support and advice of the SNT Large signage indicating that "Anti Social Behaviour Will Not Be Tolerated In This Area" has been erected at problem locations in Dinnington. A problem solving approach has been adopted to Leicester Road and Silverdales. Work has begun with a community clean-up day. Local Landlords have been met with a view to standardising tenancy agreements

	<p>and obtaining support in dealing with problem tenants. Lighting is to be upgraded and posts installed to facilitate Dome hawk cameras. All SNT staff have been involved in high vis patrols of the area and work is ongoing to engage all tenants and residents. Long term development of the area is being taken into consideration by close liaison with the Housing market renewal officer for the area.</p> <p>There have been numerous police abstractions to support Operation Steadfast and the environmental protest in Selby.</p>
Wentworth Valley	
Criminal Damage	<p>Ongoing project to tackle criminal damage and ASB in South East Maltby - Test purchase operations at off-licences, deployment of Dome Hawk camera, increased patrols, better engagement of the community through existing groups, efforts to revitalise and expand Neighbourhood Watch Schemes, crime prevention advice to residents, application for funding for car alarms and engagements with planners re long-term development of the area. Project ongoing but a reduction in offences has been seen.</p>
Warrants	Warrant executed with DEFRA under Wildlife and Countryside Act following report of deliberate animal poisoning
Untaxed Vehicle Operation	5 vehicles removed
Public Reassurance	Crime prevention leaflet drop to 100 homes on Flash Lane, Wickersley and ongoing work in that area to address youth nuisance complaint
Anti-Social Behaviour	ASB and damage complaints on Little London estate, Maltby. - Letter drop to all residents followed by hi vis deployment of mobile police station

	on estate. Individuals causing main problems identified and enforcement action taken against them. Environmental clean-ups arranged, private landlords engaged and advised, local Councillors involved in resurrecting the old TARA. Work is still ongoing, but complaints have diminished.
Motor cycle Nuisance	Operation Cent re nuisance motor cycles Maltby Fladerwell - 3 warning notices and 1 ABC
Links with Schools	Work with Environmental Enforcement Officers to deal with litter problem in Maltby associated with school children at lunchtimes - education package delivered to kids at Maltby Comp followed up by hi vis enforcement by RMBC and SYP officers. (7 littering notices issued in one day alone). The school has also been engaged and will control children leaving school at lunchtime starting in the new school term.
Operation Impact	Operation Impact - wide range of multi-agency actions incorporated including the prosecution of drivers carrying waste with a licence under new environmental enforcement powers including the prosecution of drivers carrying waste with license under new environmental powers.
Rother Valley West	
Anti-Social Behaviour	ASB problems in Treeton - close work with local Councillors and the Neighbourhood Champions led to the identification of numerous individuals responsible for ASB in Treeton. These were targeted with ABC's, motor cycle seizures and where appropriate, prosecutions. Many individuals have also been directed to the available youth facilities in the village and a combination of this activity has led to a perceivable

	<p>fall in ASB problems.</p> <p>ASB and damage in Thurcroft - Thurcroft has received considerable attention from SNT Constables who have supported Neighbourhood Wardens, particularly in the area around the youth shelter and play area. CCTV has been utilised better to prevent and detect offences, environmental alterations have been advised upon and taken to better prevent crime and individuals have been targeted with ABC's as in Treeton. The commitment of the SNT to the area and partnership with the local community and council has been demonstrated by the use of the Gordon Bennett Memorial on a daily basis by the team for the purpose of briefing.</p> <p>ASB and damage Jet Service Station, Workshop Road, Aston - individuals identified and parents of young girls who were an attractant to trouble causers were written to. The girls subsequently stopped attending and this reduced ASB problems. K frames were fitted at the entrance to the gennel at the rear of the property to prevent motor cycle access and lighting was changed so that the area became less attractive as a meeting place. Discussions took place with the service station owners to change design features which are pending. Problems have been hugely reduced.</p>
Motor cycle Nuisance	<p>Reduction in Motor Cycle Nuisance - Aston/Swallownest - targeted operations and good use of information from the public and partners to seize vehicles and prosecute offenders.</p>

Links to Schools	Brinsworth Comprehensive School - problems with racial tension leading to fights amongst pupils. Also littering problems. - SNT staff worked closely with the school itself to provide education on both subjects and backed this up by engaging personally with the pupils. Local shop keepers were also approached to highlight their responsibility in preventing litter nuisance. The result was a significant lowering of tensions amongst disparate groups of pupils and a reduction in the amount of litter associated with pupils.
Staffing	Feedback from all those involved in my SNT's is that the biggest success is the way in which the smaller, everyday problems are being resolved much quicker and more effectively than previously. Examples range from the ability to prevent swimming and associated ASB in Ulley Country Park during the hot weather of July, dealing with neighbour disputes quickly and effectively, identifying environmental problems sooner and preventing them from escalating, the early issue of ABC's to moderate behaviour. Also, there seems to be an ever growing recognition in our communities that we are working in partnership and we are receiving positive feedback as a result.
Public Reassurance	<p>Community Impact assessment work and public reassurance following arrests in Aston area for sensitive offences</p> <p>Sub Group of NAG formed to deal with problems on Duncan and Ellis Street. Leaflets delivered to all residents inviting them to a public meeting. Landlords identified and contacted, problem families identified and intelligence gathering commenced, environmental audit and action plan commenced, Govt. Respect agenda representative to visit next week to offer advice on closing right of way to allow alley gating. Lots of</p>

	<p>hi vis patrol in the area.</p> <p>Racially aggravated incidents in Swallownest and Brinsworth dealt with Area incorporated in motor cycle op of 27.8.06. The two biggest offenders in the area had their bikes seized.</p>
Environmental Issues	Through joint work of SNT staff an individual was identified as responsible for repairing vehicles on the street and was issued a £300 fine.
Rotherham SNA	
Rotherham North	
Motor cycle Nuisance	Three off road bike operations have resulted in 37 warning notices and seven bikes seized.
Arrests	Already in 2006, the team has made 48 per cent more arrests than in the whole of 2005.
Operation Impact/ other multi- agency operations	<p>As a result of multi-agency operations there have been two arrests for burglary, two £80 fixed penalty fines have been issued, two cautions for the possession of cannabis, a stolen HGV was recovered and 171 youths were stopped and asked to account for their actions.</p> <p>A similar operation on the Henley estate resulted in one arrest for criminal damage, one for assault, quantities of alcohol being recovered from juveniles and a general reduction in anti-social behaviour and disorder.</p>
Rotherham South	
Warrants/arrests	<p>A drugs warrant was executed at The Underground nightclub resulting in the closure of the premises. Successful operations on Ship Hill against youths driving dangerously round the town centre have resulted in six prohibition notices and a number of prosecutions.</p> <p>24 per cent more arrests so far in 2006 than in the whole of 2005.</p> <p>An 89 per cent increase in May and June in the number of £80 fixed penalty tickets issued in the town</p>

	centre, mainly for urinating in the street.
Motor cycle Nuisance	Three off-road bike operations resulted in 26 warning notices and two bikes being seized.
Alcohol Exclusion Zone	Enforcement of the new Town Centre Alcohol Exclusion Zone has seen the first £50 penalty tickets issued.
Wentworth SNA	
School Links	<p>The SNT are improving the security at Thrybergh Comprehensive School. One of the problems was the openness of the area which makes it easy for would be trouble makers/burglars to roam the school grounds and the sports centre. Agreement has been reached that the 2 parts will now be fenced off. When the school is closed people will only have access to the sports centre.</p> <p>The SNT are also looking at keeping the young people in at dinner time thereby reducing the nuisance problems. The comp is the number 1 priority for the Children and Young Person Officer (CYPO). He will spend most of his time at that school to reduce the problems. The Officer is also developing a package whereby the SNT meet a cross section of school children during a lesson or meal breaks and tell them how a Safer Neighbourhood Teams works and actually engages with them.</p>
Environmental Issues	Chesterhill Ave is subject to a problem solving working group. There is a long term regeneration plan for the area and there is no wish to waste money on long term improvements. Due to timescales not be available for the regeneration plan, there is a definite need to keep the community calm and to monitor community tension. The SNT will be running a mini impact day which will be solely for that area shortly, the preparation for this operation has involved the elected members and community representatives.
Warrants and Arrests	Over 150 warning notices under the Police Reform Act for nuisance motor cycles and over 50 seizures. £12,000 Heroin was recovered from Thrybergh

	£9,000 Cannabis resin recovered from Rawmarsh.
Multi agency vehicle operations	Multi agency nuisance vehicle operations. To date over 250 untaxed vehicles have been recovered. Multi agency operation to combat nuisance cars (boy racers) at Cortonwood Retail Park. 2 vehicles seized and 24 warning notices issued. Action plan to reduce vehicle crime. On hot spot streets we have issued crime reduction packages and erected street signs (awareness). "Meet and greet" on hot spot car parks again issuing crime reduction packages. Issued grubber screws to Ford owners so that radios cannot be removed using U clips. Firework Safe". A borough wide initiative aimed at Rotherham Schools to educate children on firework safety.
Fire work Safe	
Anti-Social Behaviour	800 units of alcohol have been confiscated from underage drinkers due to directed patrols in target areas.
No Cold Calling Zones	With Trading Standards we have introduced "No Cold Calling" zones on 2 Rawmarsh streets.
Public Reassurance	Ventura Call Centre. Again a hot spot area for car crime. We have completed a Vulnerable Vehicle Scheme exercise. Of 1000 cars checked 142 were found to be insecure or had inviting property being left on view. This information has been passed to the company who have displayed a police message giving prevention advice.
Operation Impact	Operation Impact.3 x Intelligence led multi agency operations in the Wentworth SNA. Over 25 drugs warrants were executed that resulted in numerous arrests and drugs seizures.
Environmental Issues	Multi agency walkabouts throughout the areas targeting problem streets. There is more but they are a bit more policy.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	19 th October 2006
3.	Title:	‘HERE’S THE DEAL!’ – THE REVISED TENANTS’ PARTICIPATION COMPACT
4.	Programme Area:	2010 Rotherham Ltd – Neighbourhoods

5. Summary

This report is providing the Sustainable Communities Scrutiny Panel with the ‘Here’s the Deal!’ Tenant Participation Compact, for information. This document has now been approved by Cabinet Member for Neighbourhoods. Progress on the delivery of the action plan contained will be monitored through the revised 2010 Excellence Plan and a Compact Monitoring Group, which will meet quarterly and report to Cabinet Member for Neighbourhoods, 2010 and Rother Fed every six months.

6. Recommendations

That the Sustainable Communities Scrutiny Panel

- a) Notes, for information, the revised ‘Here’s the Deal’ document
- b) And notes the role of Cabinet Member for Neighbourhoods, 2010 and Rother Fed in receiving six monthly reports on the progress of delivery of the action plan.

7. Proposals and Details

The final 'Here's the Deal!' document, the revised Tenants Participation Compact, was approved by the Cabinet Member for Neighbourhoods on 4th September 2006. A formal signing of the document is intended to take place. Once printed the Compact will be circulated to TARAs community groups and staff. A summary document will also be circulated more widely, including other community groups, organisations and tenants.

2010 Rotherham Ltd is also making progress on the development of a number of information guides, using the banner of 'Here's the Deal!', as specified in the Compact. Five of the guides have been taken to the Learning from Customers group to be approved as "easy read". They will be put onto the 2010 website and once Rother Fed has developed its company logo, will be printed for distribution.

2010 Rotherham Ltd will also develop the Compact Monitoring Group, consisting of representatives from RMBC, 2010 Rotherham and Rother Fed, which was agreed as the way to oversee the monitoring and delivery of the Action Plan. The group shall meet every three months and report to Cabinet Member for Neighbourhoods, 2010 Rotherham Ltd and Rother Fed on a six monthly basis. The first meeting is scheduled to take place this month.

8. Finance

300 copies of the 'Here's the Deal!' document will cost £2385.00, and an initial print run of 3000 copies of the summary will cost £936.00.

9. Risks and Uncertainties

References to the Tenants and Residents Federation, Rother Fed, appear throughout the document, 'Here's the Deal!', but at this point in time the organisation is still very young. Although a new Board has been elected and Rother Fed has achieved the status of a company limited by guarantee, there is still a lot of work to do to raise the standing of the Federation and ensure it has credibility with the people it seeks to serve. Supporting the Federation is a key task within the work plan of the Community Development Managers at 2010.

It is important to ensure that all staff are familiar with the 'Here's the Deal!' document, share the commitment to the community involvement agenda, and have the necessary skills to work effectively with local groups. In this respect staff training is very important. The appointment of a new Learning and Development Manager at 2010 will provide additional experience to address this key concern.

It is also important to provide a wide range of opportunities to facilitate customer involvement. To maintain and develop such opportunities requires a sustained financial commitment to ensure that the opportunities are effective, both for customers and services wishing to engage customer opinion. It is necessary to create a positive feedback mechanism, which demonstrates that service providers listen, consider what customers say, act upon their suggestions or explain why it is

not possible to do so, and feed back to the customers, so they appreciate the value of getting involved. If this cycle of feedback is not completed there is a risk of frustrating customers and compounding cynical attitudes.

10. Policy and Performance Agenda Implications

Tenant and resident involvement is at the heart of the Government's housing and civil renewal agendas, and is consistent with the Council's Community Strategy and Corporate Plan commitments, which state that, "Active Citizenship and democracy will underpin how Rotherham works"... and "that there will be many opportunities for people to be involved in civic life and decision making".

The document, 'Here's the Deal!' promotes opportunities for involvement and will help to improve performance in a measurable way. The inclusion of an Action Plan is in accord with good practice and national guidelines.

11. Background Papers and Consultation

2010 Rotherham Ltd. - Final Inspection Report of the Audit Commission, March 2006.

Contact Names: Phil Rees, Neighbourhood Coordinator, Ext. 2267
phil.rees@2010rotherham.org

2010
ROTHERHAM LTD

Here's
the **Deal!**



- Participation ■
- Finding a way forward ■
- Unity – working together ■

A Customer Compact 2006



Contents:

Forward	page 3	3. Resources	
Our Commitment	page 4	• Community involvement and consultation	page 16
1. Introduction		• Supporting customer involvement	page 17
• What's the deal?	page 6	4. The Action Plan to achieve results	page 19
• What does the deal look like?	page 6	5. Measuring success	page 27
• What does this mean for our customers?	page 7	6. Making it work	page 27
• Background	page 8	7. So..	page 28
2. Getting Involved		8. Where to go for more info	page 29
• Why get involved?	page 9		
• Ways of getting involved	page 10		
• What we aim to achieve	page 13		
• Here's what's been achieved so far!	page 14		

A tribute to Dennis Alderson (1939-2006)

This Compact document is dedicated to the memory of Dennis Alderson, a loving husband, father, grandfather and an active community member who for the last 15 years especially, was dedicated to the tenant participation movement.

