

SUSTAINABLE COMMUNITIES SCRUTINY PANEL

**Venue: Town Hall, Moorgate
Street, Rotherham.**

Date: Thursday, 18 June 2009

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 for Absence
4. Declarations of Interest
5. Questions from members of the public and the press
6. Communications
- feedback from Councillor Atkin: APSE Seminar – Building Council Housing

FOR PRESENTATION

7. Housing and Neighbourhoods - Priorities for 2009/10 (Pages 1 - 8)
- presentation by Councillor Akhtar

FOR DECISION

8. Election to Outside Bodies (Page 9)

FOR MONITORING

9. Draft Work Programme 2009/10 (Pages 10 - 12)
10. Scrutiny Review of Void Turnaround Times (Pages 13 - 26)

FOR DISCUSSION

11. Implementation of the Smoke Free Legislation - Update (Pages 27 - 45)
12. Forward Plan of Key Decisions for Housing and Neighbourhoods (Pages 46 - 53)
13. Scrutiny Terms of Reference (Pages 54 - 63)

FOR INFORMATION

14. Cabinet Member for Housing and Neighbourhoods (Pages 64 - 74)
- minutes of meetings held on 20th April and 1st June, 2009

MINUTES FOR INFORMATION

15. Sustainable Communities Scrutiny Panel (Pages 75 - 84)
- minutes of meeting held on 16th April, 2009
16. Performance and Scrutiny Overview Committee (Pages 85 - 102)
- minutes of meeting held on 27th March, 17th and 28th April, 2009
17. Recycling Group (Pages 103 - 104)
- minutes of meeting held on 28th April, 2009

**Date of Next Meeting:-
Thursday, 16 July 2009**

Membership:-

Chairman – Councillor McNeely

Vice-Chairman – Councillor P. A. Russell

Councillors:-Atkin, Blair, Cutts, Falvey, Gamble, Havenhand, Hodgkiss, Lakin, Nightingale, Walker
and F. Wright

Co-optees:- Alex Armitage (Parish Councils), Bernadette Bartholomew (Parish Councils), Mr. J. Carr
(Environment Protection UK), Derek Corkell (RotherFed) and Andrew Roddison (RotherFed)



Cllr Jahangir Akhtar
Cabinet Member for Housing and
Neighbourhoods

**That Neighbourhoods are safe and
free from crime**

**Communities to help shape local
services**

**People have choice and equality of
access**

**Our Neighbourhoods are places to be
proud of**

The Best Customer Care in Town



Winners of the
Rotherham Business Award for Customer Care 2008

Key Areas of Responsibility

- **Neighbourhood Management**
- **Area Assemblies**
- **Strategic Housing e.g. Private sector housing investment/Statutory enforcement powers**
- **Housing Management (through 2010 Ltd)**
- **Homelessness**
- **Adaptations**
- **Sheltered Housing**
- **Building Council Housing**
- **Community Safety & Safer Neighbourhood Teams**
- **Regulatory Function e.g. Licensing & Trading Standards**

Achievements 08/09 (1)

- Achieved 4 out of 4 for Housing CPA Service Block
- ALMO achieved 2 Stars
- 100% KPI's hit year end target
- Achieved Customer Service Excellence
- Achieved Rotherham Business Customer Service Award
- Delivered 153 new affordable homes
- Successfully completed a major consultation '*Council Housing Directions – Have your Say*'
- Implementation of devolved budgets
- Introduction of PACTs
- Learning from the successful pilot of Intensive Neighbourhood Management (Chesterhill)

Achievements 08/09 (2)

- Levels of Crime and Disorder reduced by 12%
- Exceeded the LAA target for reduction of noise incidents
- Criminal damage reduced by 6.5%
- Increased attendance at Area Assemblies - hard to reach
- 7% reduction in Off Road Motor vehicle reports
- 53.5% increase in Domestic Abuse detections
- Re-open crematorium with Dignity – 35 year contract
- Achieved Pioneer Status for N'hood Crime & Disorder
- Hate Crime/Community Cohesion service was introduced
- Restorative Justice Scheme for young people was introduced
- Y & H Environmental Enforcement Group – Award commendation (Successful Fly Tipping Strategy)

Achievements 08/09 (3)

- Carried out the Council's Housing Register Review
- Introduced local lettings policy
- Reviewed the Council's tenancy agreement
- Halved the number of people in Temporary accommodation
- Successful CLG bid - Enhanced Housing Options trailblazer programme
- Delivered 610 major statutory home adaptations within budget
- Reviewed sheltered housing service
- Consultation events at 59 sheltered housing centres before introducing a new Charging Protocol
- Expanded the range of assistive technology available

The most difficult issues facing us in 2009/10

HRA Business Plan and Financial Management within the ALMO

Future of the ALMO

Resources for improving the quality of life within neighbourhoods

**Delivering major housing programmes such as affordable, PFI,
growth targets**

Perception of Crime and Disorder

The Year Ahead

- Review sheltered housing provision
- Build new Council Housing
- Introduce Intensive Neighbourhood Management arrangements in areas that would most benefit
- Learn from and evaluate devolved budget activity to roll out across all directorates
- Carry out a VFM study of Neighbourhood Services
- Drive up standards of housing management services
- Reduce the fear of crime
- Carry on the focus of customer service
 - its who we work for

SUSTAINABLE COMMUNITIES SCRUTINY PANEL
REPRESENTATION ON WORKING PARTIES/PANELS
2009/10

- | | | |
|----|-------------------------------------------------|---------------------------------------------------------|
| 1. | Health, Welfare and Safety Panel | Councillor P. A. Russell
Sub. Councillor Nightingale |
| 2. | Recycling Group | Councillor Atkin |
| 3. | Looked After Children Scrutiny Sub-Panel | Councillors McNeely and
P. A. Russell |
| 4. | Compact Monitoring Group | Councillor Walker |
| 5. | Members Sustainable Development Action
Group | Councillors Atkin and
McNeely |
| 6. | Members Training and Development Panel | Councillor McNeely |
| 7. | Churches Together | Councillor McNeely |

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1. Meeting:	SUSTAINABLE COMMUNITIES SCRUTINY PANEL
2. Date:	18TH JUNE 2009
3. Title:	WORK PROGRAMME 2009/10
4. Programme Area:	Chief Executive's

5. Summary

The panel is being asked to discuss issues which it might consider as suitable for review during the coming year.

6. Recommendations

- a. The Panel discusses the draft work programme and its priorities for the coming year;**
- b. The Panel identifies areas for review to be undertaken in the 2009-2010 municipal year.**

7. Proposals and Details

7.1 The current scrutiny plan has been informed by the corporate priorities agreed by the council, issues raised by elected members on behalf of the communities they serve and with reference to national agendas.

7.2 Each of the Council's Scrutiny Panels is required to develop a forward programme of work for the new Municipal Year. It is important that the forward programme decided by the Panel is realistic in terms of the scope and number of issues to be considered and relevant in terms of adding value to the work of the Council or in responding to the community. Scrutiny should be challenging if it is to be effective and a well thought out forward programme of work is important to enable this to happen.

However, it is not possible to be too specific at this stage on the precise nature of some issues for scrutiny and consequently the forward work programme will to some extent evolve during the course of the year.

7.3 Panel members and officers have been contacted for their views on issues to be discussed over the municipal year. An outline programme has been formulated reflecting these comments and incorporating those issues previously requested at panel meetings.

In addition to the issues raised by Members, quarterly monitoring meetings will be held to examine performance and budgetary issues relevant to the service areas. Issues emerging from inspections and monitoring of related themes in the Local Area Agreement will also be scheduled into the work programme. At present, the panel have not consider which issues they will be subject to more in-depth review.

7.4 During the last year Members have been involved in following reviews:

- Voids Turnaround
- Choice based Lettings – improving the service from a customer perspective.

These will be subject to monitoring during the year.

Issues identified for future scrutiny agendas include:

- Impact of the Allocation Policy (12 months on)
- Garage sites
- Fly tipping and enviro crime (including street littering)
- Future plans for the ALMO
- Licensing- exclusions
- Progress - intensive neighbourhood management
- Empty homes strategy and use of Empty Dwelling Management Order
- Fuel poverty
- Tenant empowerment
- Future of Council Housing
- Under-occupation of Council Housing

8. Finance

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

9. Risks and Uncertainties

The work programme must be realistic in terms of the capacity to properly examine issues that come before it. Issues may be referred to the Panel which are not known about at this stage.

10. Policy and Performance Agenda Implications

Corporate Plan

Community Strategy

All associated Scrutiny Reviews and progress reports

All associated Inspection's by outside bodies and recommendation outcomes.

11. Background Papers and Consultation

Scrutiny Services Annual Report & Forward Plan

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ROTHERHAM BOROUGH COUNCIL – REPORT

1. Meeting:	Sustainable Communities Scrutiny Panel
2. Date:	18th June 2009
3. Title:	Scrutiny review – Void Turnaround Times
4. Directorate:	Chief Executive's All wards

5. Summary

The report sets out the findings and recommendations of the scrutiny review into Void Turnaround Times. The report is attached as Appendix 1.

6. Recommendations

- a. That Members endorse the findings and recommendations of the report.**
- b. That the report is forwarded to Performance and Scrutiny Overview Committee (PSOC) for approval, and future submission to Cabinet.**
- c. That the response of Cabinet to the recommendations be fed back to this panel.**

7. Proposals and Details

The time taken to re-let void properties has been identified as a key concern for Members. Whilst performance is improving, it still falls below expected levels and with high demand for housing, it is important that properties are re-let on a timely basis to maximise housing options for tenants and Council revenue.

The scrutiny review was carried out using a Select Committee approach.

The review highlighted that the involvement of several different teams in the management of void properties leads to confusion about who is responsible for each stage of the process and a duplication of effort in some areas. Elected Members are not kept informed about void properties in their wards and local residents are frustrated when they see empty houses in their neighbourhoods that are not available to rent. The average time taken to re-let empty homes has reduced significantly over the last 12 months and 2010 Rotherham Ltd appear committed to making further improvements to the service. Their recent Empty Homes Review carried out at the same time as this scrutiny review in April 2009 identifies several areas for improvement which now need to be developed into a realistic plan for action.

2010 Rotherham Ltd's "Empty Homes Service Review" aims to map out the whole of the voids management process giving consideration to the deployment of resources, accountability, priorities, and benchmarking against other services. Unfortunately the Review was only made available on 15th April 2009 and therefore Members did not have time to digest the information before the scrutiny meeting on the 16th April.

The recommendations are detailed in section 1.6 of the review and include:

- **Considering the role of the Choice Based Lettings team in the Voids management process to avoid the duplication of effort around the screening of bids.**
- **Ensuring customers are better informed about how the Choice Based Lettings process works.**
- **Clarifying criteria regarding the provision of decorating vouchers and review the current allowance of £25 per room.**
- **Considering a Reward scheme to encourage tenants to leave properties in good condition in line with good practice demonstrated by high-performing ALMOs.**
- **Providing regular information to Elected Members on the void properties in their ward.**
- **When reporting on voids, officers to provide more detailed information about the empty properties to give a clearer picture of why they are empty and the financial implications.**

8. Finance

A number of the review recommendations may have financial implications if adopted. This would require further exploration by the Corporate Management Team on the cost, risks and benefits of their implementation.

9. Risks and Uncertainties

The recommendations aim to improve the process of managing void properties in order to minimise the amount of time that they are empty and provide a more effective service for tenants. Failure to improve the voids service will have a significant impact on the Housing Revenue Account through loss in rent and may also damage public perception of Rotherham 2010 Ltd and the Council.

10. Policy and Performance Agenda Implications

Performance on empty properties is measured by Local Performance Indicator (LPI) 212 which records how long it takes for an empty property to be re-let. The void turnaround time also impacts on other performance indicators, including: Rent loss through voids (LPI 69); Percentage of tenancies not lasting 12 months and Number of households living in temporary accommodation (NI 156).

11. Background Papers and Consultation

The report has been circulated to all agencies/individuals that participated in the review for their comments and to check for factual accuracy.

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RMBC Sustainable Communities Scrutiny Panel

Scrutiny Review into Void Turnaround Times

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1 / INTRODUCTION

1.1 Reason for the review

The time taken to re-let void properties has been identified as a key concern for Elected Members. Whilst performance is improving, it still falls below expected levels and with the high demand for housing, it is important that properties are re-let on a timely basis to maximise housing options for tenants and Council revenue. Failure to address this issue will have a significant impact on the Housing Revenue Account and may also damage public perception of Rotherham 2010 Ltd and the Council.

It was agreed that a scrutiny review would be carried out to consider the issue in more detail.

1.2 Aim of the review

To consider the current process for re-letting void properties and make recommendations for improvements in order to minimise the length of time that houses are empty and provide a more effective service for tenants.

The working group agreed the following terms of reference to define the scope of the review:-

- (a) To gain an understanding of the key issues affecting voids turnaround times including a clarification of how voids are classified;
- (b) To review the effectiveness and impact of procedures and actions which have already been put in place to improve performance;
- (c) To consider the financial impact of long term empty properties in the borough;
- (d) To consider good practice within the borough and from other local authorities in relation to void turnarounds;
- (e) To consider what further measures could be taken to reduce void turnaround times.

1.3 Scrutiny working group

The scrutiny working group for this review was comprised of the following scrutiny members:

- Cllr Rose McNeely (Chair)
- Cllr Jeb Nightingale
- Cllr Fred Wright
- Cllr Paul Lakin
- Cllr Alex Armitage – Parish Councils’ representative
- Andy Roddison – tenants’ representative

1.4 Methodology

The Scrutiny Panel decided to take a “Select committee approach” to this review meaning that it was completed within a short period of time so that there would be no delay in making the recommendations.

The scrutiny working group met twice to agree the terms of reference for the review, identify witnesses and look at the background information and good practice in other authorities. Meetings were also held with the Chief Executive of 2010 Rotherham Ltd, the Voids Manager and staff at Key Choices Property Shop. Key witnesses were invited to the Sustainable Communities Scrutiny Panel meeting on 16th April to give evidence and answer questions put forward by the Panel members.

1.5 Key Findings

The review highlighted that the involvement of several different teams in the management of void properties leads to confusion about who is responsible for each stage of the process and a duplication of effort in some areas. Elected Members are not routinely kept informed about void properties in their wards and local residents are frustrated when they see empty houses in their neighbourhoods that are not available to rent.

The average time taken to re-let empty homes has reduced significantly over the last 12 months and 2010 Rotherham Ltd appear committed to making further improvements to the service. Their recent Empty Homes Review carried out at the same time as this scrutiny review in April 2009 identifies several areas for improvement which have been incorporated into an action plan.