Since 1991, Dennis was a keen member of a number of groups, including Housing and Environmental Services Scrutiny Panel, Sustainable Communities Scrutiny Panel and an Area Housing Panel. In 2000 he was instrumental in setting up East Herringthorpe Tenants and Residents Association, where he initially became the Chair. In 2001 he was a founder member of the Valley Partnership, and was Chair from 2002-2004.

In 2003 he took the role of Chair of the Council Housing Futures Group, set up to explore and make recommendations to Council about the future for Council Housing in Rotherham. In 2005 this group developed proposals to

establish a Tenants Federation, and Dennis subsequently became Chair of Rother Fed.

Dennis will be sadly missed by the tenant movement. He will always be remembered as

a character with a dry sense of humour, outspoken and not afraid to say what he felt. His commitment to tenant participation was outstanding and a shining example to others.

Dennis was a key member of the Compact Action Team who in 2000 developed the first version of the Tenant Participation Compact and he chaired the working group sessions that led to the revised, 'Here's the Deal!' document. It is seen as a fitting tribute to dedicate this revised Compact in his memory.





Forward

I am delighted to introduce the deal, an agreement between the Council and its tenants and leaseholders, which now includes 2010 Rotherham Ltd, the Council's arms length housing management organisation set up to improve the management and maintenance of the Council's housing stock.

We regard customer participation as key to delivering quality services and building and sustaining local communities. Increasing the active involvement of our customers is a major objective of both the Council and 2010 Rotherham Ltd.

This document sets out the many ways customers can get involved, helping to improve services, and the support available from the Council and 2010 Rotherham Ltd. and Rother Fed – the recently formed Rotherham Federation of Tenants and Residents. It also includes an Action Plan to improve the way customers are involved. This agreement will be monitored and reviewed regularly to ensure the Council and 2010 Rotherham Ltd deliver on these commitments, and that new ideas or legislation can be included.

We believe that community involvement delivers better, more effective and efficient services. We want to know what you think about the services we provide. As you know first hand what our services are like, you are best placed to tell us how we can improve them.

Clive Hartley – Chair of 2010 Rotherham Ltd.



Our Commitment

We support the implementation of **the deal** and are firmly committed to raising the standard of neighbourhood services through customer involvement and partnership working

Rotherham MBC

Councillor Sue Ellis

Cabinet Member for Neighbourhoods. On behalf of Rotherham Metropolitan Borough Council

Signed: Need Sue Ellis Signature

2010 Rotherham Ltd.

Clive Hartley

Chairman 2010 Rotherham Ltd. On behalf of 2010 Rotherham Ltd

Signed: *C. E. Hartley*

Rother Fed Rotherham Federation of Tenants and Residents

Hilary Cahill

Chairperson of the Executive Committee of Rother Fed

Signed: *H. Cahill*

We are grateful...
 ...to the following
 customers who spent
 many hours working
 with housing officers
 in developing this
 revised agreement:



Dennis Alderson



Winnie Billups



Liz Booth



Hilary Cahill



Peter Collins



Christine Hammond



Joe Holbrook



June Madden



Andrew Roddison



Linda Sales



John A. Smith



Keith Stringer



Harry Tooley



David Wilkes

and Alan Jacques

I. Introduction

What's the Deal?

The deal is an agreement between:

- the Council, as the landlord,
- 2010 Rotherham Ltd, as the arms length management organisation ,
- and the people of Rotherham - tenants, residents, leaseholders – the customers

It sets out how people can be involved in decisions affecting their homes and communities. By getting involved, people can have a say in improving services and making sure the Council and 2010 Rotherham Ltd tackle the issues that are most important – that's **the deal**.

The deal is about how 2010 Rotherham Ltd. – as a provider of services on behalf of the Council – will encourage more people to play a part in making things better. It is not just about the involvement and influence of Council tenants in matters affecting their housing. There are more opportunities on offer for a wider range of customers.



The deal is about neighbourhood management - encouraging community involvement and partnership working so everyone who can help does so to set priorities and improve the quality of life.

The deal is about neighbourhood renewal - setting targets and tackling the underlying problems of our most disadvantaged communities so that no-one is disadvantaged by where they live.

What does the deal look like?

The Office of the Deputy Prime Minister, has produced a 'National Framework for Tenant Participation Compacts'. This guidance suggests **the deal** – our version of a Compact – should be made up of three separate parts:

- A formal agreement - signed by everyone involved, which will normally be revised every three years
- An action plan - containing targets and actions for a specified period of time which requires regular review, monitoring and evaluation, and
- A summary - to promote involvement, providing an overview of how people can get involved, so people can decide for themselves the level of involvement that suits them best

The Council, 2010 Rotherham Ltd and Rother Fed have agreed to adopt this approach in **the deal**, but we have gone further. We are producing a separate summary document for wide distribution and a new Directory of TARAs and Community groups to inform people and encourage them to get involved.

What does this mean for our customers?

- improving services
- making better quality decisions together
- getting more people involved, including under - represented groups
- achieving long-lasting improvements

The deal has plenty of opportunities for all current and potential customers - that's why we use the term customers throughout this document. **The deal** gives everyone the opportunity to decide how they wish to be involved in influencing and shaping decisions on housing and other issues affecting their quality of life. When we say everyone we mean just that. Both the Council and 2010 are committed to a working Equal Opportunities policy and wants people to be involved whatever their ethnicity, sexuality, gender, age, disability, immigration status or faith. Through good quality involvement from people from many diverse backgrounds, we will deliver better, more efficient services.

Tenant Participation Compacts are part of the Government's agenda to improve local services. They are about 'civil renewal' – with active communities and people having their say and getting things done - and about strengthening local communities, so they are popular, healthy and long lasting.

Housing Minister, Keith Hill MP, states:

"There is clear evidence that good quality tenant involvement delivers better, more effective and efficient services. At the estate and neighbourhood levels, local approaches to housing management in which tenants play a key role can help to sustain local communities and turn around deprived neighbourhoods. It is therefore crucial that tenants are at the heart of decisions about investment in their homes and drive improvements in the way their homes are managed...Where compacts are working well they are living documents that place tenants at the heart of

decision making and service delivery".

Further changes are anticipated over the coming years – with the development of Rother Fed, the Tenants and Residents Federation, new-style Area Assemblies, and the roll out of Neighbourhood Management initiatives such as Safer Neighbourhoods Teams.

To tackle these big changes **the deal** needs to look beyond tenants and residents groups to offer opportunities for:

- Local residents other than Council tenants
- People who travel through the Borough
- Leaseholders
- Interest groups, such as people with any disability, and
- Individual Customers

In this respect, progress on the Action Plan will be reported every six months. The new Tenants and Residents Federation will play a key role in setting new objectives, reflecting the aspirations of local people. The entire document will be reviewed and refreshed with new objectives in the spring of 2009.

Neighbourhood or Local Compacts

In Rotherham there is a strong commitment to local community planning, and many communities now have their own community plans. The local community planning priorities and the action plans to address them identify what the communities can do for themselves, and how they wish to influence local service providers. The local community planning priorities are fed into Area Assembly plans, which are at the heart of the new Area Assemblies, providing a focus on action and service improvement. In addition to these important plans, there are Neighbourhood Charters for each Assembly area, summarising the service standards people can expect to receive.

...continued on next page

Against this background, the tenants' Working Group developing the deal did not wish to prioritise the production of local participation compacts at this time. The working group, Council and 2010 all agree, however, that some local compacts may evolve over time as specific needs are identified, and staff at 2010 Rotherham Ltd. and the Council will work with tenants and residents associations and other groups where such a compact is required.

In addition to any area based compacts, 2010 Rotherham Ltd. and the Council are keen to develop compacts with communities of interest, detailing how we work together to improve services and relations. It may be possible, for example, to develop specific compacts with the Visually Impaired Group, Young People, BME communities etc.

Background

A great deal of work went into the first version of the Tenants Participation Compact in 2000, particularly through the work of the Compact Action Team that included Council Officers and customers. Although the original document was commended by the Audit Commission, a review was necessary to take account of several important changes Rotherham.

Over recent years, the idea of partnership working and involving local people in decision making has taken root in Rotherham, particularly through the work of the Rotherham Partnership, Area Assemblies and other initiatives. To set the scene for this new way of working the Rotherham Partnership and the Voluntary and Community Sector has established a Compact – an agreement – to ensure the working relationships are positive and able to deliver improvements.

The Tenant Participation Compact – traditionally an agreement between the Council and its tenants and leaseholders – now needs to fit into this bigger picture. Although this revised document still refers to tenants, residents and leaseholders, its clear aim is to encourage all people to get involved – influencing decisions and getting things done – no matter where they live or how they occupy their homes.

The formation of 2010 Rotherham Ltd, the Arms Length Management Organisation (ALMO), also marks a big change in the way housing and neighbourhood services are delivered across the Borough. Although this agreement operates between tenants and the Council as landlord, the ALMO needed to be written into the document, as a provider of housing services and neighbourhood management on behalf of the Council.

The standard of housing services has improved considerably since 2002, and many of the things listed in the original Compact have been achieved or improved upon. In reviewing the Compact, with the help of the Shadow Board of the Tenants and Residents Federation, and other participants, this document has a clearer focus on getting things done. It now includes an Action Plan that shows when and how things should be done as well as who is responsible for each task. It also recommends a clear way of resolving any disagreements between the organisations signed up to the agreement. In doing so, it recognises that we will not always agree, and that disagreements can be a good way of finding a better way forward.

We have asked our customers to come up with a new name for the Tenant Participation Compact, as customers said that it isn't an expression they use on a daily basis! So that's why this document is called **"Here's the deal!"** and the chapters that follow spell out exactly what we mean.



"As the Council's Cabinet Member for Neighbourhoods I am wholly committed to tenant and resident involvement. It has been a central plank of our efforts to improve housing services over the years, and our tenants, in fact, led the consultation which resulted in our bid to set up 2010 Rotherham Ltd. I am sure our success in getting two stars and delivering real service improvements reflects that we have listened and responded to our customers."

Cllr Sue Ellis



"On behalf of the Sustainable Communities Scrutiny Panel I welcome 'the deal' as a real step forward. People have a right to be involved in decisions affecting their lives. It's great if they play a part in our efforts to improve services, and deliver their own solutions to local problems. 'The deal' encourages people to get involved in a variety of ways, and I welcome that involvement as a positive contribution towards making our communities sustainable"

Cllr David Hall

2. Getting Involved

Why get involved?

As partners in **the deal**, Rother Fed, the Council and 2010 Rotherham Ltd welcome the new opportunities for community involvement, recognising that it brings the following benefits:

- Encouraging a sense of community, and responsibility for where we live
- Helping to build healthy and sustainable communities
- Increasing public awareness of the services available to them
- Helping to improve service delivery

- Developing public awareness of the way decisions are made, how local Government works, and the constraints upon it
- Helping communities find their own solutions to local priorities and problems.

All this fits with the Government's Civil Renewal agenda, and the vision "of a society in which citizens are inspired to make a positive difference to their communities, and are able to influence the policies and services that affect their lives" [David Blunkett MP as Home Secretary].

The following table, developed in partnership with the Tenants and Residents Federation, sets out the various ways people can be involved. It uses the words of people who are already involved to show how much commitment each opportunity can require, and what can be achieved by joining in.



Ways of getting involved

There are lots of ways to get involved – it's up to you!

Here's just a few of the ways you can be involved in influencing and shaping decisions on housing and other issues affecting your local area and quality of life.

Choices	What is it like being involved in this way?
<p>Key Player Initiative – Offers a wide range of opportunities to get involved in ways that suit you best.</p>	<p><i>"I've been in Rotherham 2 years. The Key Player Initiative will help me meet new people in my neighbourhood. I can get to know them and they can get to know me. Makes me feel included."</i> Mr. Dalu Sikhosana</p> <p>For further information on the Key Player Initiative, contact: Caroline Boyle, Community Development Manager 01709 822227</p>
<p>Complaints, Compliments & Suggestions – Your views are always welcome and help the Council and 2010 Rotherham Ltd. to improve services.</p>	<p>We welcome Complaints, Comments and Suggestions as a way of helping us to learn from your experiences and improve services to all of our Customers. Complaints, Compliments & Suggestions can be made in writing, over the telephone, in person and through the internet.</p> <p>For further details contact: Jasmine Speight, Service Quality Champion – 01709 823761</p>
<p>Learning from Customers Group & Customer Inspection Service – Gives you the chance to 'reality check' services and standards offered by the Council and 2010 Rotherham</p>	<p><i>"The Customer Inspections are really interesting and fun – anyone can get involved, young and old"</i></p> <p>Please contact: Jasmine Speight, Service Quality Champion – 01709 823761</p> 
<p>Leaseholder Forum – Where leaseholders discuss issues and ways to improve services.</p>	<p><i>"The Leaseholder Forum is an opportunity to turn negative thoughts into positive action for the people."</i> John Handley – Leaseholder Forum Member.</p> <p>Please contact: Jill Jones, Neighbourhood Manager, Rotherham North 01709 336914.</p>

Choices	What is it like being involved in this way?
Tenants' & Residents' Associations (TARAs) - Care and campaign for local communities.	<p><i>"Being involved gives me a better understanding of what is happening in my community and a better grasp of the bigger picture in Rotherham".</i> John Smith – Manor Farm TARA</p> <p>Please contact: Lynne Rowan, Community Development Manager, 01709 822227</p> 
Area Housing Panels – Enable local people to identify improvements, using a budget of £20,000 to make things happen.	<p><i>"Ideal way for Tenant reps and 2010 staff to get together and discuss any problems or ways forward for their own areas."</i> Hilary Cahill</p> <p>Please contact: Caroline Boyle, Community Development Manager 01709 822227</p> 
Home Truths – video diary facility	<p><i>'Home Truths' tests the quality of our services using 'video diaries' of customers' experiences.</i></p> <p>Please contact: Jasmine Speight, Service Quality Champion 01709 823761</p>
Voice & Influence Young Peoples Forums – Campaign to give young people a voice and influence over decisions affecting their lives.	<p><i>"It shows not all young people are as bad as others make out. Feel proud to help change things for the better."</i> Kirsty Grant 17 & Dane Wright 18</p> <p>Please contact: Claire Cope – 01709 335997</p>
Black and Minority Ethnic workshops – Provide a forum to explore issues affecting BME communities.	<p><i>"Great to see such a cross section of ages being involved. Looking forward to future meetings."</i> Shazia Mahmood</p> <p>Please contact: Kate Plant, Equalities and Diversity Manager – 01709 822238</p> 

Choices	What is it like being involved in this way?
<p>Area Assemblies – Give local people a chance to meet local Councillors and service providers and have a say in improving things.</p>	<p><i>"I enjoy being part of these meetings. The whole community can have their say and learn what's going on in the local area".</i> Ian Lomas – Wentworth North</p> <p>Please contact: Debbie Marks Community Involvement Manager – 01709 336966</p> 
<p>Community Planning – Offers different ways to get all sections of the community to identify issues, priorities and solutions</p>	<p><i>"Community Planning has formed the basis of the regeneration of Treeton"</i> Andrea Beckingham – Treeton Partnership</p> <p>Please contact: Debbie Marks Community Involvement Manager – 01709 336966</p> 
<p>Housing Market Renewal Steering Groups – Investing, delivering and monitoring local masterplans, and projects.</p>	<p><i>"Working together we get the opportunity to be involved in decisions about where we live."</i> Mary Jacques – Blackburn Community Partnership</p> <p>Please contact: Lynsey Skidmore, HMR Support Officer 01709 334382</p>
<p>Decent Homes Project Group – makes sure that customer satisfaction is the central concern of the contractors delivering Decent Homes.</p>	<p><i>"Attending the meetings and with Officers listening to my comments, I feel informed and involved."</i> Jean Aldridge</p> <p>Please contact: Barbara Goodson, Project Manager, 01709 334387</p> 
<p>Strategic Housing Partnership – Part of the Rotherham Partnership</p>	<p><i>"I've been very interested in the role that the Strategic Housing Partnership plays and I'm enjoying my involvement."</i> Peter Collins – member of the Council Housing Futures Group</p> <p>Please contact: Angela Smith, Neighbourhood Strategy Manager – 01709 823412</p>
<p>2010 Rotherham Ltd Board – where Directors make decisions on behalf of the company</p>	<p><i>"Very hard work but rewarding! It's an exciting time. People need to get involved to be part of the bigger picture."</i> Liz Booth – 2010 Board Member</p> <p>Please Contact: Colette Williams, Community Development Manager – 01709 822274</p> 

What we aim to achieve

We aim to ensure that, as far as possible, all our customers have the opportunity to get involved and either make or influence the decisions that affect the management of their homes and communities.