2010 Rotherham Ltd's "Empty Homes Service Review" aims to map out the whole of the voids management process giving consideration to the deployment of resources, accountability, priorities, and benchmarking against other services. Unfortunately the Review was only made available on 15th April and therefore Members did not have time to digest the information before the scrutiny meeting on the 16th April.

1.6 Recommendations

Having considered the available evidence, the scrutiny review group makes the following recommendations:

- 1. That improvements are made to the Choice Based Lettings process in line with the recommendations of the current Scrutiny Review.**
- 2. That the verification process is made more efficient by screening out ineligible bids at an earlier stage.**
- 3. That clear criteria are published about the circumstances in which decorating vouchers will be issued to new tenants and that the allowance of £25 per room is reviewed.**
- 4. That in line with good practice demonstrated by high-performing ALMOs, consideration is given to a Reward scheme to encourage tenants to leave properties in good condition.**
- 5. That information is provided to Elected Members on a regular basis on the void properties in their ward including reasons why a property is empty and when it is expected to be relet.**

6. That more detailed information is provided when reporting on voids to give a clearer picture of why properties are empty and the financial implications.
7. That action taken towards the recommendations of 2010 Rotherham Ltd's Empty Homes Service Review "Every Day Counts" (April 2009) be monitored and reported back to the Sustainable Communities Scrutiny Panel in due course.

2/ THE VOIDS PROCESS

2.1 What is classed as a void?

Voids are empty homes. They can be classed as VAVs "Voids Available" i.e. ready to be let (perhaps after minor repairs) or VUNs "Voids Unavailable" i.e. those that would require major works to bring them up to a lettable standard.

Currently the VUNs, which may include properties which have been empty for a long time because they are going to be demolished, are still classed as voids and count towards the figures for Local Performance Indicator 212 which looks at the average time taken to re-let a property. As soon as a void property ceases to be a void because it is let, the total number of days it was void is added to the figures. This means that if long-term voids are brought back into the housing stock, the figure for average re-let time could increase dramatically.

2.2 How many voids are there?

On 2nd June 2009 there were 379 empty properties in Rotherham. Of these 228 (60%) are 'Vun' properties (ie – requiring major works to bring them up to a lettable standard) and 151 (40%) are classed as 'Vavs' – voids available to let.

However the 151 available properties include 21 which are not to be let because they are pending demolition or a decision (14 on Dawsons Croft; 2 on Calladine Way; 2 on Becknoll Road and 3 ex-warden flats). It also includes 38 properties which are classed as sheltered, or age-restricted, and as a result are hard to let.

The table below shows a breakdown of the 379 empty properties by Area Assembly:

	Vav	Vun	Total
Rother Valley South	8	25	33
Rother Valley West	10	29	39
Rotherham North	15	50	65
Rotherham South	8	28	36
Wentworth North	37	30	67
Wentworth South	64	55	119
Wentworth Valley	9	11	20

There are currently around 19,000 people on the housing register. If more void properties can be brought up to a lettable standard, this would help to reduce the complaints regarding empty homes.

2.3 Who is involved in the voids process?

In 2007, 2010 Rotherham Ltd undertook a review of the voids service and decided that efficiency savings could be made by creating a centralised Voids team. In April 2009 the name of the team was changed to the Empty Homes team.

In addition to the centralised Empty Homes team, there are several other teams involved in the voids process and it appears that the work is not always joined up. Below is an outline indication of the different areas of responsibility:

- **Empty Homes team, 2010 Rotherham Ltd.**

The voids team complete a pre-termination inspection of the property to assess repair work needed. They carry out the necessary repairs. They receive the shortlist from Key Choices and when the property is ready, they contact the applicants to check that they are eligible, arrange viewings and sign them up to the property.

- **Housing Options team, (Property Shop), RMBC**

The Housing Options team, based within Key Choices receive information that a property is to be vacated and during the 4-week notice period they advertise the property and collate a shortlist of bids which they pass on to the Empty Homes team at 2010 Rotherham Ltd, within 24 hours of the close of advertising. They are not responsible for contacting the people who have bid on the property to verify if they are eligible.

They carry out assessments on customers who may be eligible for properties in the General+ category.

- **Assessment Team, Housing Services, RMBC**

The Assessment Team assess applications for sheltered, aged persons and medical priority housing. The team receive an average of around 220 applications for assessments each month and visit customers to identify their needs in respect of rehousing to suitable properties. The number of applications has increased significantly in the past 12 months. They inform the customers about how to bid for a property and what adaptations they need to look out for on the properties that become available.

They also carry out “mini-assessments” over the telephone for customers who bid for “Direct Homes”. These are properties which are difficult to let and which anyone who meets the advert criteria can bid for. They check that the applicant is eligible and has some level of additional health need.

They check the shortlist of people who have bid on properties in the Priority category to confirm that they have been assessed as meeting the necessary criteria. Sometimes due to customers waiting on the housing list for a long time, their needs change and the team carry out a re-assessment.

- **Estate Management, 2010 Rotherham Ltd**

During estate walkabouts, Neighbourhood Champions inspect void properties to ensure that they are not vandalised and the gardens do not become too overgrown or misused. They report any issues to the Estate Officers and any costs relating to clearing gardens of void properties, for example if they have been used to dump

rubbish, comes from the Estate Management budget. Currently about 65% of all rubbish removal is from void properties although to date there has been no breakdown of the budget to analyse how much this is costing. From 2009/10 financial year, the Estate Management costs will be broken down by Area Assembly area and by void/non-void properties.

- **Neighbourhood Investment Service, RMBC**

With regard to void properties, the Neighbourhood Investment Service is responsible for providing 'landlord' advice, support and direction to 2010 Ltd on investment decisions regarding non-traditional housing stock, any void property which exceeds a total investment cost of £20,000 and unsustainable housing stock, and managing demolition and regeneration programmes.

- **Cabinet Member, Economic Development, Planning and Transportation**

If repair work on a void property is estimated to cost more than £20,000, it must be authorised by the Cabinet Member for Economic Development, Planning and Transportation.

2.4 Bidding for properties

Under the Key Choices Choice Based Lettings (CBL) system which has been in place in Rotherham since June 2005, tenants can exercise a right to choose a council property that they wish to live in. In reality, demand outweighs supply of Council owned dwellings and so in order to increase housing options, the Housing Options team advertise Housing Association properties and private rented properties managed by the Council's Key Choices Property Management Service on behalf of the landlord.

In relation to voids, CBL could potentially have a positive impact in highlighting to prospective tenants that if they bid for properties which are less desirable (due to their size or location) they have a much greater chance of success.

A separate scrutiny review is currently underway looking at the Choice Based Lettings process and it is hoped that implementation of its recommendations will help to improve the system and have a positive effect on the voids management process. Emerging issues of the CBL review which impact on voids include a need for more consistency in the information provided on adverts for properties, communication between teams in 2010 Rotherham Ltd and Key Choices and provision of information to Elected Members.

2.5 Repairs

There is an Empty Homes lettable standard and associated cleaning standard, both of which were agreed by the Empty Homes Service Improvement Group. Tenants are currently offered a copy of these when they move into a property as part of their Houseproud bucket which is filled with cleaning products.

Rotherham 2010 Ltd identified delays in the time taken to carry out repairs as the main reason behind the underperformance against LPI 212 (Average Re-let Times). In June 2008 a restructure of the Voids repair team took place so that instead of three pre-let and three post-let repair champions covering three geographical areas

there are now six Repairs Champions covering six geographical areas. The average re-let times have improved significantly since June 2008 and the new team structure means that less time is spent travelling between repair jobs.

The Repairs Champions carry out the termination inspections before a property becomes vacant and where possible carry out repairs during the 28 day notice period whilst the outgoing tenant is still in the property.

In order to address the backlog of empty properties needing repairs in 2008, some properties were passed to the Decent Homes teams who brought them up to the Decent Homes standard. In these cases, the Decent Homes work was paid for from their budget and general empty property repairs were charged to the empty homes budget.

2.6 Long-term voids

There are some properties in the borough that have been empty for a number of years, either because they are undesirable to bidders, in need of significant investment to bring them up to a lettable standard, or awaiting a decision about possible demolition. Long-term voids result in a considerable loss of rent for the Council; it is calculated that £96,733.81 was lost in rent in 2008/9 on properties that are pending a decision regarding investment or change of use.

If repairs needed on a property are estimated to cost more than £20,000, 2010 Rotherham Ltd refer the property to the Neighbourhood Investment Service who will evaluate the options and submit a report to the Cabinet Member for Housing and Neighbourhood Services who will approve either investment, sale of the property or demolition. This process currently takes around 8 weeks. 2010 Rotherham Ltd have recommended in their recent review of the voids service that when a property is referred to the Neighbourhood Investment Service, a clear target date is agreed for a decision to be made. They have also recommended that consideration be given to increasing the threshold from £20,000 to £25,000 before referral to the Neighbourhood Investment Service is required.

2.7 Budget

The budget for empty homes for 2008/9 was £3.7 million split between £1.5million Capital and £2.2 million Revenue which was to cover all works undertaken to vacant properties.

The budget has increased by £450,000 for 2009/10 with £1.5million Capital and £2.5 million Revenue and an additional £100k for damp proofing and £50k for structural works.

2.8 Performance

The 2008 Audit Commission report into 2010 Rotherham Ltd reported that with regards to void properties,

“....strengths outweigh weaknesses. An integrated voids team manages empty homes effectively. Performance is high on re-letting empty homes quickly. Procedures are customer focused. Too many empty properties have security grilles however, and the repair standard is not clear to new tenants.”

Performance on empty properties is measured by Local Performance Indicator (LPI) 212 which records how long it takes for an empty property to be re-let. The target for 2008/9 was an average turnaround time of 23 days, and this was not met as the actual cumulative average was 39.45 days. However if the figures are broken down, significant progress was made during 2008/9 to reduce the average re-let time from 66.78 days in the first quarter to 24.54 days in the final quarter. The target for this year 2009/10 remains at 23 days. Current performance for re-let times is 26.35 days for April 2009 and 24.01 days for May 2009.

The void turnaround time also impacts on other performance indicators, including:

- Rent loss through voids (LPI 69)
- Percentage of tenancies not lasting 12 months.
- Number of households living in temporary accommodation (NI 156)

3/ FINDINGS

3.1 The Choice Based Lettings process

The review identified that there is a need for a clearer understanding about how the bidding process in Choice Based Letting works. There is anecdotal evidence showing that many people believe they have to be seen to be actively bidding in order to have a greater chance of getting a property. This means that some people are regularly bidding for properties that they do not want, believing that this will improve their chances of success when a property they do want becomes available.

These 'wasted' bids are slowing down the allocations process. In fact, analysis for 2007/8 showed that 28.1% of people who were offered a property refused to move and the four main reasons given for refusal were:

1. No wish to move
2. Not desired location
3. Property too small
4. Refused to view

Prior to the new allocation policy taking effect in December 2008, the assessment team "matched" applicants to properties and this contributed to the higher refusal rates. There are also customers who may have had no intention for moving house in the first place or who would have benefitted from having more information available to them at the bidding stage in order to make a properly informed decision about whether the property was suitable for them.

A discussion took place at the scrutiny meeting on 16th April 2009 about whether people bidding on properties that they did not want ought to be penalised in some way, but it was felt that this would be contrary to the Code of Guidance in allocations and that what is needed is for customers to have a better understanding of how the bidding system works.

It appears that there is currently duplication of effort in the allocations process between the Key Choices team and 2010 Rotherham Ltd. As set out in section 2.4, Key Choices are responsible for collating a list of the top 30 bidders for each property and sending this list through to 2010 Rotherham Ltd who verify the eligibility of customers for that property. On occasions, due to the high percentage of customers with Priority needs and to 'wasted' bids, a large number of applicants will not be eligible and 2010 Rotherham Ltd must work their way down the list of names before finding someone who could take the property. Delays between the shortlists being

drawn up and the applicants being contacted also mean that customers have sometimes already been rehoused or changed their minds. This does not seem to be the most efficient way of allocating properties and there are clear frustrations between the two teams.

On occasions there have been long delays between Key Choices submitting a shortlist to 2010 Rotherham Ltd and applicants being informed that they are to be offered a property.

3.2 Carrying out repairs

If the Repairs Champion considers the standard of decorating in a property to be unsatisfactory, vouchers up to the value of £25 per room will be offered to the new tenants and included in the property advert. The scrutiny working group has questioned whether this amount is sufficient and anecdotal evidence suggests that the vouchers are not always issued immediately. The Audit Commission report (2008) found that there was no clear approach to awarding decorating allowances and the review group recommends that clear criteria are published setting out the conditions under which a decorating allowance will be given to ensure transparency.

During the review, questions were raised about the costs of putting metal screens on empty properties and whether, due to the high costs of hiring screens and rent loss, it would be more economically viable to have the repairs carried out by sub-contractors. This does happen to some extent already, but could probably be looked into in more detail. The Audit Commission report into 2010 Rotherham Ltd in 2008 concluded that screens are being used too frequently giving a negative impression to prospective tenants and affecting the appearance of neighbourhoods. They found that around 40 per cent of short-term voids and most long-term voids have steel shutters. As a direct result of the Audit Commission recommendation, 2010 introduced a new procedure for securing empty properties and re-tendered the grilling contract. Each void is now made secure dependant on the area and known issues and alternatives to metal screens are considered including alarms, net curtains and clear polymer screens.

3.3 Sheltered and Medical Priority properties

The allocation of sheltered, aged persons and adapted properties contributes to the delay in reletting empty properties because these homes are harder to let. This is because customers must be assessed to confirm if they meet the criteria for the property they have bid for. Many applicants do not meet the criteria set out in the Allocations Policy.

Previously only over 55s on the housing register and classified as "priority" due to disabilities or other extra needs could apply for sheltered housing. However on 24th September 2008, 2010 Rotherham Ltd were instructed to a change in policy allowing over 55s without priority needs to be offered "sheltered" properties if no sheltered matches could be found, as long as the tenants were willing to pay the £8/week service charge attached to the sheltered housing (even though they did not require the service). As a result 51 "sheltered" properties with a total of 8344 days void between them were let to over 55s.

3.4 Improving Performance

The *Voids Performance Recovery Plan* produced in July 2008 listed 25 actions to address the issues which were thought to have contributed to the poor performance, including:

- Communication problems and lack of ownership between Voids Team and Neighbourhood Team
- Insufficient staff resources to carry out repairs
- Key Choices process takes 24 days
- No analysis of termination reasons undertaken.