The deal will work alongside the Rotherham Partnership's Compact with the Voluntary and Community Sector, which was launched in April 2006. This Compact commits the partners – the Council, Police, Health, the private sector, and the voluntary and community sector to work more closely and effectively, valuing the contributions each can make to improving services and the quality of life in Rotherham. The idea of valuing the contributions of all partners, including local community groups and volunteers, is echoed within **the deal**.

Recently, the Council and the Rotherham Partnership have set out the clearest statements to date expressing a commitment to Community Involvement and Consultation. For example, these statements have said that:

“Community involvement and consultation is at the heart of the Council's approach to policy making and service delivery.”

2010 Rotherham Ltd is equally committed to this way of working, as it offers the prospect of better services and better local government.

The deal also aims to help achieve the ‘Rotherham Proud’ theme of Rotherham's Strategy. The commitment to community involvement and consultation is at the heart of the new Shared Vision for the Borough as described in Rotherham's Community Strategy and the Rotherham Proud theme. This theme seeks to ensure that:

“Active Citizenship and democracy will underpin how Rotherham works”... and

“...there will be many opportunities for people to be involved in civic life and decision making”.

Working with tenants, residents and leaseholders, members of the Board of 2010 Rotherham Ltd, and the Council's Sustainable Communities Scrutiny Panel, the following statement has been agreed to express:

Our shared vision:

To create better homes, safe and proud neighbourhoods and communities, through excellent partnership working between tenants, residents, leaseholders, young people, officers, Board Members and Councillors.

Our shared mission:

To overcome the barriers to involvement and create opportunities so everyone who wants to participate in the continuous improvement of our neighbourhoods can do so in the way they wish.

Our shared values:

The partners to this Compact believe in:

- Respecting all customers and their diverse needs
- Being open, honest and transparent
- Listening, learning and acting
- Getting better all the time
- Working for a better future for everyone
- Spending money wisely

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	19th October, 2006
3.	Title:	Gambling Act 2005
4.	Programme Area:	Neighbourhoods

5. Summary

The Gambling Act 2005 requires the Council to prepare and publish a Statement of Licensing Principles before it carries out any function in respect of applications made under the Act.

The document is a statement of how the Council intends to exercise the licensing functions imposed upon it by the Act. It states the Council's general approach to the making of licensing decisions and the regulation of licensable activities. It should provide transparency for all those affected by the licensing regime which means not only applicants for a licence, but also local residents who are able to make representations to the Council in opposition to some applications.

From 1st June, 2006, to 31st August, 2006, the Council carried out a comprehensive consultation exercise in relation to its draft Statement of Licensing Principles, which must be prepared and published every three years. A number of comments were made by local residents and stakeholders, some of which have been incorporated into the final Policy document, which needs to be approved by full Council on 22nd November 2006, to meet the statutory deadline imposed by the Government.

The 'Statement of Licensing Principles and the appropriate scheme of delegation contained in the Statement was approved by CMT on the 4th September 2006.

6. Recommendation

IT IS RECOMMENDED THAT SCRUTINY PANEL NOTE THE FOLLOWING:

- 1. THE DRAFT STATEMENT OF LICENSING PRINCIPLES AND THE AMENDMENTS MADE.**
- 2. THAT THE DRAFT STATEMENT OF LICENSING POLICY WILL BE REPORTED TO THE CABINET AND FULL COUNCIL FOR FINAL APPROVAL ON 22ND NOVEMBER, 2006.**

6. Proposals and Details

Guidance and Practice

The draft statement has been prepared in accordance with 'The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006' which came into force on 31st March, 2006. The Regulations prescribe the form and procedure to be followed in preparing or publishing a statement.

The Gambling Commission's 'Guidance to Licensing Authorities' published April 2006 has also been followed. This document sets out the matters that must be included with the Statement of Licensing Principles.

Consultation

Section 349 (3) of the Act requires the licensing authority to consult the following on the licensing principles statement:

- In England and Wales, the chief officer of police for the authority's area;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

The list of persons to be consulted when preparing the licensing principles statement is, according to the Gambling Commission, 'deliberately wide'. This is to enable licensing authorities to undertake a comprehensive consultation exercise with anyone who may be affected by or otherwise have an interest in the licensing policy statement.

Corporate guidelines laid down in the 'Consultation and Community Involvement Toolkit' and 'Consultation Planning Protocol' has been followed with direct support from the Corporate Consultation Unit.

A large number of stakeholders (full list of all consultees is attached at Appendix 'A') received a copy of the draft 'Statement of Licensing Principles' for comment. In some cases, it was felt that engaging members of the community through 'focus groups' was more appropriate. The wider community was engaged through the citizen's panel 'Rotherham Reachout 14', a Town Centre (Market Day) stand on 27th June, 2006, a public notice in the Rotherham Advertiser on Friday, 2nd June, 2006, various press releases, and by electronic consultation by way of the Internet and Intranet. Furthermore, all town centre Council reception areas, including the Tourist Information Office, were provided with details about the consultation process. (full list of all consultees is attached at Appendix 'A')

Consultation Paper

All views of those that replied or engaged in the consultation process to date have been assessed by the Licensing Manager and Licensing Solicitor, and have been given the appropriate weight when determining the final policy document. A 'Schedule of Responses' with comment and response is attached at Appendix 'B' and 'C'. The amendments to the 'Statement of Licensing Principles' are underlined in the attached

document at Appendix 'D', this document also includes the scheme of delegation. Other public surveys, excluding Rotherham Reachout 14, are currently being assessed as they arrive in and where applicable, the results have been incorporated, or will be incorporated, into the final document.

8. Finance

Although Gambling Commission guidance indicates that 'pump priming' money has been made available through Formula Grant this is not specifically identified within the grant allocation. Consequently a provision was not allocated to the service's 2006/07 budget and as such these costs will be contained within the approved 2006/07 budget. It is envisaged that this will contribute towards the annual efficiency requirements (Gershon).

The fees will be set by centrally by Government. However, the fee regulations are not anticipated until November 2006 at the earliest.

9. Risks and Uncertainties

At the present time, licensing authorities have only received a handful of regulations in respect of administering the Act. Other regulations and guidance are to be 'drip fed' to local authorities throughout the year. At the time of writing, trade associations and groups such as LACORS (Local Authorities Coordinators of Regulatory Services) and the Institute of Licensing are lobbying to delay the implementation of the legislation, or to put back the first appointed day of 31st January, 2007, when it is proposed that applications will begin to be submitted to Licensing Authorities.

The 'Statement of Licensing Principles' must be in place in order that applications can be considered. Failure to have the policy in place could lead to a host of appeals against the Authority, which could lead to substantial costs being awarded against the Council.

The Statement of Licensing Principles must be approved, published and advertised by 31st December, 2006. Final approval by full Council must be given to the Statement of Licensing Principles on 22nd November, 2006, at the latest.

The first that an application for a gambling premises licence or permit can be submitted is the 31st January 2007 with the Act coming into force on 1st September 2007.

10. Policy and Performance Agenda Implications

The development of an appropriate 'Statement of Licensing Principles' and the successful implementation of the Gambling Act 2005 meets all relevant policy and performance agenda criteria. Specifically the Corporate Objectives of Rotherham Achieving, Alive and Safe, along with the cross-cutting Fairness and Sustainable development themes, apply to this scheme of work.

11. Background Papers and Consultation

Gambling Act 2005

Department of Culture, Media and Sport (DCMS)

Gambling Commission – Guidance to Licensing Authorities

Contact Name : David Stockdale, Licensing Manager, Ext 3167,
david.stockdale@rotherham.gov.uk

APPENDIX A

Consultation List

Gambling Act 2005

Statement of Licensing Principles

Consultation on full policy document

Ambrose Appleby Solicitors
Area Assembly Co-Ordinators
Association of British Bookmakers
Atteys Solicitors
BACTA (British Amusement Catering Trade Association)
Bradford and Son Solicitors
British Casino Association
British Institute of Inn Keeping
British Waterways Board
Business in Sport and Leisure
CAMRA
Casino Operators Association
Chief Constable, South Yorkshire Police
Chief Fire Officers, South Yorkshire Fire and Rescue Service
Clerks to Parish Councils
Club and Institute Union (CIU)
Codes Solicitors
COMMUNITY
Cripps Harries Hall LLP
Environment Agency
GAMCARE
GAM-ANON
Gambling Commission
Gichard and Co Solicitors
Harrison Clark Solicitors
Harry's Game Amusements
Harthills Solicitors
HM Revenues and Customs
John Gaunt and Partners Solicitors
LACORS (Local Authorities Coordinators of Regulatory Services)
Ladbrokes
Leisuretime Amusements
LicenceWatch
Licensing Legal Solicitors
Malcolm Foy Solicitors
Naphthens Solicitors
Nobles Amusements
Norrie Waite and Slater Solicitors

Oglethorpe, Sturton and Gillibrand Solicitors
Oxley and Coward Solicitors
Picken Racing

Poppleston Allen Solicitors
Racecourse Services Executive
Responsibility in Gambling Trust
RIDO (Rotherham Investment and Development Office)
RMBC Neighbourhood Enforcement Manager
RMBC Head of Planning and Transportation
RMBC Safeguarding Manager – Child Protection
RMBC Equalities and Diversity Manager
RMBC Access Liaison Officer
RMBC Town Centre Manager
RMBC Ward Councillors
Rotherham Business Chamber
Rotherham PCT
Safer Rotherham Partnership
Security Industry Agency (SIA)
South Yorkshire Neighbourhood Watch
The Bingo Association
The Institute of Licensing
The Law Society
The Lotteries Council
Tierney and Co Solicitors
William Hill

Mr Denis McShane MP
Rt Hon K Barron MP
Mt K Healey MP

Focus Groups

REMA (Rotherham Ethnic Minority Alliance)
Rotherham Deaf Community (postponed to September 2006)
The University of the Third Age (Older People)

Gambling Questionnaire

2010 Tenants and Residents
Mosque Liaison Group – (presented by Equalities and Diversity Manager)
RMBC Intranet Public Notice Board
Rotherham Deaf Community
Rotherham Visitors Centre
Rotherham Youth Cafe

Other methods

Citizens Panel – Reachout 14
Consultation documents at all RMBC Town Centre reception areas, including the Town Hall

Licensing Stand – Rotherham Market Day – 27th June, 2006
Press Release – 31st May, 2006
RMBC Licensing Website
Rotherham Advertiser Public Notice

Schedule of Responses to Gambling Act 2005 Statement of Principles

Reference	Respondent	Comments	Response
001	Byron Evans, Commercial Director, RAL Limited (in capacity of 'persons representing the interests of persons carrying on gambling businesses in the authority's area')	<p>1. Concerns re 'inclusion of 'door supervisors' in the list of possible appropriate measures to promote the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling...record our objection to the possibility that such a condition be imposed specifically to adult gaming centres and urge caution that, if it is to be imposed, it should only be in appropriate cases...if operators are currently running a safe and successful centre (at present under Gaming Act 1968) without the need for door supervisors, then there can be no valid reason for a change of policy in this regard...provision of door supervisors is not a mandatory condition under Gambling Act 2005...would urge Licensing Authority to adopt same position where 'door supervision' could be added to a licence to promote the prevention of crime and disorder objective, but that, in practical terms, its efficacy as a measure to protect children and vulnerable people is extremely limited...operators of adult gaming centres and key personnel will be subject to rigorous verification processes in order to obtain personal and operating licences...existing operators fully versed in measures to uphold the proposed objectives...many protective measures currently in place and mirror those suggested in the Guidance...issues of crime and disorder etc bare little relevance to adult gaming centres as capacities rarely match those found in alcohol licensed premises and, as alcohol is not provided in the adult gaming centres we operate, there is little risk of instances of alcohol-fuelled disorder...we would submit that any link between customers entering adult gaming centres and</p>	<p>Comments noted</p> <p>The Licensing Authority feels it appropriate that 'Door Supervisors' are kept as one of a number of conditions that COULD be imposed.</p> <p>However, it is accepted that such measures, in line with this Authority's approach under the Licensing Act 2003, would only be considered on a case by case basis, appropriate to the problem they seek to address in relation to the licensing objectives</p> <p>The policy should not seek to 'fetter the discretion' of the Licensing Committee by the addition of particular circumstances, and particular pre-requisites for the imposition of any condition.</p>

			<p>the presence of organized crime is tenuous and unsubstantiated...should there be little or no evidence that the applicant premises adds to levels of organized crime, we submit that a condition requiring the use of door supervisors would be entirely inappropriate...we would echo the concerns of respondents to the Gambling Commission's consultation on its Statement of Principles who stated that the inclusion of door supervisors would be 'cost prohibitive' and 'should only be imposed where necessary'.</p>		
002	The Racecourse Association Limited	1. No comments – no venues in area	Noted		
003	Bond Pearce Solicitors – on behalf of The Association of British Bookmakers	<p>1. Comments re Door Supervision...because of success of the betting industry in managing its offices, and because of the general nature of betting clientele, door supervisors are not employed in betting offices..door supervision has not been operationally required and neither the licensing justices nor the police have suggested that door supervision is necessary...refer to paragraph 9.26 of Gambling Commission Guidance...suggested wording for policy.</p> <p>2. Comments re Betting machines...suggested</p>	<p>Comments noted</p> <p>The 'Statement of Licensing Principles' sets out the approach to be applied in dealing with matters under the Gambling Act 2005 and the licensing of 'premises'.</p> <p>It is inappropriate to include in the 'Statement of Principles' a preconception</p>		

004	British Beer and Pub Association	<p>wording for policy.</p> <p>3. Comments re-site applications....suggested wording.</p> <p>4. Comments re enforcement....suggested wording.</p> <p>1. Welcome approach taken by council in basing draft policy on the LACORS template.</p> <p>First main issue of concern...pubs have had AWP machines in premises for many years...take responsibility very seriously..committed to ensuring that underage people may not play machines even though this is not currently written into law....under age schemes in place...whilst we welcome the parts of the draft policy that deal with the protection of children from harm and vulnerable people from harm, we encourage the council to bear the above points in mind when they put the policy into practice.</p> <p>2. Second area of concern is transitional arrangements....more and more premises will contact licensing authority...advantageous for licensing authorities to have some sort of guidance</p>	<p>as to how premises have previously operated in the past, either good or bad.</p> <p>It will be, in the event of a hearing, for premises operators to evidence how the premises have previously operated, if necessary.</p> <p>Comments noted</p> <p>Please refer to response 003</p> <p>Comments noted</p> <p>All assistance, where possible, will be provided by</p>
-----	----------------------------------	---	--

		prepared		<p>the Licensing Authority to ensure a smooth transition from the old regime to the new</p> <p>This is a point that cannot be taken in relation to the 'Statement of Licensing Principles' but will be address by the Licensing Authority in relation to its 'education strategy' prior to transition</p>
--	--	----------	--	---

APPENDIX 'C'**Schedule of Focus Group Responses to Gambling Act 2005 Statement of Principles**

Reference	Respondent	Comments	Response
28.6.06	The University of the Third Age	<p>Concern about 'vulnerable adults in premises and their welfare</p> <p>Thought that 'swipe cards' and a 'credit' limit in venues would be appropriate</p> <p>Worried that the Act would open up gambling to a wider market – that gambling was being legitimised – which could be dangerous</p> <p>Re the demand test – feeling that 'opening up' the market and lack of control over the number of premises was inappropriate</p> <p>Concern that Gambling Act was not compliant with EU policy and could be challenged</p> <p>Concern that the drive of the Act was to make more from taxes and that more premises meant more revenue</p> <p>That perhaps the Act would address the traditional perspective of the industry as being 'grotty and unclean'</p> <p>That the image has an image problem</p>	<p>Comments noted</p> <p>Most of the comments, whilst relevant, are concerned with 'national' and 'social' issues in respect of the Gambling Act 2005</p> <p>Whilst the Licensing Authority are respectful of the comments, they cannot be incorporated into Rotherham Metropolitan Borough Council's own 'Statement of Licensing Principles'</p> <p>However, it is anticipated that some issues might be addressed by further Government guidance and regulations, particularly in respect of enforcing the Gambling Act 2005</p>

		Concerns over controls in the premises themselves – entering whilst under the influence of drink could lead to less rationalisation Need for good management		
20.7.06	REMA (Rotherham Ethnic Minority Alliance)	<p>Expression that ‘gambling does not benefit anyone’</p> <p>One participant had noticed a massive rise in number of gambling premises in Rotherham since the 1950’s</p> <p>The issue of the ‘demand test’ was a big worry – that a proliferation of ‘betting’ establishments might continue</p> <p>Concern and worry that gambling premises in BME areas would be a detriment, and at odds with certain belief systems</p> <p>Expression that the public notice could present a problem, where English was not the first language in some areas – suggestion that notice could be provided in the appropriate language as well as English</p> <p>Concern that, in respect of children and amusements, low level gambling leads to more temptation</p> <p>Concerns about the measures in place to protect children and the vulnerable</p>	<p>Comments noted</p> <p>“ “</p> <p>Noted – Government policy to remove the ‘demand test’ although local planning requirements will still apply</p> <p>Comments noted</p> <p>Accepted – Recommended ‘good practice’ will be included in the ‘Statement of Licensing Principles’</p> <p>Comments noted</p> <p>Comments noted</p>	

				Comments noted
			Increased number of premises leads to more 'temptation'	Comments noted
			The Town should offer more social alternatives to Gambling	Comments noted
			Concern about gambling in the Chinese community, how it is a social norm, reassurance that enforcement would deal with illegal gambling	Comments noted
			Large operators should be encouraged to link up and interact with gambling charities and support groups	Gambling Act 2005 already commits operators to establish links with such groups – Gambling Commission enforce the 'operators' rather than the Licensing Authority
			That guidance notes be produced for BME groups in respect of process and procedure	Comments noted – The policy document and advice will be available to all, and information will be provided in a variety of formats, as and when required



STATEMENT OF LICENSING PRINCIPLES

GAMBLING ACT 2005

(3rd DRAFT)

Appendix 'D'

Licensing Office
Howard Building
College Lane
Rotherham
S65 1AX

Tel: 01709 823153

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

LICENSING PRINCIPLES

INDEX

PART A

<u>Section</u>	<u>Content</u>	<u>Page No</u>
1.	Preamble	5
2.	Gambling Act 2005	5
3.	Licensing Authority Functions	5-6
4.	The Licensing Objectives	6-7
5.	Statement of Licensing Principles	7-8
6.	Administration, Exercise and Delegation	8
7.	Consultation	8-10
8.	Responsible Authorities	10-11
9.	Protection of Children from Harm	11-12
10.	Interested Parties	12-13
11.	Enforcement	13-14
12.	Exchange of Information	14
13.	Integration Strategies	15
14.	Departure from Statement of Principles	15
15.	Declaration	15
16.	Advice	15

Index continued**PART B – PREMISES LICENCES**

<u>Section</u>	<u>Content</u>	<u>Page No</u>
1.	General Principles	16
	Definition of ‘premises’	16-17
	Location	17
	Duplication with other regulatory regimes	17-18
	Licensing objectives	18-20
	Conditions	20-21
	Door supervisors	21-22
	Disabled people	22
	Promotion of racial equality	22
2.	Adult Gaming Centres	22
3.	(Licensed) Family Entertainment Centres	23
4.	Casinos	23-24
5.	Bingo Premises	24-25
6.	Betting Premises	25
7.	Tracks	25-27
8.	Travelling Fairs	27
9.	Provisional Statements	27-28
10.	Reviews	28

Index continued

PART C – PERMITS/TEMPORARY AND OCCASIONAL USE NOTICES

<u>Section</u>	<u>Content</u>	<u>Page No</u>
1.	Unlicensed Family Entertainment Centre – gaming machine permits	29-30
2.	(Alcohol) Licensed Premises – gaming machine permits	30-31
3.	Prize Gaming Permits	31
4.	Club Gaming and Club Machine Permits	32-33
5.	Temporary Use Notices	33
6.	Occasional Use Notices	33
	<u>Recommended delegation of functions</u>	34

PART A

1. Preamble

With a population of around 248,000 people (2001 Census), Rotherham Borough is made up of a diverse and vibrant mix of people, cultures and communities.

The majority of Rotherham (75%) is rural in nature, and the Borough benefits from a wealth of natural and built environments. One of its greatest strength's lies in its central location, with direct access to the M1, M18 and A1, the two universities in Sheffield and excellent rail access via Doncaster and Sheffield.

Rotherham is also home to some of the country's most highly regarded leisure and gambling facility providers. The Council recognises that such businesses are a valued contributor to employment in the Borough.

Part of our aim is to make Rotherham a pleasant, safe and prosperous place in which to live, work, learn and relax.

2. Gambling Act 2005

Gambling Act has introduced a unified regulator for Gambling in Great Britain, the Gambling Commission, and a new regime for commercial gambling (to be conducted by the Commission or by licensing authorities, depending on the matter to be licensed). The Commission and licensing authorities will share between them responsibility for all matters previously regulated by licensing justices.

3. Licensing Authority Functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs;
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;

- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange'); and
- Maintain registers of the permits and licences that are issued under these functions.

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

The Gambling Commission has recommended that licensing authorities include a list of licensable activities in their policy statements. LACORS has requested a definitive list from the Gambling Commission and this will be incorporated into this policy statement once provided.

4. **The Licensing Objectives**

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

It should be noted that the Gambling Commission has stated:

'The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling'.

The licensing authority interprets “children” as meaning persons aged under 18.

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”

This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority’s statement of licensing policy.

The licensing authority wish to promote the licensing objectives whilst still encouraging a sustainable entertainment and leisure industry. The Council recognises both the needs of local residents for a safe and healthy environment in which to work and live, and the importance of safe and well run entertainment and leisure facilities in the Borough.

5. Statement of Licensing Principles

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This statement must be published at least every three years. The statement must also be reviewed from ‘time to time’ and any amended parts re-consulted upon. The statement must then be re-published.

This document details how the licensing authority will exercise its functions under the Gambling Act 2005. It will guide the Licensing Committee when considering applications in connection with licences for casino premises, bingo premises, betting premises (including tracks), adult gaming centers and family entertainment centers. It will also cover other authorisations such as those for the temporary use of premises, occasional use notices and five different sorts of permit for unlicensed family entertainment centres, prize gaming, gaming machines on alcohol-licensed premises and club gaming and club gaming machines, respectively.

The statement aims to provide guidance to applicants, responsible authorities and interested parties on the general approach to licensing (in relation to gambling) in Rotherham.

Although each and every application will be dealt with separately and on its own individual merits, the Council in writing this statement is offering guidance on the wider considerations that will be taken in to account.

The statement is not intended to limit the power or fetter the discretion of the Licensing Committee who will listen to and determine on its own individual merits any application placed before them.

The statement was approved at a meeting of the Full Council on xxxx06 and comes into force on 31 January, 2007.

6. **Administration, Exercise and delegation of functions**

The licensing authority has established a Licensing Committee to administer the wide range of licensing decisions and functions which the Council will be involved in.

The Licensing Committee has delegated certain decisions and functions and established a number of sub committees to deal with them. This will provide an efficient and cost effective service for all parties involved in the licensing function. The licensing authority will ensure that the members of the Licensing Committee are adequately trained to administer the new regime.

The grant of non-contentious applications has been further delegated to officers.

The table at page 34 of this document sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committees and Officers.

The agreed delegation of decisions and functions is without prejudice to the ability of officers to refer an application to a sub-committee, or a sub-committee to full committee if considered appropriate in the particular circumstances.

7. **Consultation**

Rotherham Metropolitan Borough Council has consulted widely upon the statement before finalising and publishing it.

The local authority is committed to consulting with as wide and varied an audience as possible regarding this and any future policies or any amendments in accordance with the Gambling Act 2005.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief of Police for the area;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and

- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

A full list of the persons that the Council consulted is attached at *Annex 1 (to follow).

It should be noted that unsolicited comments were received from other persons but we have not listed all of these.

The consultation took place between 1st June, 2006, and 31st August, 2006, and lasted a period of 12 weeks. The Revised Code of Practice (which came into effect in April 2004) and the Cabinet Office Guidance on consultations by the public sector were followed, *along with the Council's own 'Consultation and Community Involvement Toolkit' and 'Consultation Planning Protocol'.

A summary of the comments made and the consideration given to those comments by the Council is available by request, see section 16 of this document for contact details.

*Part of the process involved engaging the general public and other community groups by way of a questionnaire, enabling the Council to assess general opinion about gambling as a whole, as well as its effects on Rotherham. In summary:

- the majority of respondents had never been to a gambling establishment;
- they felt that it was neither good nor bad for Rotherham to have such establishments (although there was greater concern expressed about amusement arcades and casinos);
- that it was safe to go into local gambling establishments;
- that, in general, gambling is carried out in a fair and open way (although some concern was expressed in relation to casinos);
- there was concern expressed about children and vulnerable people in gambling establishments, particularly betting shops, amusement arcades and casinos;
- that, on the whole, crime and disorder was NOT made worse by gambling establishments;
- that an all out 'ban' on gambling establishments in the town was not accepted, although residents would be happier if there were no amusement arcades or casinos.

Full details of the results of the questionnaire are available by request from the Council.

The policy was approved at a meeting of the Full Council on X date and was published via our website on x date. Copies were placed in the public libraries of the area as well as being available in the Town Hall.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

The Licensing Manager
Licensing Team
Ground Floor
Howard Building
College Lane
Rotherham S65 1AX

Telephone: 01709 823153

E-mail: licensing@rotherham.gov.uk

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

8. **Responsible Authorities**

Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. All representations made by responsible authorities are likely to be relevant representations if they relate to the licensing objectives.

Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. They are:

The Licensing Authority, c/o Rotherham Metropolitan Borough Council, The Licensing Office, Ground Floor, The Howard Building, College Lane, Rotherham. S65 1AX

The Gambling Commission (address to be inserted)

The Chief Officer of Police, South Yorkshire Police Headquarters, Main Street, Rotherham. S60 1QY

South Yorkshire Fire and Rescue, Dearne District Fire Safety Office, Broadway, Barnsley. S70 6RA

RMBC, Planning, Bailey House, Rawmarsh Road, Rotherham. S60 1TD

An authority which has functions in relation to pollution to the environment or harm to human health (to be confirmed) possibly - RMBC, Home and Environment, Neighbourhood Services, Howard Building, College Lane, Rotherham. S65 1AX

Rotherham Safeguarding Children Board, c/o Operations Manager Protection and Planning, Children and Families Services, Child Protection Unit, 4th Floor, Crinoline House, Effingham Square, Rotherham. S65 1AW

HM Revenue and Customs (address to be confirmed)

Any other person prescribed in regulations by the Secretary of State (to be confirmed)

In the case of vessels, the following should also be included:

The Environment Agency

The British Waterways Board

The Secretary of State (the Secretary of State for Transport who acts through the Maritime and Coastguard Agency)

9. **Protection of Children from Harm**

In exercising the licensing authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest groups etc.

In accordance with the Gambling Commission's draft Guidance for local authorities this authority designates the Rotherham Safeguarding Children Board for this purpose.

The licensing authority considers the Board as being the body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm and recognises that they are competent to advise the licensing authority on such matters. Notice of applications should therefore be forwarded to the Rotherham Safeguarding Children Board as one of the Responsible Authorities.

The various range of premises that will fall to be licensed under the Gambling Act 2005 means that children will visit many of these either as part of a family group or on their own.

Applicants for a licence under this legislation are reminded that they will be required to demonstrate in their operating schedule how they intend to address the issue of child protection.

The steps to be taken to promote the protection of children from harm as an objective will be a matter for each applicant to consider, depending upon the nature of the premises and the licensable activities for which a licence is applied for.