The actions should have all been completed by March 2009, however some of these issues have not been resolved and are still listed as areas for improvement in the recent 2010 review into Empty Homes, "Every Day Counts". Outstanding areas for improvement have been incorporated into the Empty Homes Review Action Plan with target dates and an identified lead person or team. Performance will need to be monitored against the listed actions and Members kept informed of progress.

For 2009-10, 2010 Rotherham Ltd will report more detailed figures on voids, including a breakdown of long-term voids and properties that are with the Neighbourhood Investment Service pending a decision. This will give a much clearer picture of the voids situation and help to identify any reasons for delays in reletting properties.

3.5 Customer Satisfaction

Turnaround figures are only one part of the story and there is a balance to be found between minimising the time that a property is empty and making sure that the property is repaired to a satisfactory standard and is right for the tenant.

Tenants are now given 48 hours after a viewing to consider whether or not they wish to accept the property. Previously they were expected to sign up immediately. Although this adds two days on to the void turnaround time, failed tenancies (those lasting less than 12 months) have fallen from 13% to 5%.

4 / LOOKING AT GOOD PRACTICE ELSEWHERE

It is useful to look at what other ALMOs are doing in comparison to 2010 Rotherham Ltd. Sandwell Homes, Solihull Community Housing and Homes for Islington were all recently rated as excellent by the Audit Commission and below is an outline of the voids service they offer.

Sandwell Homes was inspected by the Audit Commission in November 2008 and was classed as "excellent" with "excellent" prospects for improvement. They have a clear void standard developed with tenants and provide tenants with an empty property standard setting out how the property is to be left. A reward scheme is being piloted which pays tenants £100 if they leave the property clean with no rechargeable repairs and no rent arrears.

Empty homes are repaired quickly and re-let in an average of 27 days. There are clear targets for each stage of the void process and tracking systems in place to

monitor the progress of voids as well as clarity about the inclusion of decent homes improvements in empty properties.

There were however some areas of the voids process which were criticised including: Monitoring customer satisfaction, and arrangements for outgoing tenants not yet being fully implemented.

Solihull Community Housing (ALMO) currently re-lets properties within an average of 24 days (their target is 28 days). They rarely use screens to protect empty properties, instead favouring portable alarm systems where necessary so as to make sure the properties remain attractive to prospective tenants. They rank empty properties as gold, silver or bronze to prioritise repairs, based on the property's likely lettable standard. Their lettable standard is however criticised for being too basic and tenants often have to carry out decorating themselves.

Homes for Islington has an average turnaround time for voids of 22 days (2007/8). They provide a high quality welcome box for new tenants to establish a positive relationship with them. They have an incentive scheme which pays £150 to tenants leaving the property to a specified standard, and estimate that the scheme has saved £10,000 a year after costs. Tenants whose property does not reach this standard can be charged up to £290. Tenants benefit from gas and electricity being connected for them prior to moving in.

5 / WITNESSES AND THANKS

1. Cllr Akhtar Cabinet Member for Neighbourhoods
2. Kevin Lowry Chief Executive 2010 Rotherham Ltd
3. Adrian Cheetham Voids Manager, 2010 Rotherham Ltd
4. Sandra Tolley Housing Choices Manager, Key Choices, RMBC
5. Sandra Wardle Housing Options Manager, Key Choices, RMBC
6. Phil Syrat Housing Options Co-ordinator, Key Choices, RMBC
7. Catherine Dale Neighbourhood Initiatives Manager, RMBC
8. Diane Green Assessment Manager, Neighbourhoods, RMBC
(regarding allocation of medical priority housing)
9. Paul Walsh Programme Manager, Neighbourhood Investment Service, RMBC
(regarding investment in long-term voids)

Update upon the implementation of the Smokefree Legislation

**Janice Manning – Food
Health and Safety
Manager,
Business Regulation**

Janice.Manning@rotherham.gov.uk



The Health Act 2006

An Act to make provision for the prohibition of smoking in certain premises, places and vehicles ...”

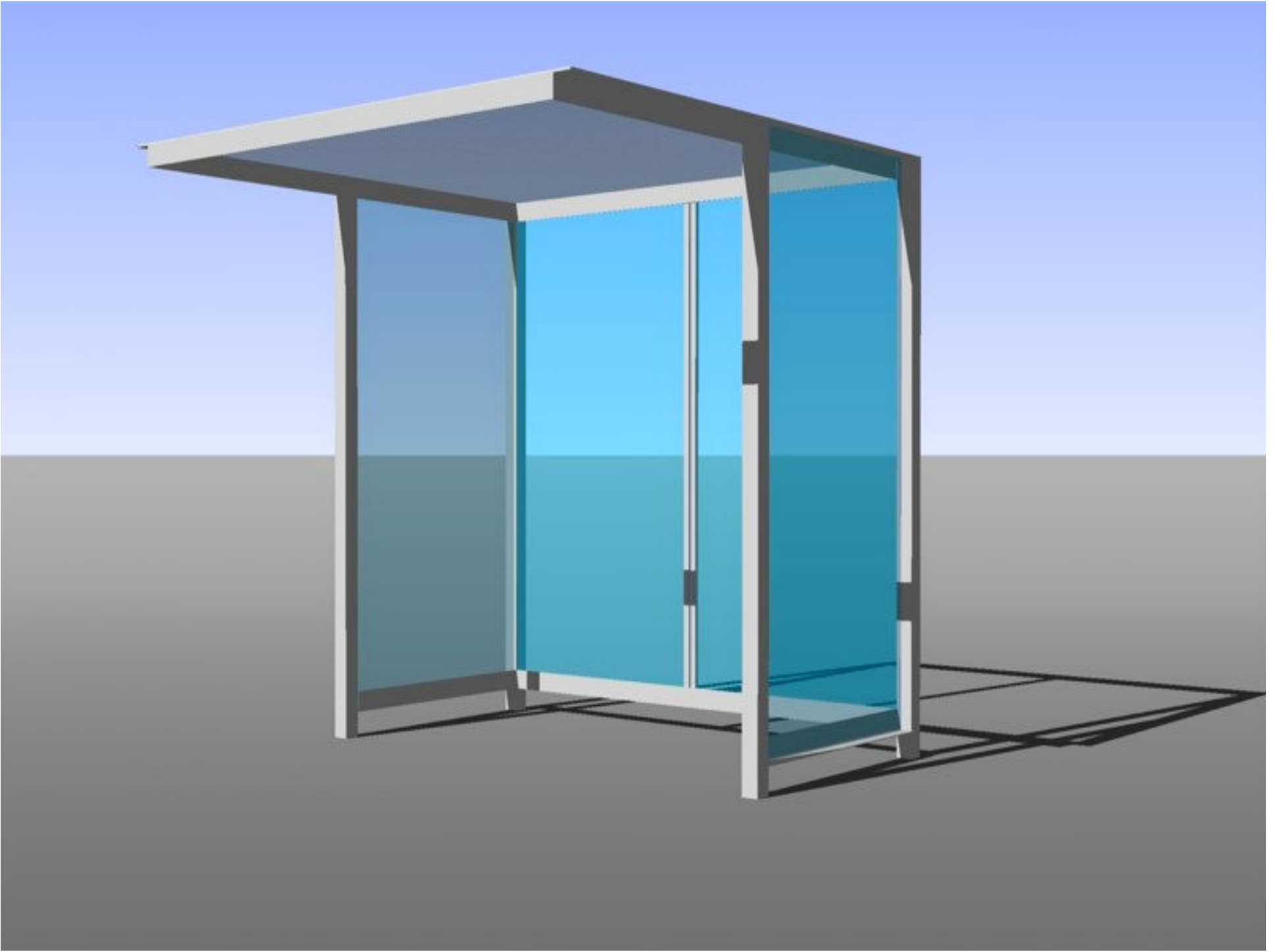
Smokefree legislation

- Applies to all places of work used by more than one person and places open to the public
- “Work” includes voluntary work
- Premises are “open to members of public” if the public, or section of the public has access whether by invitation or payment, or not
- Work and public vehicles will also be required to be smokefree
- Employers will continue to have a duty of care to protect the health, safety and welfare at work of all employees under the Health and Safety at Work Act 1974

Requirements apply to:

Premises which are enclosed or substantially enclosed

- Business premises
- Multi-occupied and shared housing
- Public places
- **Vehicles**
- Used as public service vehicles
- Used at any time by more than one person in connection with their business or employment



Smoke-free (Premises & Enforcement) Regulations

Enclosed = roof or ceiling + wholly enclosed by walls (not including doors, windows or passageways).

- **Substantially enclosed** = roof + opening in walls representing 50% or less of total wall area (opening does not include openings that can be opened or shut, such as windows or doors) – *the 50% rule*
- Temporary structures such as tents included
- Roof” includes fixed or movable structures that can cover all or part of the premises as a roof (including canvas awnings)
- “If it can be enclosed, it will be considered enclosed”

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Smokefree Offences

- **Smoking in a smokefree premises.**
- **Failing to prevent smoking in a smokefree place (anyone who controls or manages smokefree premises, and specified people for smokefree vehicles).**
- **Failing to display required no-smoking signs (anyone occupying or managing smokefree premises, and specified people for smokefree vehicles).**
- **Also an offence to obstruct an enforcement officer, or provide a false or misleading statement**

Smoke-free (Penalties and Discounted Amounts) Regulations

Offence	Fixed Penalty notice (if paid in 29 days)	Fixed Penalty notice (discounted if paid in 15 days)	Court awarded fine
Smoking in a smokefree place	£50	£30	Up to £200 (level 1 on the standard scale)
Failure to display no-smoking signs	£200	£150	Up to £1000 (level 3 on the standard scale)
Failing to prevent smoking in a smokefree place	N/A	N/A	Up to £2500 (level 4 on the standard scale)



70 mm in diameter

Is the equivalent of A5 in area

NO SMOKING
It is against the law to smoke in these premises

“in these premises” can be changed to the name or type of premises: “in this gym”, “in this pub” or “in this hotel”

Work undertaken - Awareness Campaign

- **Compiled and distributed several leaflets providing specific information to different businesses such as social clubs, churches, hairdressers.**
- **Seminars and workshops undertaken, visits to commercial premises were made to provide guidance to businesses and the public upon implementation of the legislation.**
- **Promotional work undertaken, e.g. radio adverts and interviews, advertising on buses, banners posted on buildings and in bus stations, carrier bags and beer mats etc.**
- **Articles written for Rotherham Matters and local publications to provide information to customers.**



Promoting Compliance

- Businesses were provided with the necessary stickers to place at the entrances to their premises.
- Relevant guidance was also given regarding which parts of premises are enclosed and about the construction of shelters.
- Advice given regarding the difference between legal compliance and locally adopted policies e.g. bus shelters, hospital grounds etc.

Promoting Good Practice

- Visits made to check that no smoking signs were posted in the correct location and that they had used the correct signage.
- Certain premises went smoke free early for example certain pubs, hotels and they were promoted in the seminars and campaigns etc.
- Work was undertaken in partnership with the PCT, Chamber of Commerce, other local authorities etc.



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Littering

- Initially cigarette litter was found accumulating at entrances to buildings.
- Worked with business operators to provide additional bins and cigarette stub out bins.
- Education of staff and public not to litter and to clean up and appropriate enforcement action taken.



Smoke infiltration/other issues

- Advice was given regarding the location of non-substantially enclosed structures for example near openable windows/doors
- Addressed problems of smoke emitted from premises
- Advice re construction of such structures such as shelters for smokers
- Light nuisance from shelters

Fire Safety

- People congregating around fire exits
- Potential for cigarette ends causing fires
- Illicit smoking leading to people in unsafe practices.



Worked with other agencies e.g. Planning and Building Control

- Smoking shelters
- Awnings, canopies, blinds,
- Pavement and forecourt tables/chairs on public highway or a private forecourt
- Beer gardens not part of the business premises
- Decking
- Stub out bins

Future Activities

- Assist new businesses operators comply with the law
- Inspection of premises and vehicles regarding compliance with the legislation and provide advice or undertake appropriate enforcement action.
- Continue to signpost support re smoke cessation and provide advice regarding public health issues.

KEY DECISIONS TO BE MADE BY THE CABINET MEMBER, STRATEGIC DIRECTOR AND DIRECTORS FOR NEIGHBOURHOODS AND ADULT SERVICES

Strategic Director: Tom Cray

Representations to: The Strategic Director for Neighbourhoods, Rotherham Borough Council, Neighbourhood Services, Norfolk House, Walker Place, Rotherham S65 1HX.

KEY DECISIONS BETWEEN 1 JUNE 2009 AND 30 SEPTEMBER 2009					
Matter subject of key decision	Proposed date of key decision	Proposed consultees	Method of consultation	Steps for making and date by which representations must be received	Documents to be considered by decision-maker and date expected to be available*
June, 2009					
Council Housing Directions Project Update	1 st June 09	Cabinet Member for Housing and Neighbourhoods	Previous reports		Report
Tenant Empowerment Report	1 st June 09	Cabinet Member for Housing and Neighbourhoods	Previous reports		Report
Rothercare Direct	4 th June	Adult Social Care and Health Scrutiny Panel	Report		Report
BME Hospital Action Plan	4 th June	Adult Social Care and Health Scrutiny Panel	Report		Report

June, 2009					
Inspection of Safeguarding and PDSI Service	4 th June	Adult Social Care and Health Scrutiny Panel	Report	26 th May	Report
Home from Home	4 th June	Adult Social Care and Health Scrutiny Panel	Report	26 th May	Report
Supporting People Strategy 2008	8 th June	Cabinet Member for Health and Social Care	Report / Strategy	28 th May	Report and Strategy
	9 th July	Adult Social Care and Health Scrutiny Panel		29 th June	
Reviews of Day Care services	8 th June	Cabinet Member for Health and Social Care	Report and or presentation	28 th May	Report
	9 th July	Adult Social Care and Health Scrutiny Panel		29 th June	

June, 2009					
Voluntary and Community Sector Reviews	8 th June	Cabinet Member for Health and Social Care	Report and or presentation	28 th May	Report
	9 th July	Adult Social Care and Health Scrutiny Panel		29 th June	
Furnished Homes	1st June	Cabinet Member for Housing & Neighbourhoods	Report		
Rothwel Closure	8 th June	Adult Social Care and Health Cabinet Member	Report		Report
Investment threshold on individual properties	15 th June	Cabinet Member for Housing and Neighbourhoods	Previous report to Cabinet Member, discussion with 2010 Ltd.		Report
HMRP Financial Year End 08/09 + 05/09 Summary Report	15th June 09	Cabinet Member for Housing and Neighbourhoods	Previous reports to Cabinet Member at HMRP Meeting, financial submissions to Transform South Yorkshire, submissions to Financial Services		Report

June, 2009

Affordable Housing Delivery – Sheffield City Region 05/08 & 08-11	15 th June 09	Cabinet Member for Housing and Neighbourhoods	Consultation via Sheffield City Region Joint Implementation Board	Further progress dependant upon resolution to fund from SCR JIB.	Report
34 & 36 Becknoll Road, Brampton	15 th June 09	Cabinet Member for Housing and Neighbourhoods	Previous report to Cabinet Member, consultation with ward members and 2010 Rotherham Ltd.		Report
Building Council Houses – Options Paper	15 th Jun 09	Cabinet Member for Housing and Neighbourhoods	Previous report to Cabinet Member; Discussion with CSART members, EDS Strategic Property and Valuation colleagues; Homes and Communities Agency; Developers		Report

June, 2009					
Caladine Way – Investment Options	15 th June 09	Cabinet Member for Housing and Neighbourhoods	Consultation with ward members, 2010 Rotherham Ltd and Guinness Northern Counties HA		Report
Reviews into Transport and Leisure Services for Disabled People	22 nd June	Cabinet Member for Adult Social Care and Health	Report	11 th June	Report
Services for Older People	29th June, 2009	Cabinet Member for Housing and Neighbourhoods	Follow on from Previous Report		
Strategic Acquisition at Dalton	29 th June	Cabinet Member for Housing and Neighbourhoods	Previous report to Cabinet member, local ward members, HMRP East ADF Steering Group, EDS Valuation Service		Report

June, 2009					
2010 Preferred Partner Report – Adaptations	29th June	Cabinet Member for Housing and Neighbourhoods	Follow on Report		
Land at Braithwell Road, Maltby (Options Report)	29 th June	Cabinet Member for Housing and Neighbourhoods	Previous report to Cabinet Member, discussions with local ward members (Steering Group), EDS Valuation and Strategic Property Service colleagues, developers		Report
Disposal of HRA Single Properties Update	29 th June 09	Cabinet Member for Housing and Neighbourhoods	Previous report to Cabinet Member; discussions with 2010 Ltd, RSL partners		Report
Private Sector Investment Plan – Annual Update	2008/09 annual report to be tabled 29 th June 2009	Cabinet Member for Housing and Neighbourhoods	No consultation	A further progress report to be tabled mid 2009/10 on 6 month progress	Report
Neighbourhood Centres Progress Update	29th June	Cabinet Member for Housing and Neighbourhoods			

June, 2009					
HCA Single Conversation Report	29 th June	Cabinet Member for Housing and Neighbourhoods	Carried out by HCA regionally and with LAs		Report
St John's Green Service Centre	June 2009	Cabinet Member for Housing and Neighbourhoods	Report	May/June 2009	Report
West Central Master Plan	June 2009	Cabinet Member for Housing and Neighbourhoods	Report	May/June 2009	Report
Service Plan 2008-2011	Presentation to DMT during June with subsequent presentation at Cab Member. Date to be confirmed once Dave Richmond starts in post on 1 st June 09	Cabinet Member for Housing and Neighbourhoods		Dave Richmond	Report
July, 2009					
Private Sector Housing Assistance Policy	Update report to be presented; 27 th July 2009. Commissioning & Partnerships to lead	Cabinet Member for Housing and Neighbourhoods		A further progress report to be tabled mid 2009/10 on 6 month progress	Report

July, 2009					
Housing Design Protocol – 12 month update		Cabinet Member for Housing and Neighbourhoods			Report
Services for Older People	6th July 2009	Cabinet Member for Health and Social Care	Follow on from Previous report		Report
August, 2009					
Commercial Property Review	August 09 (Subject to confirmation with EDS)	Cabinet Member for Housing and Neighbourhoods	Previous reports to Cabinet Member, RAMBC, CSART. Currently with EDS for revision (Ian Smith)		Report
September, 2009					
Canklow Regeneration – Next Steps	September 2009	Cabinet Member for Housing and Neighbourhoods	Report	August/September 2009	Report
Brokerage	September 2009	Cabinet Member for Health and Social Care	Report		Report
Day Care Opportunities	September 2009	Cabinet Member for Health and Social Care	Report		Report
Transforming Community Services	September 2009	Cabinet Member for Health and Social Care	Report		Report

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	25th June 2009
3.	Title:	Scrutiny Terms of Reference
4.	Directorate:	Chief Executive's

5. Summary

Sections 119 to 128 of the Local Government and Public Involvement in Health Act 2007 (c.28) and sections 19 to 21 of the Police and Justice Act 2006 (c.48) make new provisions for the function of overview and scrutiny in local authorities. The provisions of both these Acts have now all been brought into effect. The provisions relating to crime and disorder in both the 2006 and 2007 Acts will commence on 30th April.

The Council's Constitution will need to be amended to reflect these changes.

At its meeting on 29th April 2009, Cabinet agreed that in light of the above there should be a review and revision of Scrutiny terms of reference (attached)

6. Recommendations

- 1. That the legislative changes regarding overview and scrutiny functions be noted and the new draft terms of reference for Scrutiny be forwarded to each of the Scrutiny Panels for consideration.**

7. Proposals and Details

The Local Government and Public Involvement in Health Act 2007 makes various changes in relation to scrutiny. Key provisions relate to Councillor Call for Action and for scrutiny of the Local Area Agreement. Cabinet has previously agreed a procedure for dealing with Councillor Calls for Action.

An order made under the 2007 Act provides for matters which cannot be referred as Calls for Action. These are:-

- Any matter relating to a planning decision;
- Any matter relating to a licensing decision;
- Any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment; and
- Any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the overview and scrutiny committee or at a meeting of a sub-committee of that committee.

However, the Order provides that a matter which consists of an allegation of systematic failure of an authority to discharge a function for which the authority is responsible may be referred to an overview and scrutiny committee, notwithstanding the fact that the allegation specifies matters which would otherwise be excluded.

The Police and Justice Act 2006 provides for local authority scrutiny of crime and disorder matters, and for associated guidance and regulations. The Act provides that a local authority must ensure that its crime and disorder committee has the power to make a report or recommendations on relevant matters to the local authority and to ensure that any member of the authority who is not a member of the committee has the power to refer relevant matters to the committee. Crime and disorder committees may co-opt additional members from those persons and bodies who are responsible authorities or have a duty to co-operate, and they will have voting entitlements.

The regulations provide that a crime and disorder committee shall meet a minimum of twice in a twelve month period. They also provide for responsible authorities to provide information and appear before the committee.

The committee will be able to make recommendations to any responsible authority to which a response must be made within one month or if this is not reasonably possible, as soon after as is possible. The committee will also monitor actions.

The Performance and Scrutiny Overview Committee recommended to Cabinet that the Democratic Renewal Scrutiny Panel should be designated as the Crime and Disorder Committee. Cabinet agreed this recommendation on 29 April 2009.

8. Finance

There are no direct financial implications arising from this report, however, there may be implications arising from the operation of the new duties and any recommendations arising from “Calls for Action”.

9. Risks and Uncertainties

The most significant risks arise from “Calls for Action”. The most likely are:

- raised expectations that matters will be resolved where this may not be possible; and
- insufficient ability to address issues at the ward level, or an inadequate threshold for referrals results in an excessive “Calls for Action” workload for scrutiny.

10. Policy and Performance Agenda Implications

The new functions for scrutiny as set out in the legislation takes forward the Government’s policy commitments from the “Strong and Prosperous Communities” White Paper.

11. Background Papers and Consultation

Most of the Government provisions set out in this report have been the subject of consultation. Cabinet have received reports and approved Council responses to all of the consultations papers concerned.

Background papers:

Police and Justice Act 2006 (c.48)

Local Government and Public Involvement in Health Act 2007 (c.28)

The Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008

Draft Crime and Disorder (Overview and Scrutiny) Regulations 2009

RMBC Local Government Reform Implementation Plan – workstreams 2.9 and 3.7

Contact Name :

Cath Saltis, Head of Scrutiny Services and Member Development

Tel 2779. e-mail: cath.saltis@rotherham.gov.uk

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Schedule 1

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE

Terms of reference

1. The Performance and Scrutiny Overview Committee's terms of reference are as follows –

PSOC to scrutinise

- Policy Review and Development
- Call-in
- Financial Strategy and Management
- Risk Management
- Corporate Legal Services
- Corporate Governance
- External affairs (sub-regional, national and international partnerships and engagement)
- Local strategic partnerships and local area agreements
- Procurement Strategy
- RBT Liaison and Development
- E-Government, data protection and freedom of information
- IT Strategy and Management
- Lead on Comprehensive Area Assessment(CAA)
- Responsible for CCFA on Local Government matters
- Performance Management
- Corporate Complaints

Annual overview and scrutiny work programmes

- To approve an annual overview and scrutiny work programme, including the programme of any sub-committees it appoints.
- To ensure that there is efficient use of the committee's and policy review and scrutiny panels' time, and that the potential for duplication of effort is minimised.
- To ensure that members of the committee and policy review and scrutiny panels may efficiently carry out their work.

- To prepare and approve an annual overview and scrutiny work programme for implementation by the scrutiny panels or their review groups, including –
 - service reviews conducted on the basis of a scheduled programme of reviews or in response to a matter brought to the committee's attention by –
 - an area assembly,
 - a policy review and scrutiny panel or sub-committee,
 - an organisation with which the Council is in partnership, or
 - the public as a result of a public consultation exercise; or
 - The Forward Plan;
- Reviews in consequence of the executive's annual work plan.
- Performance reviews of joint authorities, committees and other bodies whose activities concern the borough and its inhabitants (e.g. public transport operators).
- Reviews under the statutory powers to scrutinise the health service.
- Reviews under the Council's power to promote the well-being of the citizens of Rotherham.
- To monitor and review the implementation of changes made following the acceptance by the Council of recommendations in earlier scrutiny reports.
- To submit an annual report to the Council on the operation of overview and scrutiny committees and recommendations for future work, in accordance with article 8(6) of the Constitution.

Cross-cutting issues and resolution of disputes

- To determine which scrutiny panel will assume responsibility for any particular issue, where matters fall within the remit of more than one scrutiny panel and to resolve any issues of dispute between scrutiny panels.

Requests for reports from executive and management of referrals to executive

- To receive requests from the executive, the full Council and Partners or both for reports from scrutiny panels and to allocate them if appropriate to one or more panels.
- To put in place and maintain a system to ensure that referrals from scrutiny panels to the executive, either by way of report or for reconsideration, are managed efficiently.

Prioritising referrals to executive

- To make decisions at the executive's request about the priority of referrals to Overview and Scrutiny if the volume of referrals creates difficulty for the management of executive business, threatens the effective working of the Overview and Scrutiny process, or jeopardises the efficient running of council business.

Powers of call-in

- To have the powers of call-in of an overview and scrutiny committee, in relation to an executive decision made but not implemented, as set out in section 21(3) of the Local Government Act 2000, that is to say the power –
 - to recommend reconsideration of the decision, or
 - to arrange for the decision to be considered by the full Council.

Review or scrutiny of executive and committees

- To review or scrutinise decisions or actions taken by the executive in the discharge of executive functions.
- To make reports or recommendations to the executive or the full Council in respect of functions which are the responsibility of the executive.
- To review or scrutinise decision making processes or actions taken in connection with the discharge of functions which are not the responsibility of the executive.
- To make reports or recommendations to the full Council in respect of functions which are not the responsibility of the executive.
- To make reports or recommendations to the full Council or the executive on matters which affect the borough or the inhabitants of the borough.
- To ensure public engagement exercises for the purpose of assessing public satisfaction with current policies or to assist in the development of new policies.

Membership of Performance and Scrutiny Overview Committee

2. The membership of the Performance and Scrutiny Overview Committee shall comprise –
- a chairman and vice-chairman who shall be a councillor appointed by the Council;
 - the chairmen and vice-chairmen of the scrutiny panels, who shall be councillors appointed by the Council; and
 - one Opposition councillor nominated by Opposition councillors and appointed by the Council.

Committee meetings

3. Ordinary meetings of the Performance and Scrutiny Overview Committee shall be set for 9.30a.m. on Fridays in the week after the Cabinet meets.
4. Meetings of the Performance and Scrutiny Overview Committee will normally be held at the Town Hall, Rotherham, Moorgate Street, Rotherham, S60 2TH.

Draft TERMS OF REFERENCE FOR SCRUTINY PANELS

ADULT SERVICES AND HEALTH -Thursdays 10.00am *Health and Well-Being*

The work of the panel will include scrutiny of:

- How vulnerable people (whether by reason of age, illness, physical or sensory disability, learning disability or mental health problems), are helped to live as independently as possible in the community, through social care and other related services, including housing, leisure and health;
- Adult health services commissioned for the people of Rotherham (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001),
- Partnerships and commissioning arrangements in relation to adult social care services and their governance arrangements;
- Health improvements and the promotion of well-being for the people of Rotherham
- To act as a consultee in respect of those matters on which NHS bodies must consult with the Council's health scrutiny function

DEMOCRATIC RENEWAL SCRUTINY PANEL *cohesion and safety*-Thursdays 3.30pm

The work of the panel will include scrutiny of:

- The Safer Rotherham Partnership (as the responsible authority) in connection with their crime and disorder functions . (under the powers outlined in the Police and Justice Act 2006).
- Anti-Social Behaviour Strategy and Community Safety;
- Strategic Partnerships linked to above agendas through SRP, LSP etc.
- Democratic and electoral issues;
- Community cohesion and social inclusion and the Council's specific initiatives to promote them;
- Equalities and diversity and the Council's specific initiatives to promote them;
- Responsibility for the Councillor Call for Action in relation to crime and disorder issues (under the powers outlined in the Police and Justice Act 2006).
- Community engagement, involvement and consultation

CHILDREN & YOUNG PEOPLE SCRUTINY PANEL - Fridays 9.30pm

The work of the panel will include scrutiny of:

- The Integrated Children and Young People's Service and their governance arrangements;
- Strategic partnerships related to the integrated services;
- Educational and training opportunities for children and young people;
- Children and Young People's social care and health (under the powers of health scrutiny as outlined in the Health and Social Care Act 2001), including improving services to vulnerable children and young people;
- Children's Service Plan and other related strategies;
- Young People's Services;
- Early years provision; and
- Other cross-cutting services provided specifically for children and young people.