In order to accommodate children in premises where licensable activities take place the licensing authority will assess each individual case on its own merits and impose certain restrictions where these are considered necessary for the prevention of harm to children.

10. **Interested Parties**

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities at 8.14 and 8.15.

It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents’ and tenants’ associations (Gambling Commission Guidance for local authorities 8.17). This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing team.

*** As a matter of 'best practice, if an application is in respect of a premises in an area where there are other community languages, and English is not necessarily the first language, the operators of premises are requested to consider provided advertisements and public notices in the appropriate language(s) for that area**

11. **Enforcement**

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme. Whilst the Gambling Commission's Guidance suggests that the criteria the authority will utilise in this respect are included in this statement, this has not been possible. At the time of writing the Gambling Commission has not published its risk criteria, nor are regulations such as mandatory / default conditions published, nor Codes of Practice. LACORS is working with the Gambling Commission to produce a risk model for premises licences and this authority will consider that model once it is made available.

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing team. Our risk methodology will also be available upon request.

12. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened.

The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available. Discussions with the Gambling Commission and LACORS as regards information exchange between the Commission and local authorities are, at the time of writing, at an early stage.

13. **Integration Strategies**

The licensing authority in dealing with the Gambling Act 2005, will adopt a multi disciplinary approach to ensure proper integration of local and national strategies to promote the licensing objectives.

This will include working closely with other agencies to ensure proper integration of local Safer Neighbourhood, Crime Prevention, Planning, Transport, Tourism and Cultural Strategies.

14. **Departure from Statement of Principles**

The licensing authority may depart from this policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives. In the event of a departure from this policy the licensing authority will give full reasons for the decision to depart.

15. **Declaration**

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

16. **Advice**

Advice about this policy and general matters with regard to the Gambling Act 2005 can be provided by:

Licensing, RMBC, Licensing Section, Howard Building, College Lane, Rotherham, Telephone 01709 823153, Fax, 823154 or e mail licensing@rotherham.gov.uk, or visit our website at www.rotherham.gov.uk, following the link to 'business>licensing'.

Alternatively, visit Department of Culture, Media and Sport (DCMS) at www.culture.gov.uk, following the 'gambling' link.

PART B

PREMISES LICENCES

1. General Principles

Premises Licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing principles.

It is appreciated that as per the Gambling Commission's Guidance for Local Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any "no casino resolution"- see section on Casinos below – pages 23-24) and also that the unmet demand is not a criterion for a licensing authority.

Definition of "premises"

Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

This licensing authority takes particular note of the Gambling Commission's Guidance for local authorities which states that:

- licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area; and
- licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

Location

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Duplication with other regulatory regimes

This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building regulation approval, in its consideration of it.

It will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

(i) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

Under the Crime & Disorder Act 1998 Rotherham Metropolitan Borough Council, as the licensing authority, must have regard to the likely effect of the exercise of its licensing function and do all it can to prevent crime and disorder within Rotherham. In doing so the Council will have regard to the likely impact of licensing and related crime and disorder in the town when considering the location, operation and management of all proposed licence applications.

All applicants will be expected to demonstrate to the satisfaction of the licensing authority in their Operating Schedule how they intend to promote this objective.

It is recommended that applicants seek advice from South Yorkshire Police when addressing this issue as well as taking in to account local planning and transport policies, tourism, cultural and crime prevention strategies. The South Yorkshire Police website where information relating to crime reduction is available can be found at www.southyorks.police.uk

The steps to be taken to promote the objective will be a matter for each applicant to consider, depending upon the nature of the premises and the licensable activities for which a licence is sought. These steps will therefore differ from premises to premises.

Examples of measures that the licensing authority may expect applicants to consider and address include:

- Provision and standard of CCTV;
- The use and number of door supervisors registered with the Security Industry Authority, where required;
- Training to be given to staff in crime prevention and drug awareness measures; and
- Measures to be taken to prevent the use / supply of illegal drugs.

The above examples are neither exhaustive nor mandatory.

Conditions may be attached to Premises Licences in order to promote this licensing objective, and will, so far as possible, reflect local crime prevention strategies.

(ii) Ensuring that gambling is conducted in a fair and open way

This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

There is however, more of a role with regard to tracks which is explained in more detail in the “tracks” Section below – pages 25-27).

(iii) Protecting children and other vulnerable persons from being harmed or exploited by gambling

This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who

gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types below.

This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and

- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

Door supervisors

If there are concerns that premises may attract disorder or be subject to unauthorised access by children and young persons, then the Licensing Authority may require that a Door Supervisor control entrances to the premises.

Where door supervisors are imposed as a condition on a Premises Licence then by virtue of Section 178(3) of the 2005 Act if those persons are required by the Private Security Industry Act 2001 to hold a licence under that Act that requirement shall be treated as if it was a condition of the Premises Licence.

Full details about registration with the Security Industry Authority can be found on the Security Industry Authority website at www.thesia.org.uk

Disabled people

Applicants are reminded of the duties imposed by the Disability Discrimination Act 1995. Applicants are expected to obtain their own advice on these duties and may contact the Disability Rights Commission in that regard.

The licensing authority recognises both the importance of proper steps to ensure the safety of people with disabilities at places of entertainment and the need to avoid the imposition of conditions to a licence which would enable an operator to justify the exclusion of persons with disabilities from the premises by reference to such conditions.

Promotion of racial equality

The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, places a legal obligation on Rotherham Metropolitan Borough Council to have due regard to the need to eliminate unlawful discrimination; and to promote equality of opportunity and good relations between persons of different racial groups.

The Council has developed a Race Equality Scheme. The Race Equality Scheme makes clear how the Council will meet the Race Relations (Amendment) Act 2000. If you require a copy please contact xxxxx

2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises. This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures/ licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry

- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline number for organizations such as GamCare

This list is not mandatory or exhaustive and is merely indicative of example measures.

3. **(Licensed) Family Entertainment Centres**

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. **Casinos**

No Casinos resolution

This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this statement with details of that resolution. Any such decision will be made by the Full Council.

Casinos and competitive bidding

This licensing authority is aware that where a licensing authority area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations/codes of practice issued under the Gambling Act 2005.

Licence considerations / conditions

The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises" (Gambling Commission Guidance for local authorities - 17.30) This guidance will be considered by this licensing authority when it is made available.

Betting machines

This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

18.4 - It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and

- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This licensing authority is also aware that the Gambling Commission is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

6. **Betting premises**

Betting machines

This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. **Tracks**

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage

- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines

Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

Betting machines

This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

Condition on rules being displayed

The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

Applications and plans

This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to licence they should, in their licensing policies, set out the information that they will require, which should include detailed

plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”) and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities.” and that “Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.”

This licensing authority also notes that in the Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

8. Travelling Fairs

It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

This licensing authority notes the Guidance for the Gambling Commission which states that “It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence” and that “Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully”.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage;
- or
- which is in the authority's opinion reflect a change in the operator's circumstances.

This authority has noted the Gambling Commission's Guidance that "A licensing authority should not take into account irrelevant matters...One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal".

10. **Reviews**

Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing principles.

The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

PART C

PERMITS / TEMPORARY AND OCCASIONAL USE NOTICE

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 para 7)

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues.' (24.6)

The Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application.licensing authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles

This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. **(Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))**

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, an applicant may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an Adult Entertainment Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. **Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))**

The Gambling Act 2005 states that a Licensing Authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

This licensing authority has not prepared a statement of principles. Should it decide to do so it will include details in a revised version of the policy statement.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. **Club Gaming and Club Machines Permits**

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The Commission Guidance also notes that: "Licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003.(Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;

- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.”

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. **Temporary Use Notices**

There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

6. **Occasional Use Notices**

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

Recommended delegation of functions

Matter to be dealt with	Full Council	Sub Committee of licensing committee	Officers
Three year licensing policy	x		
Policy not to permit casinos	x		
Fee setting (when appropriate)		x	
Application for premises licences		If a relevant representation made and not withdrawn	If no relevant representation made/representations have been withdrawn
Application to vary a licence		If a relevant representation made and not withdrawn	If no relevant representation made/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement		If a relevant representation made and not withdrawn	If no relevant representation made/representations have been withdrawn
Review of a premises licence		x	
Applications for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/ club machine permits		x	
Applications for other permits			x
Cancellation of licensed gaming machine permits			x
Consideration of temporary use notice			x
Decision to give counter Notice to a temp. use notice		x	

CABINET MEMBER FOR NEIGHBOURHOODS
Monday, 18th September, 2006

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

Apologies for absence were received from Councillors Hall and P. A. Russell.

92. BLACK AND MINORITY ETHNIC HOUSING STRATEGY AND ACTION PLAN 2006-08

The Equalities and Diversity Officer submitted the Black and Minority Ethnic (BME) Housing Strategy and Action Plan which had been developed in partnership with customers and stakeholders. The aim was to ensure that people from BME communities had access to suitable, appropriate and affordable housing.

The process of compiling the Strategy had provided a foundation for consultation with stakeholders, interested parties and community groups from BME communities in Rotherham. It set out what Neighbourhoods and its partner organisations were seeking to achieve in terms of race equality in Rotherham. It had helped to:-

- Provide a framework for tackling racial discrimination and disadvantage
- Provide clarity to the Authority, its partners and service users on what they were seeking to achieve in the field of race equality
- Demonstrate to BME communities the Authority's commitment to race equality
- Set out a number of measurable objectives and performance targets that could be monitored in order to determine how far progress had been made;
- Set up performance management framework and monitoring systems to identify customers in terms of ethnicity, age, disability and gender
- Deliver training around Equality and Diversity and Cultural Awareness.

This was Rotherham's first BME's Housing Strategy and would evolve and develop over time in response to the changing needs of BME communities.

Discussion ensued on the need for clear outcomes on how success of the Strategy could be measured.

Resolved:- (1) That the BME Housing Strategy Action Plan update be noted.

(2) That a further report in 1 month demonstrating how the linkages

would be made.

93. SAFER NEIGHBOURHOOD TEAMS UPDATE

The Safer Neighbourhoods Teams Manager submitted a report on the development of the Safer Neighbourhoods Governance structure and the implementation and outcomes of the Safer Neighbourhood Teams. The report explained the pivotal role of Neighbourhood Policing within community safety and why neighbourhoods could not be delivered in isolation.

The report highlighted the many successes brought by relationships with multi-agency teams. Feedback from all those involved in SNT's was that the biggest success was the way in which the smaller everyday problems were being resolved much quicker and more effectively.

The SNTs were seen to be the tactical delivery arm of the Safer Rotherham Partnership. They also assisted in achieving targets in the Borough's Community Safety Strategy and the Anti-Social Behaviour Strategy. The Teams were engaging with communities to provide:-

Access

- Dedicated to a specific geographic area, well know and locally accountable.
- The individual SNT had a designated telephone number. This was not an emergency number but was a facility to leave intelligence/information or to request a visit/call from a member of that particular SNT.
- They will be informed by the Central Information Unit (CIU) and the Joint Action Group (JAG)
- For the launch of SNT's at the Rotherham Show a package of marketing material had been designed. This would be replicated across the SNT areas.
- The joint briefings had been an excellent feature. This continued to strengthen with greater input from CIU.
- Police Inspectors, Neighbourhood Managers and SNT Manager had all attended Area Assemblies.

Influence

- The JAG provided a mechanism to analyse data on both strategic and tactical levels.
- The process sought to tackle issues through enforcement, intelligence development and prevention/partnership measures.
- The JAG had refocused its business and reduced its core representation.
- JAG had adopted a template which was National Intelligence Model compliant and was made up of intelligence and data put against identified priorities. The priorities were taken from the Community Safety Strategy, SRP and hotspots highlighted by the CIU.

- The CIU would support the JAG with recommendations and problem solving packages.

Intervention

- Introduction since April, 2006, of Neighbourhood Action Groups (NAGs) .
- Arising out of a Review Day in July, 2006, it was apparent that the priorities currently being worked against were out of date highlighting more work that was needed in developing the CIU. The CIU was now fully staffed and an action plan implemented.
- The CIU was made up of Council and South Yorkshire Police staff.

Answers

- The SNT's were operational in all 7 Area Assemblies.
- Favourable feedback had been received from all those involved and an ever growing recognition in the communities that partnership working was taking place.
- Each SNT had a comprehensive engagement plan which included Key Individual Networks.

Discussion ensued on the report. The following points were highlighted:-

- The good work of the SNTs was being recognised particularly by the 3 local Members of Parliament;
- There had to be a clear message that the SNT telephone number was not for emergencies;
- The need to inform local Ward Councillors if an exercise was to take place;
- The need for a relationship to be established by the SNTs and the new Area Partnership Managers.

Resolved:- (1) That the achievements of the Safer Neighbourhood teams be recognised as well as the Safer Neighbourhood Teams as a Neighbourhood Management signature project.

(2) That progress reports be submitted on a quarterly basis.

94. GAMBLING ACT 2005

Further to Minute No. 2 of 22nd May, 2006, the Neighbourhood Standards submitted a report on the consultation that had taken place.

A large number of stakeholders received a copy of the draft 'Statement of Licensing Principles' for comment. In some cases it was felt that 'focus groups' was the most appropriate way in which to engage members of the community. The wider community was engaged through the Citizen's Panel (Rotherham Reachout 14), a Town Centre stand on 27th June, a public notice in the Rotherham Advertiser, various press releases and by electronic consultation. All town centre Council reception areas were provided with details about the consultation process.

All the views of those that replied or engaged in the process have been assessed by the Licensing Manager and Licensing Solicitor and had been given the appropriate weight when determining the final policy document. The amendments to the 'Statement of Licensing Principles' were underlined in the document attached at Appendix D. Other public services, excluding Rotherham Reachout 14, were currently being assessed as they arrived and where applicable, the results had been/would be incorporated into the final document.

It was noted that the first date for submission of applications for a gambling premises licence or permit had been deferred for 3 months i.e. end of April, 2007.

Resolved:- (1) That the deferment for 3 months for the appointed day for the acceptance of advanced applications for gambling premises licences until the end of April, 2007, be noted.

(2) That the Statement of Licensing Principles and the amendments made be approved subject to further Regulations and Guidance being received in the interim which require the Statement to be further amended.

(3) That the Draft Statement of Licensing Policy be referred to the Sustainable Communities Scrutiny Panel, Cabinet and Council for final approval on 22nd November, 2006.

(4) That the Licensing Manager clarify the situation by means of a briefing note to the Cabinet Member for Neighbourhoods with regard to resolving potential conflict between the Planning and Licensing application regimes.

(5) That the 3 Local Members of Parliament be informed of comments that had arisen during the consultation exercise which were not within the scope of the Local Authority.