REGENERATION SCRUTINY PANEL – Fridays 1.30pm

The work of the panel will include scrutiny of:

- The Council's economic development and regeneration strategies, including Rotherham Renaissance;
- Waste Management and Streetpride services;
- Planning, transportation and technical services and the strategic partnerships linked to these;
- Corporate property and asset management;
- Emergency Planning;
- Tourism, culture and leisure services and strategies; and
- PFI and strategic partnerships.
- Lifelong learning services and related strategic partnerships;
- Workforce planning and skills development

SUSTAINABLE COMMUNITIES SCRUTINY PANEL Thursdays 9.30am

The work of the panel will include scrutiny of:

- Borough Wide Housing Strategy;
- Accountability of the ALMO and other housing providers;
- Environmental Issues to include pollution control, waste reduction/recycling, control of litter, dog fouling and fly tipping;

- Trading Standards and Food Standards/Health and Safety;
- Neighbourhood Strategy Development and Management;
- Sustainable Development and Strategy;
- Neighbourhood management and development through democratic forums such as Area Assemblies and Parish Councils;
- Borough Wide Housing Strategy across all tenures

CABINET MEMBER FOR NEIGHBOURHOODS
Monday, 20th April, 2009

Present:- Councillor Akhtar (in the Chair); Councillor Kaye (Policy Advisor).

Councillor Cutts was in attendance for Minute Nos. 188-193.

An apology for absence was received from Councillor Sims.

188. PRIVATE SECTOR EMPTY PROPERTY POLICY PROGRESS REPORT

Further to Minute No. 118 of October, 2006, the Neighbourhood Investment Manager submitted a report highlighting the positive progress made against the action plan and proposed further developments in reducing levels of empty properties within the Borough.

In January, 2009, the Empty Homes agency announced that there were 783,633 empty dwellings in England. The number of private sector empty for more than 6 months in Rotherham was 1,208 representing 1.42% of the total private sector housing stock and less than half of the national average.

The following highlighted the Wards with a percentage of empty properties above the national average:-

Boston Castle	5.71%
Dinnington	4.55%
Maltby	4.43%
Rawmarsh	3.91%
Rother Vale	3.79%
Wath	3.67%
Rotherham West	3.61%
Wales	3.55%

Work was taking place within the Council via the Private Sector Renewal Working Group which had produced a Private Sector Investment Plan identifying that private sector capital investment would be targeted towards:-

- Private rented housing
- Vulnerable households
- Pre-1919 stock

The Working Group was also committed to bringing empty properties back into use and was successfully using a number of interventions to achieve this i.e.:-

- 3 pro active enforcement teams working across the Borough in targeted geographic areas

- private landlords have brought empty properties back into use and improved the condition of them to the decency standard through the Quality Landlord Scheme
- Registered Social Landlord partners to acquire and refurbish empty properties to decency standard

The Empty Property Policy Action Plan, attached as Appendix 3 of the report submitted, demonstrated additional activity that was going to be undertaken to reduce the number of private sector empty properties within the Borough.

Performance Indicator BVP164 had been retained by the Council as a measure of reducing and monitoring the number of empty properties within the Borough. The 2008/09 target had been 120 properties brought back into use but with the outturn figure being overachieved at 124.

Resolved:- (1) That the progress being made in respect of the Empty Property Policy be noted.

(2) That a further progress report on the Empty Property Policy be submitted in 6 months' time.

189. SHELTERED HOUSING MODIFICATIONS

The Director of Independent Living submitted a report setting out the recommendations for spending the 2009/10 Regional Housing Board (RHB) allocation for Sheltered Housing modifications.

The 2008/09 Sheltered Modifications Project had delivered level access improvements to 320 sheltered properties across the Borough. It was proposed that the 2009/10 RHB allocation of £690,000 be committed to creating level access to the 194 properties listed in Appendix A of the report submitted covering the following 5 sheltered housing schemes:-

Dorothy Taylor (Dalton)
Marshall Close (Rawmarsh)
Pottery Close (Rawmarsh)
Woodland Gardens (Maltby)
Bevan Crescent (Maltby)

Resolved:- That the 2009/10 budget spend proposal be approved.

190. FEES AND CHARGES 2008/09

Consideration was given to a report presented by the Interim Director of Housing and Neighbourhood Services, which detailed the proposed 2009-10 fees and charges for Neighbourhood Services' activities including animal health, food, health and safety, houses in multiple occupation, pest control, pollution control, stray dogs and weights and measures.

The level of fee and charges proposed reflected both corporate guidance regarding any required increase (2%) and also nationally prescribed fee levels e.g. Pollution Control Regulation. The only departure to the recommended local 2% increase related to the fees set for “weights and measures” activity where a sub-regional agreement was in place to follow national LACORS guidance.

The report submitted made reference to legislation providing powers of discretion for local authorities to make charges for specific services and proposed the level of 2009-10 fees for services where charges were currently made across Neighbourhoods Services.

Section 93 of the Local Government Act 2003 provided further powers for Best Value Local Authorities in England (including the Council) to make charges for discretionary services, providing the income from the charges did not exceed the service cost, taking one year with another. Reports would be submitted where it was considered appropriate to invoke these powers.

The report and associated appendices set out in detail the schedule of proposed 2009/10 fees and charges and in particular:-

- The fees charged by Dignity Funerals Ltd. for the bereavement services it provided were currently being reviewed. A further report would be submitted in due course
- The 2% increase in animal health, food, health and safety activities
- The minimum licence fee of £350 for houses in multiple occupation
- The 2% increase in pest control fees
- The national approach for consistency of fees and charges for pollution control increasing the fee by 3%
- Proposed fee increase of 2% for stray dogs
- LACORS recommended fee increase of 5% for Weights and Measures and prescribed poisons

It was noted that the proposed fee increase for pest control was 2% which would be significantly below the level required to meet the budgeted income target. Reports would be submitted throughout the year advising of the budgetary position and the value for money assessment carried out in 2008 would be revisited.

Resolved:- That the proposed fees and charges for 2009-10, as set out in the report, be agreed with effect from 1st May, 2009.

191. BUILDING SAFER AND STRONGER COMMUNITIES TRAINING (BSSC)

The Interim Director of Housing and Neighbourhood Services presented a report highlighting the actions taken to date to ensure that a fit for purpose training schedule would be in place in line with the outcomes of the Safer Neighbourhood Team Review.

The training identified would ensure that Safer Neighbourhood Team and the wider neighbourhood Partnership Team were equipped with the tools to assist communities in reducing crime and the fear of crime and anti-social behaviour. The suggested training package would not only address the requirements for the SNT but also embed a training package that would meet the wider capacity building requirements of the wider partner "Neighbourhood Team".

Attention was drawn to the fact that engagement of Elected Members and their role needed to be built into the training wherever possible.

The training was not accredited as it was a bespoke package developed for Rotherham. A dedicated Police Officer had worked with the Neighbourhood Partnership Manager to bring together the training as a wider partnership event and would be delivered by the Police Officer. The first test of the training would be carried out in Wentworth North in late April 2009.

Resolved:- (1) That the work already carried out in respect of the training be recognised.

(2) That the need for training which would underpin Service Plan objectives for Neighbourhood and Adult Services and be incorporated into the Performance Development Review of all Council staff who were part of the Safer Neighbourhood Teams and Area Partnership Teams be noted.

192. CONTINUATION OF LEGAL AUTHORISATIONS IN RESPECT OF ILLEGAL MONEY LENDING ACTIVITIES

In November, 2007, the Cabinet approved the delegation of certain functions of the Council under the Consumer Credit Act 1974 to the Executive of Birmingham City Council in order to take advantage of expertise and funding located with the Illegal Money Lending Team based in Birmingham City Council (Minute No. 101 refers).

At the time, the authorisation was only based on the period for which Central Government funding was available i.e. until the end of March, 2009. The funding had now been extended up until the end of March, 2011.

It was proposed that a new protocol be signed along the lines of the original one with an open ended term. The current protocol already contained a clause which allowed Rotherham to withdraw provided there were reasonable grounds for doing so.

Resolved:- (1) That the Cabinet be asked to recommend to Council certain functions of the Council under the Consumer Credit Act 1974 be delegated to the Executive of Birmingham City Council in the following

terms:-

“Without prejudice to Rotherham Borough Council’s duty in its capacity as an enforcement authority to enforce the provisions of the Consumer Credit Act 1974, the functions conferred upon Rotherham Borough Council under Parts III (Licensing of Credit and Hire Business) and Part XII (Enforcement of Act) of the 1974 Act be delegated to the Executive of Birmingham City Council for the period commencing on 1st April, 2009 and continuing for the life of the Birmingham Illegal Money Lending Team or until Rotherham Borough Council withdraws.”

(2) That the ‘protocol for illegal money lending team investigations’ be approved and the Director of Housing and Neighbourhood Services be authorised to sign it.

193. 2008/09 STATUS SURVEY SUMMARY REPORT

The Performance Management Officer submitted the summary of the findings of the 2008/09 Status (Tenant Satisfaction) Survey.

National Indicator 160 was created to measure local authority tenants’ satisfaction with landlord services and all local authorities who had retained all or part management of their housing stock were required to report on this Indicator.

The Council had commissioned BMG Research Ltd. to carry out a postal status survey. 2,000 random questionnaires and letters had been mailed out with 2 full reminder mailings sent to those who did not or could not respond to prior mailings. 853 (43%) had been completed and returned to BMG.

The results were set out in the report submitted.

Resolved:- (1) That the summary of results be noted.

(2) That the areas for development be captured within the annual revision to the Delivery Plan.

(3) That the results be used to inform the negotiations and setting of the Management Fee.

(4) That a joint report be submitted by the Landlords Relations Manager setting out a joint improvement plan.

194. 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.

195. FUNDING ARRANGEMENTS FOR ROTHERHAM WOMEN'S REFUGE AND RUSH HOUSE

The Director of Independent Living reported on the above agencies which had received grant funding from the Council for a number of years albeit without a formal Service Level Agreement being in place. Both organisations now had contracts with Supporting People Commissioners which should fully fund their expenditure.

Since 1996 both agencies had utilised the annual grant funding to cover the operational costs of running their service and would find it difficult to make savings to cover the loss of income within a short space of time. The Supporting People Commissioning Group had agreed to cover the costs for 2009/10 from May, 2009.

Resolved:- (1) That the General Fund and Housing Revenue Account funding paid to Rush House and the Rotherham Women's Refuge be replaced with Supporting People Grant for 1 year with effect from May, 2009.

(2) That the funds be redirected to alternative homelessness prevention services delivered by Housing Choices.

(3) That a report be submitted, for information, in due course on the value for money review to be conducted on these services by the Supporting People Team.

(Exempt under Paragraph 3 of the Act - (information relating to the financial or business affairs of any person (including the Council))

196. NON-TRADITIONAL PROPERTY REVIEW - AIREY PROPERTIES PHASE

The Neighbourhood Investment Manager submitted a report on the rationale for investment in a further 60 non-traditional Airey properties identified as sustainable and a priority for investment.

The Council to date had approved investment in 607 non-traditional Council-owned properties the investment programme for which was well advanced. The remaining 191 properties, of varying non-traditional construction, were awaiting final decision following Ward Member and community consultation and subject to final proposals being submitted to Cabinet Member for consideration.

The funding to undertake structural investment works in the properties identified in the report was available within the 2009/10 approved Housing Investment Programme.

Further reports regarding the remaining 131 non-traditional properties would be submitted per property type and area in order of investment priority once final proposals were available.

Resolved:- (1) That investment in the 60 Airey properties identified in the report submitted be approved.

(2) That further reports be submitted regarding the remaining 131 non-traditional properties once investment recommendations were available.

(Exempt under Paragraph 3 of the Act - (information relating to the financial or business affairs of any person (including the Council))

197. NON-TRADITIONAL PROPERTIES STRUCTURAL REPAIR PROGRAMME 2009/10 - PROJECT MANAGEMENT AND PROCUREMENT

Further to Minute No. 49 of 28th July, 2008, the Neighbourhood Investment Manager reported that the Neighbourhood Investment Services was now in a position to commence the procurement of the approved works at Dalton and also the further Airey properties identified, subject to approval and the necessary investment resources having been identified within the approved 2009/10 Housing Investment Programme.

Prior to commencement of the works, it was necessary to appoint a project management team to undertake the procurement of the specialist contractor to develop a detailed design specification and to manage all works undertaken under the direction of the Neighbourhood Investment Service as client.

The Council's construction partners, 2010 Rotherham Ltd. and RCP (Rotherham Construction Partnership)) had both expressed an interest in undertaking the project management of future structural repair works and were invited to submit quotes.

Based upon advice and support offered by RBT Procurement, the submissions had been considered.

Resolved:- That the appointment of RCP as the preferred partner to undertake the project management and procurement of structural repair works to Airey properties approved for investment be supported.

(Exempt under Paragraph 3 of the Act - (information relating to the financial or business affairs of any person (including the Council))

CABINET MEMBER FOR HOUSING AND NEIGHBOURHOODS
Monday, 1st June, 2009

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

1. REPRESENTATION OF THE COUNCIL ON OUTSIDE BODIES 2009/10

Resolved:- That consideration of the report be deferred.

2. TENANT EMPOWERMENT IN ROTHERHAM

Jane Davies-Haire, Landlord Relations Manager, presented a report proposing the development of a clear Service Standard in consultation with stakeholders and customers in relation to the development of tenant management organisations and other tenant empowerment opportunities. It was also proposed that a Communication Strategy be implemented to raise awareness of Members, staff and customers of the opportunities that were available.

A specialist Tenant Empowerment Officer role had been created to which supported the Council's commitment to tenant empowerment and take forward this important agenda. The 4 main functions of the role were:-

- To provide effective liaison between the Council, 2010 Rotherham Ltd., RotherFed and tenants and leaseholders
- To provide Members and staff with information about tenant empowerment
- To safeguard the Council's assets and ensure that management responsibility for services/facilities was only handed to groups that could clearly demonstrate an ability to manage effectively and deliver improved services to tenants and leaseholders
- To benchmark with other local authorities and ALMOs and create an arena for sharing good practice across 2010 Rotherham Ltd., RotherFed and Council
- To ensure appropriate links were made to other tenures including private sector and tenants of housing associations

It was important to develop a clear Communication Strategy demonstrating how awareness of the Council and 2010, other partners, Elected Members and tenants and leaseholders would be raised.

Key tenant empowerment issues to be addressed were:-

- o Confirming roles and responsibilities

- Completing actions identified by Council Housing Directions Sub-Group 2
- The Tenant Compact – “Here’s the deal”
- Aston Tenants and Residents Association
- Area Housing Panels

Discussion ensued on the report with the following issues raised:-

- Area Housing Panels and Tenants and Residents Associations were completely independent of each other
- The seminar should encompass the wider issue of tenant empowerment including compacts and the Place Survey

Resolved:- (1) That an all Members Seminar be arranged to raise awareness of tenant empowerment opportunities.

(2) That the views of Elected Members should be sought prior to information regarding tenant empowerment being provided to tenants and leaseholders via the website, newsletters and a series of awareness raising events.

(3) That a further detailed report on Aston Tenants and Residents Association be submitted in July, 2009.

3. FURNISHED HOMES TRANSFORMATION

Kirsty Everson, Director of Independent Living, presented a report proposing changes to the Furnished Homes Scheme to create a more diverse model offering choice, flexibility and measures that would ease financial burden when individual needs or circumstances changed, becoming a more personalised service for customers.

Since the Scheme became operational in September, 2004, over 700 households had been assisted to obtain furniture with 246 properties furnished in 2008/09.

The drivers behind reviewing the Service were:-

- Current Service operated on a lease replacement basis. When an item of furniture required replacing it was arranged based on an initial inventory and regular inspections. At the time of setting up the Scheme in 2004, Housing Benefit legislation stipulated that the home always had to remain furnished with the ownership of the furniture remaining with the Council. However, this did not allow for the changing needs of the customer who may decide at a later date that they no longer required the furnished service
- At present there was a limited range of furniture available and only open to Council tenants

- Rent became unaffordable if a tenant came out of benefit entitlement which acted as a barrier to those who wanted to access employment or who were employed on low incomes.

Consideration was given to 2 models:-

Model 1

Based on 4 furniture bands, each band allowing customers to choose an amount of furniture they required. The items were not specified so the customer could choose anything they wished to meet their needs. Each band would have a set of incremental weekly charges. If a customer wanted to include carpets and/or curtains (the most expensive items), this would be considered an additional charge to the chosen selection.

Model 2

Whilst similar to Model 1, each piece of furniture would have a specific value. The customer chose the base package and picked a selection of items up to the value of 5 e.g. cooker 1 point, sofa 1 point. Band charges would need to be higher as the cost of carpets would have to be factored into the overall weekly charge.

The proposed weekly charges were set out in the report.

Consideration was given to each of the Models. Model 1 offered more scope and increased the choice available for customers in terms of the number of items and potential cost.

Discussion ensued on the proposed Models with the following issues raised:-

- The new scheme would be more flexible
- An inventory was signed when commencing the scheme and, provided the damage was not malicious, would be replaced
- The Scheme was tied to the Tenancy Agreement and the enforcement that brought
- The new Scheme would allow a tenant to reduce their furniture package as their financial circumstances changed

Resolved:- That Model 1 be adopted.

4. 2009/10 PROJECT PROPOSALS FROM AREA ASSEMBLIES DEVOLVED BUDGETS

Mark Ford, Safer Neighbourhoods Manager, submitted an update on the process for the redevelopment of project proposals to be funded through either LAGBI or identified budgets within Neighbourhood and Adult Services. Such proposals would enable the delivery of local initiatives which met community priorities as identified for example in the Area Plans of the Area Assemblies.

Appendix 1 of the report submitted contained detailed proposals of projects to be funded within the 2009/10 financial year from the Rother Valley South, Wentworth North, Rotherham South, Wentworth South, Rother Valley West, Rotherham North and Wentworth Valley Co-ordinating Groups.

Discussion ensued on the projects with queries against a number of them.

Resolved:- (1) That, subject to clarification of the queries raised, the projects to be funded from identified Neighbourhood and Adult Services' budgets be approved.

(2) That the LAGBI project proposals be submitted to the Cabinet for ratification.

5. 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 1972 (information relating to the financial or business affairs of any particular person (including the Council)).

6. 2010 ROTHERHAM LTD. - REPAIRS AND MAINTENANCE SERVICE

This report was deferred to a future meeting.

SUSTAINABLE COMMUNITIES SCRUTINY PANEL
Thursday, 16th April, 2009

Present:- Councillor McNeely (in the Chair); Councillors Atkin, Blair, Cutts, Falvey, Gamble, Havenhand, Nightingale and F. Wright. together with Bernadette Bartholomew (Parish Councils) and Andrew Roddison (RotherFed)

Councillor Akhtar was in attendance at the invitation of the Chair.

Apologies for absence were received from Councillors Goulty, Lakin, P. A. Russell and Walker and Messrs. Armitage, Carr and Corkell.

113. COMMUNICATIONS

There was nothing to report.

114. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

115. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no members of the public and press present at the meeting.

116. SCRUTINY REVIEW - VOIDS TURNROUND

As agreed at the previous meeting, key witnesses had been invited to the Panel to gain an understanding of the key issues and reasons for the delays in re-letting empty properties in Rotherham and consider how performance could be improved against Local Performance Indicator 212 (average re-let times).

Kevin Lowry, Chief Executive, 2010 Rotherham Ltd. gave the following presentation:-

Empty Homes Review - An end-to-end review of voids had taken place. They were now known as "empty homes" to emphasise to all that they were homes that should be occupied by tenants

- "Every day counts" - adopted because when dealing with empty homes every day was crucially important particularly in the current economic climate
- we have taken an holistic approach – working with colleagues in all areas of the Council trying to find ways to expedite the process
- cut across teams and organisational boundaries
- create a sustainable solutio

- balance performance with quality – needs to lead to continual performance and quality. The quality of a letting was as important as the speed of it
- no issues of “blame” only achieving shared outcomes

Performance

- Performance had improved during the last quarter of 2008/09 - average of 24.5 days
- Significant step forward to that of the position in the first quarter although not achieved the yearly target
- Need to look at the whole picture
 - Termination period
 - Selection and offer process
 - Clear out and repair
 - Key management
 - Policy issues
 - Control and accountability
- Indicators need to show whole story – need for new suite to give better picture
 - Number of homes empty but available to let
 - Number of homes empty and unavailable
 - Rent lost through empty homes
 - Total turnaround times
 - Numbers of offers refused with reasons
 - Turnover of properties (sustainability)
 - Lettings to minority groups
 - Satisfaction levels
- Do not always believe what the figures tell you – 31 properties that were awaiting a decision on investment/disinvestment etc. which had been empty for a number of years, should they be re-let tomorrow, would change the average re-let time as all the time they had been empty would be added to the void days

So what is our primary objective?

- Performance?
- Quality?
- Choice?
- Sustainability?
- Cost?

- Good practice?

Impacts

- Performance
 - Cleaning and repair – 2010 was the senior partner when it came to performance on empty homes and, particularly in the last 12 months, for the cleaning out and repairing of properties. Stringent targets had been set to improve
- Policy options
 - Open bidding – there was an impact because of the bidding system as the 4 main reasons for refusal were not wanting an area, not wanting the property, not wanting to move at all or not willing to view even though they had bid for the property. This led to the Key Choices Team and 2010 having to spend a high proportion of time on offers that did not result in a letting
 - Sheltered qualifying criteria – had an impact on re-letting times
- Decisions on asset investment – needs to be taken seriously and carefully and had an effect on the total figures

The Way Ahead - all teams in 2010 and the Council involved in the process had been invited to a brainstorming event in March on how the situation could be improved.

- Collective and collaborative working
- Planned improvements – suggested suite of Indicators not simple average re-let times
- One team approach delivering the Empty Home Service within 2010 Rotherham:-
 - Multi-trade impact teams would work on empty properties
 - Repairs completed during the 28 day termination period via Rotherham Connect – the Voids Manager should have absolute responsibility and access to those working on the properties so there was accountability
 - Keys collected by 2010
 - Tenant incentives – Fond Farewell Scheme – look at good practice of other authorities to incentivise a tenant to leave their property in good order
 - Decent Homes work undertaken after a property is let unless required to meet the Empty Property Standard
 - Amalgamate all current action plans relating to the management of the empty homes process
- Review the processes for Choice Based Letting and implement efficiencies
 - Streamline the transfer process

- 2010 to produce the advert information in the format used by Key Choices
- Empty Homes requiring investment/sustainability decisions
 - All 2010's referrals to go via the Asset Management Team
 - Agreed target dates to be provided to 2010 by the Neighbourhood Investment Team on receipt of a referral
 - Evaluate efficiencies if the £20,000 threshold for investment decisions was raised to £25,000 – this would speed up the decision making process and save time on re-lets
- Empty Homes designated as Sheltered/Aged Persons
 - Review the direct homes procedures (parallel advertising)
 - Review benefits of a penalty for refusing a property
 - Make recommendations for individual properties/complexes wrongly designated as Sheltered/Aged Persons

Conclusion

- Not a completely failing service and evidence of improvement - It was not a completely failing service and there was evidence of improvement – the last quarter Performance Indicator would be upper quartile in comparison with elsewhere but it had to be sustained
- Service can reach better performance and still retain quality and choice - it could reach better performance and still retain quality and choice – by introducing some of the proposed actions better performance would be achieved whilst retaining quality and choice
- Seamless and supportive collaboration needed - critical that all teams work together
- Keep empty homes on the agenda - reinforce just how important this issue was and a constant reminder that when dealing with the process “every day counts”
- “Every day counts”

Kevin stated that the report circulated gave far more detail to the standards and some of the impacts. It was a very broad issue that 2010 was taking very seriously. There had already been an improvement with the sustainability framework and now needed to maintain that improvement.

How effective would a Tenants' Farewell Scheme be when the largest cause of termination of tenancy was death?

Whilst it was acknowledged that death was the most common reason for termination of a tenancy, such a scheme was used throughout the country. It was found to save the cost of having to clear a property out, no chasing of the keys and no chasing of rent arrears. Investigations would

take place as to what the impact would be for Rotherham and if felt to be cost effective.

Instead of screening an empty house would it be viable to get the repairs carried out by sub-contractors?

Sub-contractors were being used to some extent already. Some of the contractors working on Decent Homes contracts were given properties to repair to increase capacity, however, their turn round times had not been dramatically quicker than in-house. There had been instances where properties, due to be returned, had been vandalised by gaining access through the brickwork. Not all properties were screened – it was a judgement based on the environment and likely length of time a property would be empty.

Would it be better to let a property and repair it whilst in situ?

Whatever repairs were possible were carried out whilst the outgoing tenant was still in occupation during the 28 day termination period. It was very important to work with the incoming tenant and give a guarantee of the work that would be done in occupation.

When speaking to tenants and those trying to get a Council house they say they are told to keep bidding on whatever properties might be possible for them but it may be a dangerous situation if start charging a penalty

There was concern that when offers were refused because people did not want to move at that time or even go and view a property, it delayed re-letting for 2/3 weeks. It may be that some balance could be struck to impress upon people to bid for properties that might be interested in. There were people bidding who were perhaps not currently resident in Rotherham and did not know the area very well and did not have the financial means to tour the area to look around. An open ended bidding regime would have an impact. By having a suite of Performance Indicators it would show the difference between failure to perform and the ones where a factor of allowing people to bid had had an impact.

If a property became empty and there was a huge amount of work required why did it have to wait for that person to move out?

There were a range of contributory factors that impacted upon empty homes performance. 1 of the critical things that had impacted on performance was getting them clean in time. 2010 were not trying to blame the Choice Based Lettings regime but the refusal rate did have an effect on figures. There needed to be an understanding that in allowing choice there would, on occasion, be a time implication.

Elected Members did not receive updates when there was a change of Neighbourhood Champions/Neighbourhood Officers

Neighbourhood Champions were expected to be primarily out on the patch and be visible with Neighbourhood Officers not in the office carrying out administrative duties. It had been recognised that that had not been happening and the number of Service Assistants had been increased and

trained so they could answer queries.

Was a centralised Voids Team the best approach? Would a neighbourhood-based approach be more effective?

As far as 2010 was concerned and as indicated in the presentation, the view had been taken that the centralised team had to be enhanced. Poor performance in repairing properties was 1 of the major problems. The only way to ensure accountability and sustainability was to actually have that centralised team with the intention of bringing in a multi-disciplinary team.

How did that sit with local teams working together?

Only talking about the letting process. The letting process at the start of the tenancy should come under 1 centralised team but neighbourhood relations would continue at a local level.

When did a void not become a void?

A property starts off as an empty home but at what timescale did it change?

If all 31 void properties pending investment were let, the average re-let for last year would increase to 60. Once a property was let then all the time it had been sat empty was added to the average time despite the fact that 31 homes had been let that otherwise had not been available whilst awaiting a decision on investment. They were still sat as a total number of empty properties currently unavailable for letting. By only looking at average re-let times it masked the real picture.

The **Cabinet Member for Neighbourhoods** made the following points:-

- The Allocations Policy and Choice Based Lettings were under the Council's control. 2010 could make suggestions on how to improve them but currently there were no plans to add penalties to those refusing properties
- Local Letting Policies were introduced because of issues of anti-social behaviour and housing younger people in areas of older people accommodation and evidence of trouble in that particular area. The Housing Solutions Team could request a LLP that overrode everything else. If a person had Medical Priority and had had issues of anti-social behaviour they would not be allocated a property in that area

The **Voids Manager** made the following points:-

How much of the workforce was multi-skilled currently?

There were multi-skilled teams that 2010 were looking to change to impact teams. There were currently elements of repairs that sat outside the repairs team and work was taking place to bring them into 1 team so the service was streamlined.

Re-let times were down before there was a Voids Team but since there had been a Voids Team the numbers had escalated. Why?

The criteria for voids had changed at the time of the Voids Team being established. The National Indicator used to include a property that required major works. The decant procedure had to be re-written because 2010 did not move people out when a new bathroom etc. was fitted. Due to it being dropped as an Indicator everyone measured differently. In Sheffield anything over £2,000 was classed as a major work whilst Rotherham classed it as decant.

Were void properties prioritised for repair work according to demand for that type of property?

Other than sheltered and aged persons, there was no such thing as low demand but the quick wins were prioritised, then general repair and then major works. As a property came in the impact team moved it and blitzed it.

Voids Performance Recovery Plan made reference to a pilot in Rotherham South to complete all repairs prior to the voids being re-let

It was run as a pilot by a consolidated team. At the signing up of a property, repairs were carried out. It had made quite a big difference rather than having to make appointments to carry out the repairs.

Do maintenance staff accompany the inspector who checks the voids on termination?

The Repair Champions carry out the inspections.

When were tenants informed their bid had been successful?

As soon as the shortlist was drawn up. They only receive a copy of the bid if they request 1.