95. CONSULTATION ON THE UNDER AGE SALE OF TOBACCO

The Neighbourhood Standards Manager presented a report on the consultation being undertaken by the Department of Health on considerations to change the minimum age for the sale of tobacco to support the Government's commitment to control tobacco and influence reduction in preventable illness and premature death.

The Department of Health was inviting views on changing the minimum age of sale for tobacco and on sanctions against retailers for breaking the law. Suggestions were also welcomed on any other measures that might help reduce smoking amongst young people.

The consultation ran from 3rd July to 2nd October, 2006, and invited views

on the following:-

- continuing with the age limit of 16
- increasing the age limit to 17
- increasing the age limit to 18 in line with alcohol.

It was estimated that introducing an 18 year old sales threshold would reduce by half the number of sales to 11-15 year olds and reduce "consumption" by under 16s by 85 million cigarettes a year. Such a change in the age limit would also enable more effective enforcement with the age limit being in line with a number of other restricted goods e.g. fireworks, solvents.

The consultation also proposed that enforcement related activity remain the responsibility of local authority Trading Standards Services and identified the following options for sanctions against retailers:-

- A licensing system requiring potential licensees to apply for a local authority licence to sell tobacco with persistent offenders having their licence revoked
- The use of prohibition notices, underpinned by a Court Order, for repeat offenders to prevent them selling tobacco related products.

The use of Prohibition Notices rather than a licensing system was supported in that it would avoid bureaucracy and the accompanying regulatory burden on business and retailers. Furthermore, the use of fixed penalty notices, in line with other under age sales offences, should be considered. Such a scheme would be consistent with the Government's better regulation agenda and the drive within the Council's Regulatory Services towards advice led service provision.

The Children and Young People's Scrutiny Panel had considered the issue at its meeting on 8th September. They supported an increase in the age limit and wanted robust enforcement by way of a revised licensing scheme.

Resolved:- (1) That the proposal to increase the minimum age of tobacco sales to 18 years of age be supported.

(2) That a response to the Department of Health consultation be made representing the opinion arising from (1) above and informed of (4) below.

(3) That the consultation response also presents a reasoned "for and against" commentary for each of the potential regulatory approaches identified in the consultation document.

(4) That the issue be referred to the Youth Cabinet for discussion and forwarded to the Department of Health.

96. INCREASING CHOICE OF HOUSING OPTIONS FOR CUSTOMERS

SEEKING ACCOMMODATION - SUPPLEMENT

The Housing Options Co-ordinator presented a report on how Rotherham and its partner registered social landlords contributed to the Government's 5 year housing plan "Homes for All". The Government wanted to build on the existing Department for Communities and Local Government (DCLG) choice based letting target by developing on a regional or sub-regional basis and also supported and encouraged a housing options approach.

The DCLG was providing £4M over the period 2005-08 to support the development of regional and sub-regional Choice Based Letting schemes (CBL) in England by means of a bidding process. The DCLG would not fully fund schemes but would contribute up to 60% of the costs of developing regional CBL's at up to £100K per scheme.

"Homes for All" aimed to have in place nationwide choice by 2010. It also made clear that the Government was keen that CBL's should operate sub-regionally or regionally recognising that housing markets did not always follow local boundaries. The Government believed that for people to be able to make the right choice of housing for them, they must be given information and advice about all the housing options available to them, not just properties available through CBL's.

The second bidding round was currently underway with a requirement to submit bids no later than 29th September, 2006. Successful bids would be announced by the end of November with funding made available by the end of December, 2006.

There were significant challenges for Key Choices in educating customers about the new products, housing choices and regional/national opportunities. The Key Choices Property Shop would be one of several methods used to raise awareness and market new products. Key Choices would act as a vehicle linking who were in housing need with accommodation choices across all tenures.

RSL'S were keen to join up sub-regionally rather than in isolation with each individual authority. The benefit was that there was one simple process for advertising and customer access providing efficiency savings for all partners.

The sub-regional CGL would initially comprise 2 local authorities, Sheffield and Rotherham. Whilst both Barnsley and Doncaster were keen to participate, they had deferred their involvement for a year due to other commitments. The DCLG had indicated that the bid should still be submitted due to the strong commitment from RSL's in the region.

Discussion ensued with the following points highlighted:-

- Insufficient properties in Rotherham;
- Wait until Barnsley and Doncaster were in a position to join;

- Historically Rotherham exported more people than it imported;
- It would enable other housing stock to be accessed;
- Maximise the affordable housing in Rotherham.

Resolved:- (1) That the proposal to develop a sub-regional choice based letting register be not supported.

(2) That the proposals for a single waiting list, in co-operation with Housing Associations operating within Rotherham, be developed.

(3) That further improvements to the Key Choices website be made.

97. ENABLING DECENT HOUSING IN THE PRIVATE SECTOR - PRIVATE SECTOR INTERVENTION

The Housing Solutions Officer submitted a progress report on the development of new tools to help address private sector non-decency for vulnerable households.

Estimates suggested the number of dwellings in the private sector that required work to meet the Government's decency target for vulnerable households was 2,360 at a cost of £9.5M. An understanding was required of where private sector non-decency was an issue for vulnerable households and the underlying causes or barriers to improvement and resources targeted accordingly. This may mean that some private sector intervention tools were trialled in 2006/07 and extended in 2007/08.

A multi-disciplinary Private Sector Renewal Working Group had been established to develop and evaluate the following:-

Home Appreciation Loans
Relocation Appreciation Loans
Extending ROBOND Loan Scheme
Empty Property Portfolio
Extending Handyperson Schemes
Affordable Warmth Promotion
Building Research Establishment Study
Thermographic Imaging

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

(2) That the priorities and intervention areas identified be supported.

(3) That further reports on the detailed frameworks be submitted as they are developed for each new tool.

(4) That the formation of the private sector renewal group to steer the development of new tools for vulnerable households be noted.

98. ROTHERHAM STAY PUT (HOME IMPROVEMENT AGENCY) ANNUAL

REVIEW

The Acting Regional Manager of Yorkshire Housing Foundation presented a progress and performance report relating to Rotherham Stay Put Home Improvement Agency (HIA).

Despite some initial delays, Rotherham Stay Put had succeeded in meeting all its obligations and nearly all the provisional performance targets required in the joint Neighbourhoods and Social Services SLA. Appendix 1 set out performance information on the services provided during 2005/06 under the Agreement.

In July, 2004, the Cabinet Member agreed to support match funding for the project for 2005/06 with a commitment to provide continued support as the Agency developed (Minute No. 49 30th July, 2004, refers). Additional funding was also provided in partnership with Social Services and Supporting People.

For the funding provided, it currently provides the following services:-

- Advice
- Financial Assistance
- Administration
- Technical Assistance
- Monitoring
- Support

Match funding would need to be secured for 2007/08 and each subsequent year beyond in order for the HIA to continue to develop its range of services.

It was noted that Rotherham Stay Put was currently working towards developing appropriate services to vulnerable people in Rotherham. Development of a Home Safety Service or Handyperson Service would provide the Home Improvement Agency with tangible services to offer and would provide significant outcome improvements.

Resolved:- That the report be noted.

99. PETITION - PEVERIL CLOSE, KIVETON PARK

Further to Minute No. 51 of 5th July, 2006, the Rother Valley South Neighbourhood Manager submitted an update on the present position with regard to the recently submitted petition.

The Rother Valley South Neighbourhood Champions had made visits to 36 signatories on the petition to discuss their concerns regarding the anti-social behaviour and harassment. Monitoring sheets were offered and provided as further evidence was required. Investigations had revealed that incidents had happened over the previous 2 years. No complaints

had been received by the Police or by the Neighbourhood Office.

The Neighbourhood Manager and Neighbourhood Champion had visited the alleged perpetrators where they were reminded of their obligation as tenants. They had also been reminded in writing of their Tenancy Agreement and of the action that could be taken to enforce their tenancy conditions if the problems persisted.

Since the investigation and subsequent actions, there had been an improvement in the behaviour of the alleged perpetrator. It was noted that the lead petitioner had been rehoused due to an earlier commitment made to the tenant as part of the regeneration policy.

Resolved:- That the action taken be noted.

100. CONFERENCE

Resolved:- That the Cabinet Member (or substitute) be authorised to attend the LGA/EST Conference "Your Council, Your Climate, Your Action" to be held in London on 28th November, 2006.

101. 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.

102. COMPLAINTS PANEL - 24TH AUGUST, 2006

It was noted that a Economic and Development Services Stage 3 Complaints Panel had been held on 24th August, 2006, that had cross cutting issues with Neighbourhoods. The complaint was with regard to works carried out as part of a regeneration scheme for the White Bear Estate, Wath upon Dearne (Phase 7).

The Panel had recommended that the Neighbourhood Champion write to the complainant offering alternative garage provision in the vicinity of the complainant's bungalow.

Resolved:- That the report be received and the recommendation stated above be approved.

(Exempt under Paragraph 1 of the Act – information likely to reveal identify of complainant)

103. GRANT OF A LOAN

The Service Development and Support Team Leader submitted a report

setting out the circumstances in which a disabled customer had suffered financial hardship as a result of an inaccuracy in a means test. It was proposed to resolve the issue by way of a secured loan upon the terms set out in Annex A of the report submitted.

The customer was in agreement with the proposed way forward to rectify the situation. The loan would be secured to protect the Council's interest. The loan would not have to be repaid until the customer either sold the property and at that time the amount repayable would be either based on the appreciation of value of the property, or on a simple interest rate basis, whichever was the lesser sum.

Resolved:- That the granting of a secured loan, on the terms set out in the report, be approved.

(Exempt under Paragraph 1 of the Act – information likely to reveal the identity of the individual)

104. GARAGE SITES IMPROVEMENT PROGRAMME

In accordance with Minute No. 239 of 8th May, 2006, the Pathfinder Programme Manager submitted a further report on the above.

A database of existing garage sites and garage plot sites had been completed and sites assessed as to their sustainability following consultation and classified using a 'traffic lighting' system. The database had informed the development of a Garage Site Investment Programme to sustainable sites, to be delivered by 2010, who had also completed inspections to garage sites to inform investment needs and planning. Work schedules had been developed to deliver a programme of investment re-commencing this financial year with an anticipated duration of 5 years to run until 2011.

2010 had also further investigated issues with regard to the management and administration of the garage waiting list and had presented comments and recommendations for improvements.

An addendum to the report outlined the issue of individual requests received from existing garage tenants to purchase the garages they rented. In the past there had been a number of ad hoc sales with decisions being made on the individual merits of each case.

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

(2) That the proposed investment programme be noted and approved.

(3) That the proposed decommissioning of unsustainable sites be approved subject to (4) below.

(4) That visits take place with Ward Members to unsustainable sites with

comments being received within 1 month. Objection(s) to any of the proposed the decommissioned sites should be submitted to the Cabinet Member of Neighbourhoods.

(5) That 2010's proposals for service improvement be incorporated into the Service Improvement Plan.

(6) That a formal request be made to 2010 to provide work programme and costs for development and delivery of the Service Improvement Plan.

(7) That a further report be submitted by 2010 detailing progress on the delivery of the Investment Programme.

(8) That a proposed Policy for the allocation of garages be submitted within 2 months.

(9) That the Head of Community Housing Services consider any applications received from tenants for the purchase of garages provided that the footprint would not allow for the development of another property

(10) That a report be submitted in 12 months' time on the number of garages sold.

(Exempt under Paragraph 3 of the Act – contains financial information)

(THE CHAIR AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM TO ENABLE THE MATTER TO BE PROCESSED.)

105. PUBLIC SECTOR APPLICATION EXCEEDING DELEGATED POWERS

The Service Development and Support Team Leader submitted an application for Disabled Facilities Adaptation (public sector) for consideration.

Resolved:- (1) That application No. 20095 be approved in the sum of £39,760.04 subject to investigation of the ability to extend into the adjoining property.

(2) That the works are carried out:-

(a) substantially in accordance with plans and specifications submitted by the Head of Neighbourhood Services;

(b) within a period of 12 months of the application being approved.

(3) That a joint meeting be held with the Cabinet Member of Adult Services to consider an annual report on the number of adaptations carried out, the nature of the works and financial comparisons with other authorities.

(Exempt under Paragraph 2 of the Act – information likely to reveal the identity of applicant)

CABINET MEMBER FOR NEIGHBOURHOODS
Monday, 2nd October, 2006

Present:- Councillor Ellis (in the Chair); Councillors Kaye, Barron and P. A. Russell (Sustainable Communities Scrutiny Panel).

Apologies for absence were received from Councillors N. Hamilton and Hall.

106. FIRST QUARTER PERFORMANCE 2006/07

The Performance Champion submitted a report outlining the Key Performance Indicator results and efficiency projections for the first quarter of 2006/07.

At the end of the first quarter, 39 (81%) of Key Performance Indicators were on track to achieve their year end targets. This compared to 84% achievement last year. The Indicators not currently on target were:-

2010 Rotherham Ltd.

- % Planned/Responsive repairs (revenue) expenditure
- Tenant satisfaction with the landlord service
- Tenant satisfaction with opportunities for decision making

Neighbourhood Services

- Kg's waste collected per head
- Violent crime
- Vehicle crime
- Number of reported LGBT incidents
- Acts of violence against licensed premises

Community Housing Services

- % change in families in temporary accommodation

The Council was currently reviewing its monitoring arrangements that it had with the ALMO to draw upon the latest best practice and to reflect the recommendations of the Audit Commission inspection. The ALMO had now appointed a Performance and Service Improvement Manager.

During quarter 1, a team of auditors from KPMG conducted data quality audits of the outturn figures for 10 CPA Indicators. The auditors found no issues and paid compliment on the tight controls that were in place to ensure data quality with the ALMO. Due to the robustness of the audits, KPMG had made a number of good practice recommendations.

Discussion ensued on the report. The following points were highlighted:-

- A meeting had been held with 2010's Director of Investment in respect of planned and responsive repairs. An issue to be raised at

- the forthcoming liaison meeting.
- A quarterly tracking report had been activated consulting tenants as to their satisfaction levels. This would enable the Almo to respond to the tenants.
- There was a Charter Mark assessment health check in October, 2006.

Resolved:- That the progress made and successful annual audit of the 2005/06 CPA Indicators be noted.

107. HOME APPRECIATION LOANS

Further to Minute No. 97 of 18th September, 2006, the Housing Solutions Officer submitted proposals to implement a Home Appreciation Loan Scheme (HALS) in conjunction with the Yorkshire and Humber Regional Home Loans Service. It also proposed an amendment of the Council's Private Sector Housing Policy to enable delivery.

On 14th November, 2005 (Minute No. 112 refers), participation in the Yorkshire and Humber Home Loans Scheme was deferred pending a further report on delivery mechanisms.

The interview function of the HALS was lengthy and significantly different in character to that of issuing grants. The interviewing officer would provide financial advice concerning the householders assets and it could be that an element of "selling" was involved. First rate training, documentation and knowledgeable back up and support was provided to all participating local authorities by Sheffield City Council who ran the scheme on behalf of all the named authorities.