- The brainstorming event held in March had been the first time officers had come together to look at improving the process as a whole. In the last few months there had been a real drive from all parties to work closely
- Neighbourhood Champions should be the point of contact for Elected Members and Members of the public
- A blanket e-mail had been sent to authorities requesting information for benchmarking purposes
- There were very close links between the Empty Homes Teams and Neighbourhood Teams. The Empty Homes Teams staff were organised to specific areas so there was local knowledge within that Team
- Within the review it was recommended that 2010 ring an outgoing tenant and arrange to collect keys from them. Someone from the Voids Team would visit and check the property. It was hoped to

undertake a pre-termination visit and if only minimal repairs required, 2 tradesmen sent to carry out the work

- It had been identified through performance clinics that properties were only advertised when they were ready for letting to move away from people bidding for properties that would not be available for 8-9 weeks
- When void turn round had been running at 66 days, a performance clinic had been held and very stretched targets set. It had been identified that, whilst performance was poor, the number of properties needed to reduce. In hindsight, that decision had not had a lot of information behind it. There were currently over 100 properties with the Decent Homes Team
- Whilst the backlog had been reduced by 9 in 4 months, an extra 89 properties had been let since last year. The figures did not take account for the rise in terminations that had taken place

The **Key Choices (Property Shop)** staff made the following points:-

When a property is advertised whilst the outgoing tenant is still in occupation do you advertise the actual property or the property type?

The advert would include an address and description but no house number.

Currently a tenant had 28 days to leave a property. The bidding system was weekly. Would it be better to have the 2 tied together?

The 4 week period was process lead. A property was only advertised for 1 week. On close of advert, a shortlist was produced of successful applicants who placed an interest and a full list of the first 30 applicants, in earliest date order, was sent to the Voids Team. The list was then worked down.

Did it give any indication on the form that if the customer had not heard within Xdays to consider they had been unsuccessful in their bid?

In dealing with customers on the telephone and in person, advice was given that if they had not heard within 10-14 days to consider themselves unsuccessful. Letting results were produced and available in the Property Shop, local offices and on the intranet so a customer would be able to see who had been successful (not by name but by their date). They would be able to use that information as a guideline for the properties they were bidding for.

When did a Local Lettings Policy become irrelevant? Did a Medical Priority or homeless application have an effect?

All vulnerable people were assessed and recommendations made for the type of property most suitable for their needs. The LLPs were published on the intranet; if a customer did not meet the LLP they would not be considered for the property even if they had Medical Priority or homeless.

Customers were assisted when bidding but if there was an LLP in existence on that property and they did not meet the criteria, they would be discouraged from making a bid.

- Once a customer had been contacted, the verification process did not have to be repeated
- Properties were advertised on a weekly cycle and from that a list of applicants expressing an interest was pulled together. If the first person on the list refused the property or the verification found that they were not eligible, the second person on the list was made an offer etc. The property was not re-advertised until all applications had been exhausted
- The whole process was designed to be completed within the 4 week termination period. It did not affect turn round times at all
- The Assessment Team worked very closely with the Health Authority looking at those discharged from hospital. The system was in place to assess anyone who was vulnerable or not managing in their own property. It was a case of raising awareness
- The pre-termination visit would be an exit interview
- As soon as a shortlist was sent through, the verification commenced rather than waiting for letting. On occasions when the verification process had not started for a couple of months customers could have actually gotten other properties

The Chair thanked everyone for their attendance.

117. CABINET MEMBER FOR NEIGHBOURHOODS

The Panel noted the decisions made under delegated powers by the Cabinet Member for Neighbourhoods held on 2nd and 30th March, 2009.

118. SUSTAINABLE COMMUNITIES SCRUTINY PANEL

The minutes of the meeting held on 12th March, 2009, were agreed subject to the inclusion of Councillor Falvey's apologies.

Resolved:- That a report be submitted to the next meeting on Garage Sites investment.

119. PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE

The minutes of the Performance and Scrutiny Overview Committee held on 27th February and 13th March, 2009, were noted.

120. NEW ARRIVALS WORKING PARTY

The minutes of the above Working Party held on 4th March, 2009, attended by Councillor Sharman were noted.

121. MEMBERS SUSTAINABLE DEVELOPMENT ADVISORY GROUP

The minutes of the above Advisory Group held on 6th March, 2009, attended by Councillor Wyatt be noted.

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
27th March, 2009

Present:- Councillor Whelbourn (in the Chair); Councillors Austen, Jack, McNeely and Swift.

Also in attendance for Item 207 below (Scrutiny Work Programme) were:-

Councillor Stone	Leader
Councillor Akhtar	Cabinet Member for Neighbourhoods
Councillor Smith	Cabinet Member for Regeneration and Development
Councillor Wyatt	Cabinet Member for Sustainability and Innovation

Councillor Wyatt also attended for Item 205 below (ICT Strategy).

Apologies for absence were received from The Mayor (Councillor G. A. Russell) and Councillors Boyes, Burton, J. Hamilton, P. A. Russell and S. Wright (Cabinet Member for Children and Young People's Services)

203. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

204. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

205. ICT STRATEGY

The Chairman welcomed Councillor Wyatt, Mark Gannon (Transformation and Strategic Partnerships Manager) and Richard Copley (ICT Strategy and Client Co-ordinator).

After a brief introduction from Councillor Wyatt, Richard Copley gave a presentation of the ICT Strategy which covered:-

- The Seven Themes
- Achievements to date
- Information Management (Theme 1)
 - Government Connect
 - EDRMS
 - CRM/Revenues and Benefits Integration
 - VOIP Telephony
- Customer Focus (Theme 2)

- CMS – new website
- SMS – texting
- eForm fault logging
- New JSCs and Children’s Centres
- Area Based Profiling

- Member Focus (Theme 3)
 - Laptops
 - Broadband
 - Remote Access (VPN)
 - eCasework – trial underway

- Staff Focus (Theme 4)
 - WorkSmart
 - Identity Lifecycle Management
 - Deskless Workers

- Partnership Focus (Theme 5)
 - RMBC staff co-located in offices with NHS staff
 - ‘Intelligent Network’ in place in Maltby

- Business Continuity through Information Assurance (Theme 6)
 - Expert BCP Consultancy
 - Tape backups – relocation
 - Permanent generator at (current) Civic Building
 - Digital Region- South Yorkshire network
 - Data Centre Consultancy complete
 - Cloud computing – system migration is underway
 - WorkSmart – giving more people remote access

- Learning Development and Training (Theme 7)
 - eLearning solution in place – more than 2000 staff have taken courses via eLearning
 - New Training Module in HR System

- Funding Sources 2006 – 2011

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

- use of consultants regarding EDRMS
- VOIP telephony costings
- elected Member linkage to VOIP telephony

- security password systems regarding laptops
- IT systems communicating with each other, internal and partner wise
- Rotherham Information Governance Group

Resolved:- That the information be noted.

206. MINUTES

Resolved:- That the minutes of the meeting held on 13th March, 2009 be approved as a correct record for signature by the Chairman.

207. WORK IN PROGRESS

Members of the Committee reported as follows:-

(a) Councillor McNeely reported that the review of choice based lettings had been completed and was in the process of being written up.

(b) Councillor Austen reported that the debt recovery review was progressing well and three sessions had been held. It was anticipated that interviews would be completed by the end of April with a report drafted by June.

(c) Councillor Jack reported:-

(i) the Adult Services and Health Scrutiny Panel had considered

- potential for a review of the ambulance service
- issues regarding discharge policies and delays in patients leaving hospitals
- results of the consultation on the modernisation of mental health services

(ii) the next meeting of the Adult Services and Health Scrutiny Panel was to consider:-

- presentation on domestic violence to which all Members were welcome to attend
- presentation on Age Concern

(d) Councillor Swift reported that the scrutiny review of road traffic safety around schools was progressing well and teams were beginning to go out to schools

(e) On behalf of the Mayor, it was reported that the scrutiny review report regarding support for newly arrived children in schools would be submitted to the Children and Young People's Services Scrutiny Panel on

3rd April, 2009

(f) Cath Saltis reported that the report of the review of community use of school buildings was to be submitted to Cabinet at the end of April.

208. CALL-IN ISSUES

There were no formal call-in requests.

209. SCRUTINY SELF ASSESSMENT

Cath Saltis, Head of Scrutiny Services, introduced briefly the submitted Centre for Public Scrutiny document – Self Evaluation Framework for overview and scrutiny in local government which covered:-

- provide 'critical friend' challenge
- reflect the voice and concerns of the public and its communities
- take the lead and own the scrutiny process
- make an impact on service delivery
- other assessment tools and methodologies
- examples of performance indicators for scrutiny
- other useful websites

Tim Littlewood, Performance and Quality Manager, elaborated on the documentation and promoted discussion with the aid of a presentation which covered:-

- aim of self assessment
- what should scrutiny achieve
- success of scrutiny
- areas for improvement
- support for scrutiny

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

- how public engagement in scrutiny could be improved
- the level of interest and engagement in reviews compared with

scrutiny meetings

- timing of work and timeliness of reports
- engagement of young people
- attendance at, and commitment shown to, scrutiny meetings
- regional select committees
- relationship between local and regional scrutiny

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

(2) That further work/discussions be undertaken with partners and Tim Littlewood report to a future meeting of this Committee as appropriate.

210. SCRUTINY FORWARD PROGRAMME

Cath Saltis, Head of Scrutiny Services, introduced briefly a discussion on the forward programme of work referring to the national and local perspective, policy review and development, performance monitoring overall and finance and resources.

Particular reference was made to the submitted report advising of the Government's intention to commence Sections 19-21 of the Police and Justice Act 2006 by 30th April, 2009 and highlighting the implications for scrutiny in Rotherham.

Discussion ensued and the following issues were covered:-

- need for a committee/panel to review and scrutinise the crime and disorder function
- need for specific terms of reference regarding the crime and disorder function
- workload of scrutiny panels
- terms of reference of scrutiny panels
- scrutiny panel alignment with Cabinet portfolios

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

(2) That the commencement date for, and implications of, Sections 19-21 of the Police and Justice Act 2006 be noted.

(3) That a working group, comprising Councillors Austen, Boyes, Swift and Whelbourn, be established to consider the terms of reference of the

respective scrutiny panels, including the ownership of, and terms of reference for, the review and scrutiny arrangements in respect of the crime and disorder function.

(4) That a report of the Working Group findings be submitted to a future meeting of this Committee.

211. SCRUTINY WORK PROGRAMME

The Chairmen welcomed members of the Cabinet and joint discussions ensued on the future work of scrutiny and working arrangements between scrutiny and the Cabinet.

The following issues were covered:-

- current arrangements between scrutiny and respective Cabinet Members
- pre-decision scrutiny
- attendance of respective scrutiny chair and vice-chair at Cabinet Member meetings
- potential for briefing scrutiny chairs and vice-chairs prior to Cabinet Member meetings
- Cabinet Member attendance at scrutiny panel meetings
- scrutiny panel chairs and vice-chairs receiving Cabinet Member meeting agendas
- potential for inviting respective scrutiny panel chair or vice-chair to future Leader's Meeting/Strategic Director briefing sessions
- joint meetings between Cabinet and Performance and Scrutiny Overview Committee

In concluding the discussion, the Chairman thanked everyone for their attendance and contributions.

Resolved:- That the issues now raised be pursued and considered by the Working Group established at Minute No. 210 above and a report be submitted to this Committee in due course.

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
17th April, 2009

Present:- Councillor Whelbourn (in the Chair); Councillors Austen, Barron, Burton, Jack, McNeely and Swift.

Also in attendance was Councillor License for item 217 below (Children and Young People's Services Scrutiny Panel Review of Support for Newly Arrived Children in Schools)

Apologies for absence were received from The Mayor (Councillor G. A. Russell) and Councillors J. Hamilton and P. A. Russell.

The Chairman welcomed to the meeting Councillor ??? Fortune and ??? (guest observers from Hambleton District Council)

212. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

213. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

214. PAYMENT OF INVOICES WITHIN THIRTY DAYS- FORMERLY BVPI 8

Further to Minute No. 182 of the meeting of this Committee held on 27th February, 2009, Sarah McCall, Performance Officer, presented the submitted report which detailed BVPI 8 and how it measured the payment of undisputed invoices within thirty days.

The report provided specific information on how each directorate performed against the indicator during the month of February, 2009.

The report covered:-

- number of late transactions per directorate
- total late transactions by directorate as a percentage of the directorate's total invoices
- total invoices by directorate
- percentage of late transactions by directorate

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

- 2010 invoices

- outturn position
- use of procurement cards
- work of procurement champions
- need to question directorate representatives regarding issues in their respective programme areas

Resolved:- (1) That the directorate performance against former BVPI 8 be noted.

(2) That directorates be requested, in turn, to attend future meetings of this Committee to explain issues within their respective programme areas. Such representation to include Councillor Wyatt and the respective directorate procurement champion and cabinet member, commencing with Environment and Development Services in June, 2009.

215. LOCAL AREA AGREEMENT (LAA) 2008 - 2011 REFRESH

Julie Slatter, Head of Policy and Performance, presented the submitted report which confirmed the outcome of the 2009 refresh of the Local Area Agreement 2008-11 highlighting areas where targets, baselines and trajectories had been re-negotiated or updated.

The Government Office annual review set the context for the refresh process which had now concluded.

The LAA refresh process focused on a small number of indicators within the Local Area Agreement and fell into a number of categories outlined:-

- Indicators affected by the Economic Downturn.
- Survey Based Indicators.
- Changes in definitions/baselines.
- Vital Signs.

In addition to these amendments negotiations with GO had concluded with an inclusion of a new local indicator relating to Childcare uptake – NI 118.

Reward Grant for meeting Local Area Agreement targets was available and detailed guidance on how this would be calculated had now been published. The removal of the lock down on targets affected by the downturn had been helpful in maintaining the likelihood of achieving success in the Local Area Agreement and associated reward grant.

A number of Local Area Agreement indicators across all themes would be stretching to achieve. Tight performance management frameworks and improvement plans were in place across the partnership to address any

particular performance issues.

There was currently uncertainty around the economic downturn and its implications for Local Area Agreement indicators focusing on housing and employment issues in particular. The 2010 refresh process would be critical in determining the targets for these indicators.

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

- promoting business start ups, growth and inward investment and impact on base target
- LSC over commitment and impact on targets
- implications of not accepting a target
- management of different partner priorities
- membership of Borough Improvement Group
- acquisitive crime survey findings
- need for availability of information regarding ward by ward breakdown of problems
- clarification of baseline years/figures
- monitoring arrangements for Comprehensive Area Assessment
- this Committee's legislative responsibilities for the overview of the Local Area Agreement

Resolved:- (1) That the refreshed LAA 2008-11 be noted.

(2) That the Government Office LAA annual review for Rotherham 2008/09 be noted.