For the HALS to become operative, it would be necessary to identify officers to undertake the interviewing function. Following consultation with the Agency and Grants Team, the preferred short term option was to engage the Yorkshire Housing Foundation to undertake the interview function. This would afford the Council a seamless service as part of functions already carried out within the 2005/07 contract between the Council and the Foundation. However, the need for a separate HALS Service Level Agreement, linked to the existing contract, was a required of Financial Services Act rules.

The 2003 Private Sector Housing Policy had a key objective of steering households away from grants and towards loans. The proposed Policy on loans, amending the existing Policy, was set out in Appendix 1 and would be incorporated in the 2003 Private Sector Housing Assistance Policy. Eligibility criteria had been agreed with other local authorities participating in the HALS. The Council's eligibility criteria for equity release loans was highly restrictive and only allowed homeowners over the age of 75 to participate. It was proposed that the criteria include 'vulnerable persons' as defined by the DCLG.

For the scheme to become operative, the Council must enter into a legal agreement with Sheffield City Council. Legal Services had been consulted and were satisfied that the Council had the power to enter into such an agreement in order that HALS could be administered by the Yorkshire and Humber Home Loans Service.

£3.1M of RHB monies had been allocated to the scheme for 2006-08, apportioned on the level of private sector non-decency assessed within each local authority boundary. Accordingly £207,375.69 of the Regional Pot had been allocated to Rotherham for that period. In addition, £100,000 HMR funding had been allocated for 2007-08.

Discussion ensued on the proposal. The following issues were highlighted:-

- The Policy had strict guidelines and eligibility criteria. There was good information which would enable people to make their own judgement.
- It could be used in cases of aids and adaptations where the Council paid the mandatory £25,000 and the applicant had a loan for the remainder.
- The interview would also include any possible inheritors of the property and not just the applicant.
- The review of the strategic and enabling role would be completed shortly.

Resolved:- (1) That the intention to deliver a Home Appreciation Loans Scheme, in line with the 2005-07 Service Level Agreement between Rotherham Borough Council and the Yorkshire Housing Foundation, on a pilot basis to 31st March, 2007, be noted.

(2) That the creation of an additional Service Level Agreement with the Yorkshire Housing Foundation to cover the interviewing function of the Home Appreciation Loan Scheme on a pilot basis to 31st March, 2007, be approved.

(3) That the Cabinet be requested to refer to Council the delegation of powers to the Head of Neighbourhood Development to sign and deliver a delegation agreement so that sub-regional administration of the Home Appreciation Loan Scheme could be enabled.

(4) That the extended 2003 Private Sector Housing Assistance Policy relating to loan assistance and loan support grant set out in Appendix 1 be approved and advertised in line with the Regulatory Reform Order 2002, subject to any comments by the Sustainable Communities Scrutiny Panel.

(5) That loan assistance and loan support grant be approved and advertised in line with the Regulatory Reform Order 2002.

(6) That a senior officer be nominated for the purpose of varying the amount of loan to be repaid should it be proven that hardship would otherwise ensue.

(7) That discussions take place with Legal Services to ascertain the possibility of including a clause that Sheffield City Council would be liable if any mistakes occurred in their capacity as administrator of the scheme.

(8) That a report be submitted at the end of the pilot including feedback from those that had taken advantage of a loan as to their experience.

108. HOMELESSNESS STRATEGY 2003-08 (REFRESH) CURRENT PROGRESS AGAINST ACTION PLAN

The Housing Needs Co-ordinator submitted a report detailing a refresh to the work required to achieve the following 3 strategic objectives set out in the Homelessness Strategy:-

Objective 1 - To reduce homelessness through appropriate prevention measures

- The implementation of the 'Key Choices' choice based lettings scheme (CBL) had had a positive impact on the Homelessness Strategy
- Neighbourhoods would expand and deliver the cross tenure CBL from the Key Choices Property Shop which would include the provision of information about all housing options via a revised Personal Housing Plan.
- Housing options will include Council and RSL accommodation, private rented properties that were part of the new "Rotherham Quality Landlord" accreditation scheme, Home Buy, shared ownership, promotion of the new Town Centre Living Strategy and a sub-regional choice based letting scheme. Other initiatives included the development of a mutual exchange database, a single application form and a common housing register.
- Homelessness prevention work with vulnerable groups
- Provision of information to vulnerable groups

Objective 2 - To ensure appropriate accommodation and support services are available

- Review of the allocation scheme by December, 2006. Objective – to produce a streamlined lettings policy that was aligned to Key Choices making better use of existing stock to reduce under occupation.
- Review of the RSL nomination agreements which will encourage RSL's to participate fully in Key Choices by offering 100% of their stock through the advertising process.
- Increase provision of furnished accommodation by 100 units per year.
- Assist people to live independently by increasing awareness of the Home Improvement Agency. 'Rotherham Stay Put' undertook

weekly drop-in sessions at Key Choices.

Objective 3 - To improve information and service quality.

- Implement a customer satisfaction survey for homelessness cases.
- Investigate homelessness cases to consistently high standards.
- Provide information leaflets, service standards and posts that provide detailed information for customers who where homeless or threatened with homelessness.

A Service restructure would be undertaken in 2006-7 to streamline Community Housing Services.

Resource availability must be considered and, if a shortfall was identified, priorities and timing within the Action Plan would need to be re-established to ensure actions were not started unless funding was available.

Resolved:- That the report and action plan be noted.

109. FRAMEWORK FOR A NEEDS ASSESSMENT FOR GYPSIES AND TRAVELLERS

The Housing Needs Co-ordinator submitted a report outlining proposals to develop and implement a needs assessment framework for gypsies and travellers within Rotherham.

Gypsies and travellers had an increasing public profile nationally and locally. They comprised a number of separate groups including gypsies (people of Romany descent), New Age Travellers, Show and Circus people and Bargees. All had different economic, social, cultural and lifestyle characteristics. There was limited knowledge of the number of gypsies and travellers in the Rotherham Borough.

A Local Government Association report has been launched by local authority Leaders calling for new measures to put an end to 4,232 unauthorised sites. They believed that by providing gypsies and travellers with sufficient authorised sites, the spread of unauthorised encampments would be stopped and relationships between gypsies and travellers and host communities would be improved.

Once located on authorised sites, local authorities could ensure that gypsies and travellers paid Council Tax for the services they used. The new measures outlined in the LGA report included:-

- Provision of sufficient suitable sites for the 4,232 caravans currently on unauthorised sites or unauthorised developments;
- Ensure all gypsies and travellers paid Council Tax.
- Limiting potential environmental damage by providing waste and recycling, sanitation and other services which must be paid for by the gypsies and travellers using them.

- Dealing effectively with any problem sites or individuals including measures to deal with Anti-Social Behaviour issues.
- Issuing Orders and using Police Powers where necessary.
- Establishing temporary stopping sites and issuing annual licences to gypsies and travellers who wanted to use them.

Rotherham had no official site and many gypsies and travellers only lived here temporarily or on a seasonal basis.

The purpose of the Assessment Framework was to ensure that all members of Rotherham's gypsies and travellers communities received services that met their needs whilst not conflicting with the rights and needs of the resident and other transient communities. The Framework was aimed at not only those currently living in Rotherham but those in transit through the Borough from time to time.

The Government's policies on gypsies and travellers accommodation and enforcement were set within the Framework of rights and responsibilities. It would provide advice on completion of an 'Assessment of the Accommodation Needs of Gypsies and Travellers'.

It was noted that a meeting was to be convened of the Cabinet Members for Community Cohesion, Economic Regeneration and Development Services and Neighbourhoods to discuss issue with regard to the Local Development Framework.

Resolved:- (1) That a needs assessment framework for gypsies and travellers be adopted in Rotherham.

(2) That needs assessments be undertaken on all identified gypsies and travellers in the Borough, on roadside encampments, transit sites and settled communities.

110. AUTHORITIES MANAGING POWER (AMP)

The Head of Community Housing submitted a report setting out reasons for the redemption of the Council's 'Golden Share' in the Authorities Managing Power (AMP) Energy Services Company (ESCO) scheme set up by the Northern Consortium of Housing Authorities.

The original objective of the company was to buy gas and electricity on the market and re-sell it to tenants under the AMP Trust. However, the Trust had been unable to achieve this and a meeting of the Northern Housing Consortium Board of Management held on 5th April, 2006, consideration was given to the future of the Trust and the funds it holds.

The decision had been made that the AMP Trust should therefore cease to function in its current state and that AMP Golden Share Holders be offered the opportunity to redeem their investment.

The redeemable amount would, as originally agreed, by 80% of the initial sum invested. Rotherham had invested £100,000 in the project and would therefore receive back £80,000 payable to the Housing Revenue Account.

Resolved:- That the redemption of the Council's Golden Share in the 'Authorities Managing Power' (AMP) Energy Services Company be approved.

111. 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 Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any person (including the Council))

112. NON-TRADITIONAL PROPERTIES - OPTIONS APPRAISAL

This item was withdrawn from the agenda.

SUSTAINABLE COMMUNITIES SCRUTINY PANEL**Thursday, 21st September, 2006**

Present:- Councillor Hall (in the Chair); Councillors Atkin, Burke, Cutts, Goulty, Havenhand, Hodgkiss, Nightingale, Robinson, P. A. Russell, Walker, Whysall and F. Wright. together with Mr. J. Carr (National Society for Clean Air), Hiliary Cahill (Tenants Paenl representative) and Inspector Jon Nottingham (Community Safety)

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

Apologies for absence were received from Councillors Lee and McNeely.

38. COMMUNICATIONS

The Chairman reported the following:-

Congratulations to Councillors P. and R. Russell on their forthcoming 40th wedding anniversary.

Welcome to Inspector Jon Nottingham to his first meeting of the Scrutiny Panel.

Resolved:- That the Panel's best wishes be conveyed to Bob Crosby, Head of Neighbourhood Services.

39. DECLARATIONS OF INTEREST.

There were no declarations of interest made at the meeting.

40. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS.

The member of the public present did not wish to ask any questions at the meeting

41. CONFERENCE

Resolved:- That Councillor Burke be nominated to attend the LARAC Conference 2006 "Winning initiatives to raise participation and boost recycling rates" to be held at the Bournemouth International Centre 15th-16th November, 2006.

42. YEAR END PERFORMANCE 2005/06

John Mansergh, Performance Champion, presented a report outlining the audited Key Performance Indicator results for 2005/06 and performance against Neighbourhood's contribution towards the Council's Annual Efficiency Statement 2005/06.

A powerpoint presentation was also given as follows:-

Good News Stories

- Rent collection rates up on last year
- Decent Homes delivery on target
- Repairs completed more quickly and at a time suitable for tenants
- Re-let times now best in the country
- No families placed in bed and breakfast
- Amongst top performance in the country for preventing repeat homeless applications
- High quality Waste Management service

Areas for ImprovementIssue

Composting – performance slightly down.

Action

Alternate week collection approved by Members on 5th July, 2006

Issue

Too much use of temporary accommodation

Action

Allocations Policy revised by Members on 5th July, 2006

Issue

Tenants and Leaseholder satisfaction down

Action

Quality of consultation and effective delivery of Decent Homes work/maintenance schemes

Headlines

- 86% Performance Indicators hit target
- 3 years of continuous improvement
- £1M efficiency savings
- £1M worth of LPSA stretched targets achieved
- Data has been audited by KPMG
- Inspection findings reveal that the Council has performed strongly in performance management

Discussion ensued on the report and presentation. The following points were made in response to questions posed:-

- In accordance with Council Policy, there was temporary accommodation for homeless people which they stayed in temporarily and then moved onto secure accommodation as soon as possible.
- Bed and breakfast accommodation was not used as there was a range of alternative accommodation available ranging from crash pads for young people to other temporary accommodation some of which were managed by 2010 and some by other agencies.
- The criteria for “homeless” was set by the Government.

- As part of the Decent Homes work, those properties that required a bathroom upgrade, 2010 had been asked to give residents the choice of a step-in shower in place of a bath. A walk-in shower was a specific adaptation and required an assessment by an Occupational Therapist.
- Performance against the 106 Agreement was measured by Economic and Development Services.
- The temporary Allocation Policy change (75/25 split) was being monitored, a report would be submitted, as to whether it had achieved its aim. Consideration would also be given as to whether the 50/50 split was still appropriate.
- There was a drop in green waste collected during the winter months. Now both thin and thick cardboard could be disposed of in the green bins, the tonnage of which would be monitored. 50,000 households would have green bins this year. By 2008 all the Borough would have them.
- Blue Bags for glass and cans were available for those who had problems lifting the Blue Boxes.
- The automated rent system was a time saving operation. It was very clear in the Policy, that should a tenant experience problems with payments and had made an approach to 2010, their request should be treated with sympathy.
- Since the transfer to 2010, the ratio of 60% programmed to 40% responsive repairs had reversed as they had suspended the maintenance programme last year. 2010's Asset Management Strategy included plans to significantly raise the % split.
- 2010 worked to a high service user standard developed in response to what customers said they wanted. There was great emphasis on the gardens/outside areas of properties as well as inside.
- 2010 has been informed that where rewiring was required, it should be upgraded to a level that would allow it to take assisted technology such as a security alarm system. They had also been encouraged to investigate the provision of an alarm system that the resident could pay for over a set period.

Resolved:- (1) That the track record of improvement, progress against efficiency actions and data quality work within the Neighbourhoods' Directorate be noted.

(2) That in future performance information should show the comparative performance statistics from the previous year and the direction of travel for the Service.

(3) That the Temporary Accommodation Policy be submitted to a future meeting.

43. HIGHWAY ASSET MANAGEMENT PLAN - SERVICE LEVEL MATRIX AND UPDATE ON PROGRESS

Bob Stock, Network Principal Engineer, Streetpride, presented a report on

the methodology proposed for the continued development of Highways Asset Management Planning and gave a general update on progress.

Work had been undertaken with officers from Sheffield, Barnsley and Doncaster towards a parallel development of Highway Asset Management Plans in South Yorkshire. The documents would broadly follow the generic asset management system outlined in the County Surveyors' Society Framework document but the approach to defining levels of service and identification of resultant performance gaps was being based on guidance from TRL. The recent guidance suggested that authorities initially determine a broad set of levels of service with regard to defining service levels categorised as:-

Minimum – core services (safety/statutory)

Fair – safe and serviceable

Good – safe and serviceable improving towards sustainable service within 3-5 years

Excellent – safe, serviceable and sustainable.

Discussion ensued on the report. The following points were raised:-

- There were regular patrols around the Town Centre and Fixed Penalty Notices issued for the dropping of litter. There was a project commissioned currently in conjunction with businesses to introduce an award type scheme in terms of their contribution to making the areas around their shops cleaner.
- The hazard which advance road signs were causing around the Parkgate areas for disabled wheelchair users.
- If a number of paving stones were broken to a substantial level no repairs would be undertaken; they would be removed and a substitute laid.
- The Wardens were working with Rotherham College in terms of a pro active campaign of keeping the streets clean.