216. NEW SCRUTINY FUNCTIONS AND REGULATIONS

Cath Saltis, Head of Scrutiny Services, presented the submitted report indicating that Sections 119 to 128 of the Local Government and Public Involvement in Health Act 2007 (C.28) and Sections 19 to 21 of the Police and Justice Act 2006 (C.48) made new provisions for the function of overview and scrutiny in local authorities. The provisions of the 2007 Act, with the exception of matters relating to crime and disorder, had now all been brought into effect. The Home Office had indicated that the provisions relating to crime and disorder in both the 2006 and 2007 Acts would commence on 30th April, 2009.

The report focused on community call for action (CCFA) and crime and disorder and provided the up to date position in respect of the above.

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

- co-optees now required to have voting rights
- need for a threshold/criteria regarding local attempts to solve a CCFA
- need to embed in members their responsibility to try and solve issues locally
- need for training for members and scrutiny officers
- written procedures required
- need to differentiate between issues and processes

Resolved:- That the information be noted.

217. CHILDREN AND YOUNG PEOPLE'S SERVICES SCRUTINY PANEL REVIEW OF SUPPORT FOR NEWLY ARRIVED CHILDREN IN SCHOOLS

Councillor Neil License, review group Chairman, presented the submitted report setting out the findings and recommendations of the review group. The review document was submitted and had been endorsed by the Children and Young People's Services Scrutiny Panel at its meeting on 3rd April, 2009. Highlighted were the background to and rationale for the review, membership, scope, terms of reference, summary of findings and key recommendations.

The review examined the following areas:-

- what was available currently in Rotherham schools to support newly arrived children and young people
- examples of good practice locally and elsewhere
- how existing resources could best be utilised
- what measures should be taken in the long term to improve the Council and partners' responses and the support available to newly arrived children and young people

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

- migratory/settling patterns of the European Roma communities and impact on the placement of children in schools
- devolution of the Welcome Centre
- issues relating to funding based on 'census' day
- problems of non attendance (often due to Roma communities moving away for work) still counting against targets
- potential for a central register
- sharing experiences and best practice with other schools

- representations to Central Government regarding the issues/problems

Resolved:- (1) That the review, together with the findings and recommendations, be supported.

(2) That the review and its recommendations be forwarded to Cabinet for consideration.

(3) That everyone involved in the review be thanked for their time, effort, contribution and commitment

218. MINUTES

Resolved:- That the minutes of the meeting held on 27th March, 2009 be approved as a correct record for signature by the Chairman.

219. WORK IN PROGRESS

Members of the Committee reported as follows:-

(a) Councillor McNeely reported that the Sustainable Communities Scrutiny Panel had yesterday received a progress report in respect of the scrutiny review of voids turnaround times. The small steering group, set up to highlight issues for further discussion, had met twice already and would meet again in the new municipal year.

(b) Councillor Austen reported (i) that the latest meeting of the Democratic Renewal Scrutiny Panel had received a presentation on equalities and (ii) that the debt recovery review was progressing.

(c) Councillor Jack reported that the latest meeting of the Adult Services and Health Scrutiny Panel had received a presentation on domestic violence.

(d) Councillor Burton reported (i) that the Children and Young People's Services Scrutiny Panel, at its meeting on 3rd April, 2009, had considered:-

- Child and Adolescent Mental Health Services – Strategy Developments July, 2008 to March, 2009
- Alcohol and Substance Misuse Strategy – Update and Key Focus Areas
- Autistic Spectrum Disorder
- Audit Commission – study of Children's Trust Arrangements update
- Scrutiny Review – Support for Newly Arrived Children in Schools
- Children and Young People's Services Forward Plan

(ii) that the breastfeeding review was continuing.

(iii) that the Children and Young People's Services Scrutiny Panel, at a special meeting on 15th April, 2009, had considered the call ins regarding the proposed Maltby Academy and amalgamation of schools.

(e) Cath Saltis, Head of Scrutiny Services, reported that the Centre for Public Scrutiny Annual Conference was to be held in Nottingham on 9th June, 2009.

Resolved:- That the Chairman and Vice-Chairman, or substitutes, be authorised to attend.

220. CALL-IN ISSUES

Cath Saltis reported that the call ins regarding Maltby Academy and amalgamation of schools, heard by the Children and Young People's Services Scrutiny Panel on 15th April, 2009, had not been upheld.

It was also noted that the call in regarding the Bramley Traffic Management Scheme was to be heard by this Committee on 28th April, 2009.

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
28th April, 2009

Present:- Councillor Whelbourn (in the Chair); The Mayor (Councillor G. A. Russell); Councillors Austen, Barron, Boyes, Burton, Gilding, McNeely, P. A. Russell and Swift.

Also in attendance were Councillors Cutts, Mannion, Parker, Smith, Thirlwall and Turner.

Apologies for absence were received from Councillors J. Hamilton and Jack.

221. DECLARATIONS OF INTEREST

Councillor Smith declared a prejudicial interest in item 223 below, being the Cabinet Member taking the decision called in and only remained in the room to answer questions and explain the reasons for the decision.

222. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

223. CALL - IN - RESULTS OF THE BRAMLEY TRAFFIC MANAGEMENT SCHEME CONSULTATION

The Chairman welcomed everyone to the meeting and the process was explained. Following procedural questions from Councillor Thirlwall, the order of proceedings was clarified and confirmed.

The Committee considered Minute No. 216 of the meeting of the Cabinet Member for Regeneration and Development Services held on 30th March, 2009 regarding the results of consultation undertaken towards the end of November, 2008 to gauge opinion on two proposed options to amend the current Bramley Traffic Management Scheme and the resultant decision to approve Option 1. Also considered was the report that was submitted to the above meeting.

Councillor Thirlwall, supported by Councillors Cutts, Gilding, Mannion, Parker and Turner presented the objections to the proposal covering the following issues and views:-

- there were no advisers, strategic director or directors present at the meeting when Councillor Smith made the decision
- the decision was made against the recommendations by officers
- the Chief Executive and Strategic Director of Environment and Development Services indicated they thought that Option 2 would be the preferred option at a meeting with businesses a

few days prior to the decision being made

- the Leader had also indicated it would be considered “daft” not to go for Option 2
- Councillor Smith arrived at the decision as he had a vendetta against the people of Bramley
- it was the overwhelming view of the community that Option 2 was the preferred option and it was a surprise when the recommendation for such was overturned
- at a previous consultation event public meeting, only 39 people were in support of the decision to implement the scheme in situ
- the scheme installed in 2005/06 was a disaster and no one believed how bad the scheme would be until it was completed
- a 3000 plus signature petition had been submitted and the latest period of consultation saw over 7500 households consulted at a cost of £30,000. 87% of those consulted were not in favour of a one way system
- the consultation covered the three ward areas and others who drove through Bramley
- a consultant, recruited to look at the system, concluded:-
 - (a) the slip road was too short
 - (b) parking on Cross Street had been installed against best practice
 - (c) parking was in the wrong place
 - (d) existing parking on Cross Street was illegal
 - (e) junction of Cross Street with the A631 would not support a return to two way traffic
- in December, 2007 consideration was given by Councillor Smith to alterations to the original scheme, incorporating the comments from the consultant. The meeting was not to reverse the scheme but to consider the cost implications of suggested amendments. The decision was called in.
- mistakes to the scheme were brought to Councillor Smith's attention, but he ignored them

- Councillor Smith misled Performance and Scrutiny Overview Committee (PSOC) in respect of the cost of reversing the scheme and claiming it was safer for a one way system. PSOC did not support the call in.
- it appeared the Traffic Regulation Order (TRO) on Main Street was illegal and publicity attracted significant opposition to the one way traffic scheme
- Councillor Smith, on 29th September, 2008 decided whether to consult, who with and how and an event was held in November, 2008 attended by 500 people
- 92% of those who attended supported Option 2 and only 2% supported Option 1
- conclusions from the consultations were reported by officers to Councillor Smith on 30th March, 2009
- South Yorkshire Police had indicated Option 1 could not be supported
- Councillor Smith made a mistake by agreeing to go out to consultation again
- the decision (Minute No. 216) was based on the issue of traffic management and road safety with little evidence to support Option 1
- the decision was flawed using flawed logic
- problems were anticipated in the future with the need to apply for a temporary TRO to replace the illegal one, which could take approximately 18 months
- there would be a massive objection to the TRO should consultation take place
- the matter should be referred to full Council for determination
- people consulted were being failed in that they were not being given a reversal to a two way system of traffic flow for which there was overwhelming support
- on this occasion, the Council was not listening to the people as it claims it does
- public confidence was undermined in that the consulted people of Bramley were given two options and the impression of a real

choice

- reasons for Option 1 were invalid
- the democratic process was flawed

Councillor Smith, Cabinet Member for Regeneration and Development Services, responded as follows:-

- he did not hold any vendettas against the people of Bramley
- the decision in 1999 was not taken alone but with the then Deputy Cabinet Member
- in response to the consultation, 78 people had voted for a one way system of some sort, 39 had voted for a one way scheme the other direction
- there were many inaccuracies in Councillor Thirlwall's presentation
- with regard to the mistakes, he could have turned it round and used the road with a two way traffic system (Option 2)
- he did say on road safety terms Option 1 was not better than Option 2 but it was not worse and there as a slight drop in accidents
- he did agree to consult and 8194 residents of Bramley were consulted
- Bramley Action Group had expected a noise but only got a murmur. 71 responses were discarded due to 67 wanting to see a left turn out of Cross Street onto Main Street and 4 wanted a return to the old scheme
- Option 2 would not improve road safety or traffic management flow
- of the 570 households on the Grange Estate and 72 properties on Main Street only 87 and 18 responses were received respectively in favour of Option 2
- 36 businesses had information hand delivered and only 4 responses were received, 2 for Option 2, 1 for Option 1 and 1 for status quo
- the estimate of £1m to revert to the two way scheme included the present scheme costs of £800,000 plus £190,000 to amend

- the officer mistake regarding the TRO was being rectified and was three quarters of the way to being finalised
- consultation did not mean compliance
- the Bramley Action Group leaflet, campaigning for Option 2 but must include all amendments, had done the people of Bramley a disservice
- two mistakes were made:
 - drafting the TRO
 - being convinced by officers to go out to consultation again
- the decision was not taken lightly
- how often had Councillor Thirlwall voted against officer recommendations
- PSOC had previously supported that the one way system should remain by a majority of 11 to 1
- in considering the options, Option 2, did not improve road safety or traffic management but could make traffic management worse
- in keeping the cycle lane in, as the Police wanted, some parking would be lost but there was ample parking on Church Lane and Cross Street
- people on the Grange Estate did not lose out, it took 1 minute 50 seconds to get around the one way system
- the response to the consultation was not overwhelming given that there were 40 replies from 17,000 in that area
- members had had the opportunity previously to oppose the scheme and were now jumping on the bandwagon

The Chairman invited sponsors of the call in to seek clarification on any issues and issues covered included :

- parking on Main Street
- the claimed time of 1 minute 50 seconds to navigate the one way system at peak times
- provision of contra flow cycle lane regardless of which scheme

option was chosen

- £1m cost argument to revert to two way system was ludicrous
- method of consultation
- TRO
- the dismissal of 400 + votes very lightly

The sponsors of the call in and Councillor Smith, together with officers, answered, where possible, questions from the Committee covering:-

- benefits of Option 2
- deciding on Option 1 when officers and Police recommended Option 2
- why bother consulting only to ignore responses
- respective parking times for businesses regarding Options 1 and 2
- discounting the 71 votes
- traffic management flow at varying times of the day and week
- lack of objections to the existing scheme received
- clarification of how Councillor Smith had allegedly misled PSOC at the previous call in meeting

At the conclusion of the questioning Councillor Smith left the room and the Committee deliberated.

Resolved:- That the call-in request be not supported.

(Councillor Smith declared a prejudicial interest in the above item and left the room at the conclusion of the questioning from the Committee and prior to the Committee's deliberations)

**RECYCLING GROUP
TUESDAY, 28TH APRIL, 2009**

Present:- Councillor R. S. Russell (in the Chair); Councillors The Mayor (Councillor S Ali), Atkin, Falvey, Havenhand, Nightingale and Wyatt.

Apologies for absence were received from Councillors Boyes and Walker.

In attendance:- Councillor B Dodson

48. MINUTES OF PREVIOUS MEETING HELD ON 17TH MARCH, 2009

The minutes of the meeting held on 6th January, 2009, were agreed as a correct record.

Agreed:- That a report be submitted to the next meeting on recycling in Council offices.

49. COMPOST GIVEAWAY

Further to Minute No. 40 of the previous meeting, it was noted that a planning meeting had been held with WRAP to discuss composting issues for the year.

It was planned to carry out composting roadshows to 4 schools in Rotherham with Waste Management selecting the most suitable schools. A WRAP advisor would run the roadshow for which there would be no charge.

If successful, Waste Management would look to develop further programmes for Rotherham schools in the future.

The Chair requested that the four roadshows be spread across the borough ensuring that they were held in the South and North of the borough as well as Central.

Hugh Long, Partnerships and Development Co-ordinator reported that there was to be a Compost Giveaway event held on 9th and 10th May where Yorkshire Horticulture would be giving away 4000 bags of compost free. Vouchers would be circulated throughout the borough and upon production of this a 30 litre bag of compost would be issued.

Agreed:- That the report be noted.

50. USE OF HOUSEHOLD WASTE RECYCLING CENTRES

In accordance with Minute No. 42 of the previous meeting, Hugh Long, Partnerships and Development Co-ordinator, submitted the operating guidance for household waste recycling centres.

It was noted that the access policy had recently been rationalised throughout the BDR Partnership with Barnsley and Doncaster committed to introducing a similar system to Rotherham.

Agreed:- That the report be noted.

51. PROMOTION OF WORMERIES IN SCHOOLS

Further to Minute No. 41 of the previous meeting, Hugh Long, Partnerships and Development Co-ordinator, reported that wormeries had been delivered to 2 Rotherham Schools.

A start up meeting had been held with the schools concerned to give advice as to how to develop the wormery project in their school with progress meetings planned to monitor progress.

4 further schools had been identified for additional wormeries to be funded from the Council's Leadership Fund.

Work was ongoing to develop a leaflet for distribution to Councillors detailing the benefits of wormeries in processing food waste.

Agreed:- That the report be noted.

52. STERECYCLE

A visit to Sterecycle took place at the conclusion of the meeting.

Rotherham had entered into a contract with the company to process black bin residual waste.

53. DATE AND TIME OF NEXT MEETING

Agreed:- That a further meeting be held on 7th July, 2009 at 10.00 a.m.