Resolved:- That the report be noted.

44. CABINET MEMBER FOR NEIGHBOURHOODS

The Panel noted the decisions made under delegated powers by the Cabinet Member for Neighbourhoods held on 5th, 17th and 20th July and 4th September, 2006.

Resolved:- That the revised Tenants' Participation Compact be submitted to the October meeting of this Scrutiny Panel.

45. VISIT TO SAFER NEIGHBOURHOOD TEAMS

Sioned-Mair Richards, Scrutiny Adviser, submitted a note of the Scrutiny visit to Wentworth North Safer Neighbourhood Team (SNT) and Neighbourhood Action Group (NAG) on 6th September, 2006, attended by

Councillors Hall, McNeely, P. Russell, R. Russell and Turner, Mr. B. Walker and Inspector Jon Nottingham.

Discussion ensued on the report and on the work of SNTs and NAGs in general. The following points were raised:-

- The Area Assembly Chair was invited to NAG meetings.
- Reports of anti-social behaviour, racism etc. were discussed at the meetings in great detail collectively with local authority officers and police officers with officers being tasked with action and to report back to the next meeting.
- A half day workshop was to be held for Area Assembly Chairs to discuss confidential issues and what could be included in the public domain and with partners.
- There had been a decision for a “soft” launch of SNTs and as a result many would be unaware of them. Janet Greenwood was looking at a communications plan of which part was a leaflet which would be distributed in communities showing specific activities

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

(2) That an update on the work of the Safer Neighbourhood Teams be submitted to this Scrutiny Panel.

(3) That Janet Greenwood, Safer Neighbourhood Team Manager, be thanked for organising the visit.

(4) That there should be quarterly visits to SNT meetings in different parts of the Borough by Scrutiny Members.

46. SUSTAINABLE COMMUNITIES SCRUTINY PANEL

The minutes of the meeting held on 13th July, 2006, were noted.

47. PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE

The minutes of meetings held on 30th June, 14th and 28th July and 22nd August, 2006, were noted.

48. RECYCLING GROUP

The minutes of the meetings of the Recycling Group held on 11th July, 2006, attended by Councillors Ellis (in the Chair), Austen Littleboy, Senior and Walker, were noted.

49. SUSTAINABLE DEVELOPMENT ACTION GROUP

The minutes of meetings of the Sustainable Development Action Group held on 14th July and 1st September, 2006, attended by Councillors Walker (in the Chair) and Jackson and Hussain (in the Chair), Akhtar,

Gosling and Hall, respectively, were noted.

Resolved:- That a letter of congratulations be sent to Paul Spriggs, Rotherham Ranger, and the young people involved for their hard work in achieving the recent award.

50. ASYLUM SEEKERS WORKING PARTY

The minutes of the meeting of the Asylum Seekers Working Party held on 26th July, 2006, attended by Councillors Sharman (in the Chair) and St. John were noted.

51. RMBC NON-TRADITIONAL PROPERTIES OPTION APPRAISAL

Chris Brown, Regeneration Programme Manager, presented a report outlining the option appraisal process being carried out by the Council on the non-traditional properties within its ownership.

2010 Rotherham Ltd. was delivering Decent Homes to most Council properties over the next few years. Some were currently not in the Investment Programme in particular non-traditional properties (751) and miscellaneous properties (281). The Housing Market Renewal Team on behalf of Neighbourhoods was conducting an option appraisal of non-traditional properties supported by 2010.

The Council's approach to the option appraisal would consist of 2 elements:-

- Survey of structure (life expectancy) and survey of Decent Homes needs in order to establish the investment costs per property type and per estate or housing cluster;
- Sustainability assessment

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

(2) That the completed option appraisal be submitted to this Scrutiny Panel.

52. 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to the financial or business affairs of any person (including the Council)).

53. UPDATE ON INSPECTION OF ALL GAS APPLIANCES

Further to Minute No. 24 of 16th June, 2006, the Mechanical and Electrical

Services Manager, 2010 Rotherham Ltd., submitted a report updating the progress made with regard to the above.

It was noted that the remaining properties with the installed appliances and no pre-payment meter, would be programmed to be renewed within 2010 Rotherham Ltd.'s Decent Homes Programme. They had also been placed on the Council's risk register with the respective action points. Every Council property containing a domestic gas meter would have an awareness notice attached to it through the annual gas safety check programme.

Resolved:- (1) That a full investigation be undertaken of all properties identified as having potential for dangerous occurrences.

(2) That necessary remedial actions be taken wherever required.

(3) That a full report on findings and any further actions recommended to be submitted to this Scrutiny Panel.

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
Friday, 15th September, 2006

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

Also in attendance were Councillors Wardle (Cabinet Member, Finance and Corporate Services) for item 65 below and Sangster (Chairman of the Audit Committee).

Apologies for absence were received from Councillors Clarke, Hall, P. A. Russell and R. S. Russell.

63. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

64. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from the public or the press.

65. BUDGET 2007/08 AND MEDIUM TERM FINANCIAL STRATEGY 2007-2010

Andrew Bedford, Executive Director of Finance gave a presentation in relation to the above.

The presentation covered:-

- Present Policies Budget.
- Draft Budget.
- Summary Statement of Expenditure.
- Indicative Cash Limit Budgets for the Council's Service Areas.
- Revenue Budget Process Timetable 2006/07.
- Budget Discussions in Scrutiny Panels.
- How is the 2007/08 Budget Round different to last year's?

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

- Importance of the release of resources medium term for priority development.
- Importance of base budget reviews and outcomes from the Our Future groups.
- Monitoring budgetary position.
- Adult Social Services.

- Corporate initiatives to drive through specific issues/priorities.
- Neighbourhood Renewal funding.
- Budget monitoring systems and improvement in non-financial systems providing the raw data.
- Area cost coding.
- Central Services budget.

Resolved:- That the information be noted and Andrew be thanked for his presentation.

66. PROCUREMENT UPDATE

Further to Minutes Nos. 143 and 21 of the meetings of this Committee held on 17th February and 16th June, 2006 respectively, Helen Leadley, Procurement Client Co-ordinator, presented the submitted second quarterly progress report on procurement activity since the implementation of the new Procurement Strategy in April, 2006.

The report covered:-

- Action plan for achieving the vision for leadership, management and capacity.
- Action plan for achieving the vision for partnering, collaboration and supplier management.
- Action plan for achieving the vision for systems that allow business to be done electronically.
- Action plan for achieving the vision for stimulating markets and achieving community benefits.

Helen highlighted the actions which were currently ranked as amber or red status.

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

- Learning from other Councils/organisations and need for good risk management systems in place to strengthen the Council's arrangements for managing high value/high risk procurement.
- Framework of policies to prevent fraud and corruption in procurement.

- Awaited Local Government White Paper as part of the review.
- Harmonisation of audit practices.
- Procurement Panel reporting arrangements and the Audit Committee.

Resolved:- (1) That the information and progress to date be noted.

(2) That discussions be held with Andrew Bedford regarding the need for, and viability of, relevant Procurement Panel reports being submitted to the Audit Committee.

(3) That, with regard to Action 3.05, the issue of harmonisation of accounting standards/audit practices be considered by the Audit Committee.

67. RBT PERFORMANCE UPDATE

Dave Lester, Business Development Director, R.B.T., presented, with the aid of powerpoint, the submitted report detailing the progress and performance of R.B.T. for the period April to June, 2006.

The report set out:-

- Service by Service Overview covering:-

Customer Services/Public Access.
H.R. and Payroll.
I.C.T.
Procurement.
Revenues and Benefits.

- Progress against Corporate Initiatives:-

Equalities.
Investors in People.
Consultation/Complaints.

The following highlights were outlined:-

- The preparation and ongoing support from R.B.T. right into the week of the corporate assessment and J.A.R.
- The launch during the period of "Our Future" and R.B.T.'s aim to support the process as fully as possible.
- Continued investment of B.T.'s resources in its business development capability in Rotherham such that the next three years of the contract were appropriately supported.

- Celebration of the success of the partnership which had been recognised formally by the M.J. awards as being the highest achieving private-public partnership in the country with four shortlistings and four commendations.

The following highlights of the last three months were outlined:-

- Implementation of the revised S.L.A.'s for Procurement and Human Resources and Payroll.
- Business Process Re-engineering, documentation of the as-is for the process to improve accuracy of pay.
- Opening of the Printing Help Desk improving the efficiency and flow of print work.
- Introduction of e-ordering through to e-invoicing on the first major suppliers.
- Procurement savings are on target with £539,000 achieved in Quarter 1.
- Self assessment for Revenues and Benefits submitted awaiting verification but confident of retaining 4*.
- Implementation of e-benefits.
- Planning and Building Services went live in the Civic Customer Services Centre in May, 2006.
- Swinton Customer Services Centre opened on schedule, demonstrating staff commitment in I.C.T. and Rotherham Connect.
- Centralisation of staff in the "recently" introduced Business Development Service.

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

- Underperformance regarding the S.L.A. in terms of the percentage of contracts of employment (excluding variations) issued within fifteen working days of receipt of all relevant and accurate information.
- Proof reading of documentation and external communications.
- Knowledge sharing/external business.
- Innovation issues.

- Lack of feedback from Councillors' Surgery System to elected Members.

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

(2) That a further report be submitted relating to the underperforming S.L.A. regarding the percentage of contracts of employment not issued within fifteen working days.

(3) That the proof reading issues be raised with Tracy Holmes, Head of Communications, and she be requested to give a future presentation to the Committee on external communications.

68. YORKSHIRE WATER AMENDED POLICY ON PUBLIC SEWER STATUS DETERMINATION (FORMER SECTION 24 PUBLIC SEWERS) & DEFRA REVIEW OF EXISTING SEWERS AND DRAINS IN ENGLAND AND WALES

Further to the Minutes Nos. 49 of the meeting of the Cabinet Member for Economic Regeneration and Development Services and B93 of the meeting of Cabinet held on 17th July and 6th September, 2006 respectively, the Committee considered a report relating to the above.

The report, presented by Graham Kaye, Section Engineer, Drainage Section, related to Yorkshire Water's policy regarding declassification of public sewers from public sewer records and raised awareness that D.E.F.R.A. was pursuing the possibility of the Water Companies maintaining private sewers, including those already declassified as public sewers, in accordance with the current D.E.F.F.A. Review of Existing Private Sewers and Drains in England and Wales.

Yorkshire Water had commenced the declassification of existing public sewers, known as Former Section 24 sewers under the Public Health Act, 1936 and had begun to remove all affected Section 24 sewers from their public sewer records.

It was estimated there were approximately 25,000 properties in Rotherham served by Section 24 sewers that were situated in Yorkshire Water's area and approximately 18,000 properties situation in Severn Trent Water's area of Rotherham. It was also estimated that approximately 7,500 properties were presently affected by the removal of the Section 24 sewers in Rotherham which were located within Yorkshire Water's area. At present Yorkshire Water had removed approximately 30% of the former Section 24 sewers in Rotherham from the public sewer records.

Details were given of the implications for the Council in terms of additional investigative work and increased annual costs. The increase in costs to the Council at present was estimated at £8,000 and this was likely to increase to approximately £25,000 per annum in the future until such time

that the current D.E.F.R.A. review was completed. Service, cost and legal implications for customers were also highlighted.

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

- Need to consult Health and Safety.
- Yorkshire Water's duty of care.
- Impact on public health.
- Responses received so far to concerns raised.
- "One Curtilage" theory.
- Recent meeting with Yorkshire Water.
- Position regarding declassification of Section 24 sewers.
- Review by D.E.F.R.A.
- Impending meeting between Director of Yorkshire Water and Leader of the Council.

The Committee expressed concerns regarding the developments and discussed how to pursue the issues raised.

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

(2) That this Committee supports that all avenues be pursued to address the issues this amended policy has raised at local, regional and national level as a result of the declassification and removal of public sewers from Yorkshire Water public sewer records and D.E.F.R.A. Review of Existing Public Sewers and Drains in England and Wales which was likely to have a significant impact on, and cost implication for, the people of Rotherham and the Council.

(3) That a one day scrutiny review be held in October/November, 2006. Such review to include:-

- Invite to the Chairs of Scrutiny in Barnsley, Doncaster and Sheffield Councils.
- Director of Public Health.
- Strategic Health Authority.
- Health and Safety representatives.
- Invitation to D.E.F.R.A.
- Water Companies.
- Members of the public

and consider issues relating to:-

7F PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE - 15/09/06

- Yorkshire Water's duty of care.
- Expunging of sewers from maps.
- Financial implications for the Authority and the public of Rotherham.

(4) That, with regard to (3) above, arrangements be planned and reported back to this Committee.

69. MINUTES

Resolved:- That the minutes of the meeting held on 22nd August, 2006 be approved as a correct record for signature by the Chairman.

70. WORK IN PROGRESS

Members of the Committee reported on the following issues:-

(a) Councillor G. A. Russell reported discussions on the following at the last Panel meeting:-

- Teenage Pregnancy in Rotherham – Confidentiality Issues.
- Protection of Young People from Sexual Exploitation.
- Consultation on the Under-Age Sale of Tobacco.

Reference was also made to the apparent lack of progress regarding consideration of the implementation of recommendations from the review of the effect of domestic violence on children.

Resolved:- (1) That officers prepare a feedback template in respect of the consideration of review recommendations.

(2) That the Chairman pursue this specific matter with Cabinet.

(b) Councillor Whelbourn reported that:-

- There was a joint meeting yesterday with the Regeneration Scrutiny Panel to receive a presentation on Objective 1.
- It had been agreed to commence the review of public engagement relating to the democratic process. Councillor Akhtar was to chair the review group.
- An update had been given regarding the progress on the integration of Parish and Town Councils into Neighbourhoods Management arrangements.

(c) Councillor Barron reported on a meeting that week with the Youth

Council and that a meeting was to be held later in the month with the Youth Cabinet.

(d) Councillor Boyes reported:-

- On discussions regarding the new leisure facilities.
- That the call-in regarding Christmas illuminations was to be the subject of a joint review chaired by Councillor Gosling.

(e) Councillor Stonebridge reported:-

- He was attending two meetings next week regarding the extended role of scrutiny linked to the draft Local Government White Paper.
- The L.S.P. review had started scooping.
- His unavailability, due to Corporate Assessment work, for the next two meetings.

Resolved:- That Councillor Whelbourn chair the forthcoming meetings of this Committee on Friday, 29th September and Friday, 20th October, 2006.

(f) Cath Saltis reported on the scrutiny self assessment progress and the views of co-optees and 'back bench' scrutiny members.

71. CALL-IN ISSUES

There were no formal call in requests.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted