

SUSTAINABLE COMMUNITIES SCRUTINY PANEL

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

Date: Thursday, 16 July 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

FOR DECISION

7. Representation on Outside Bodies 2009/10 (Pages 1 - 2)

FOR PRESENTATION

8. Housing Market Renewal Pathfinder Programme Update (Pages 3 - 10)

FOR MONITORING

9. Tenant Empowerment in Rotherham (Pages 11 - 16)
- Tom Bell, Neighbourhood Investment Manager, to report
10. Choice Based Lettings (Pages 17 - 46)
- Caroline Webb to report

FOR INFORMATION

11. Cabinet Member for Housing and Neighbourhoods (Pages 47 - 59)
- minutes of meetings held on 15th and 29th June, 2009

MINUTES FOR INFORMATION

12. Sustainable Communities Scrutiny Panel (Pages 60 - 70)
- minutes of meeting held on 18th June, 2009
13. Performance and Scrutiny Overview Committee (Pages 71 - 88)
- minutes of meetings held on 12th and 26th June, 2009
14. **EXCLUSION OF THE PRESS AND PUBLIC**
Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act (information relating to the financial or business affairs of any person (including the Council))
15. Neighbourhoods General Fund Revenue Outturn 2008/09 (Pages 89 - 96)
16. Housing Investment Programme (HIP) Outturn 2008/09 (Pages 97 - 102)
17. Housing Revenue Account Outturn 2008/09 (Pages 103 - 112)

**Date of Next Meeting:-
Thursday, 17 September 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)

Representation of the Council on Other Bodies 2009 – 2010

Title	Description	Council Rep.	Frequency	Councillors Role	RMBC Officer Support	How issues are reported back into the Council
Decent Homes Partnering Board	Steering Group and Core Group made up of Neighbourhoods, 2010 Rotherham Ltd and the contractors for the programme. The group look at the progress of the programme to date	1 rep. from the Sustainable Communities Scrutiny Panel (Councillor McNeely)	Monthly	Representative	Dave Richmond	Performance management reports to Cabinet Member
Rotherham Rent Bond Guarantee Scheme	Bond Guarantee Scheme, recent re-organisation taken place undertaken in respect of attendance and support by Officers	1 rep. from Sustainable Communities Scrutiny Panel (Councillor F. Wright)	Bi-monthly	Representative	Claire Boldy	Quarterly performance reports Annual funding report to Cabinet Member
RUSH House Management Committee	Providing the strategic direction and the overall decision making body for the accommodation and support service for homeless people aged 16 to 23	1 rep. from Sustainable Communities Scrutiny Panel (Councillor F. Wright)	Bi-monthly	Co-opt member To read papers, receive minutes and report back.	Sandra Tolley	Elected Member to report to Cabinet Member annually

Title	Description	Council Rep.	Frequency	Councillors Role	RMBC Officer Support	How issues are reported back into the Council
Environmental Protection - Yorkshire and Humberside Division	The work of the Division is carried out voluntarily by members who want to make an impact upon creating sustainable environments for future generations.	4 reps. from the Sustainable Communities Scrutiny Panel (Councillor Atkin and Mr. Carr)	1 event and 3 meetings per year	Representative and information sharing	Mark Ford	Information shared between Officers
Women's Refuge	Refuge Management Committee, addresses all management, strategy, policy and operational matters of the Women's Refuge	1 Rep. from Sustainable Communities Scrutiny Panel (Councillor Havenhand)	Monthly	Representative	Sandra Tolley	Monthly management minutes Elected member to report back annually

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	16th July 2009
3.	Title:	Housing Market Renewal Pathfinder Programme Update
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

The purpose of this report is to provide an update on the financial position of the Housing Market Renewal Pathfinder Programme at the end of March 2009.

The programme commenced in 2004 and to date has drawn down and delivered £41.5 million of HMRP funding to support housing market renewal investment activity. In the 2008-2009 period the Pathfinder programme delivered £11.5 million of investment and exceeded by £0.8 million the spend target for the year.

It has been announced by Transform South Yorkshire (TSY) that the 2009-11 Rotherham funding allocation will be provisionally reduced by 10% to £13.8 million, a funding cut of £1.4 million across a two year period. This allocation was confirmed at the TSY Board Meeting on 15th June.

The 2009-11 programme has been developed through a process of strategic master planning and regular reviews with ADF Steering Groups, key partners and stakeholders. The 2009-11 investment programme was also subject to a sub regional level consultation with the other South Yorkshire local authorities, prior to the presentation to the TSY Board. The programme has been updated to respond to the funding cut and the new challenges created by the economic downturn and credit crunch.

The following report provides a summary of investment delivered to date and provides a financial overview of the 2009-11 proposed programme of activity.

The report will also be supported by a presentation to the Panel.

6. Recommendations

- **That the Scrutiny Panel notes the contents of the report and the progress achieved to date.**
- **That the Scrutiny Panel notes the revised programme for the 2009-11 period.**

7. Proposals and Details

7.1 Background

The Housing Market Renewal Pathfinder Programme continues to be a great success for Rotherham, delivering £41.5 million of public sector external funding investment activity between 2004 and March 2009, to support housing regeneration projects in some of the most disadvantaged neighbourhoods and playing a significant role in supporting the regeneration of Rotherham Town centre. The programme has delivered a wide ranging programme of investments designed to enhance the housing market, extend the range and quality of housing offer and the quality of neighbourhoods in five designated ADF areas within the Borough.

The programme has attracted significant complementary public funding support from housing programmes now regrouped under the Homes and Communities Agency (HCA), Yorkshire Forward and from the private sector, to provide strong financial backing to a large number of regeneration initiatives. Such financial resources have enabled a wide ranging programme of investment including:

- the demolition of unsustainable dwellings
- the provision of award-winning high quality eco-homes at Henley Rise
- an array of Gateway, street scene and public realm improvements including parks and open spaces
- significant strategic acquisitions
- neighbourhood master planning and
- the development of a new town centre residential market.

Rotherham's successful track record of delivery and strong strategic frameworks have been influential in increasing Rotherham's share of the sub regional funding allocation in the 2008-2011 funding round. The economic downturn and its impact on public finance have resulted in the announcement of a provisional 10% cut-back on the sub-regional funding allocation. Rotherham's funding allocation has been revised down to £13.4 million for the 2009-11 period and further details of the proposed HMR programme are presented below.

7.2 HMR Pathfinder Programme 2006/09 - Achievements

The key achievements of the programme to the end of 2007/08 financial year were presented in a report to the Cabinet Member for Neighbourhoods in June last year (Cabinet Member for Neighbourhoods, 16th June 2008, Minute No:23). In addition, the details contained within this report were presented to the Housing Market Renewal Pathfinder Meeting on 1st June and the Cabinet Member for Neighbourhoods on 15th June.

The already strong record of achievements from previous years has been further enhanced during 2008/09, with the completion of milestone projects across all Pathfinder areas. For example,

The regeneration of the town centre was advanced with the completion of three key development sites:

- The Imperial Building conversion in October 2008, delivering 19 high quality apartments and retail space in a grade II listed building,
- The Old Market development in January 2009 delivering 44 new built apartments and commercial space,
- The Keppel Wharf development in May 2009 delivering 55 new built apartments and retail space.

The long-term objective of repopulating the town centre has been further progressed with the acquisition and preparation of strategic sites earmarked for residential development:

- The acquisition of 15/17 Moorgate Road in partnership with Great Places Housing Group, which removed environmental blight and dereliction and will now facilitate the development of new high quality affordable homes
- The acquisition of 0.8 hectares of cleared brownfield land in Wellgate, which will enable a stalled private sector development site to be brought forward by the Council
- The demolition of the derelict Doncastergate cinema following its acquisition by our RSL partner Great Places Housing Group in 2008.

Important new development sites were completed this year delivering 169 new affordable homes in the Pathfinder areas, meeting Code for Sustainable Homes Level 3 and 4. The most significant achievements are the completion of:

- Canklow development site with the delivery of 71 new built homes code Level 4 compliant,
- The Goodwin Avenue site at Rawmarsh with 21 new family houses and apartments,
- The Fir Close development at Wath providing 26 new dwellings equipped with solar panels in a mixed tenure development. All shared ownership dwellings have attracted high demand and are already sold,
- The Swinton Canal development with the delivery of 21 new built apartments in a mixed tenure site,

The HMR programme has made significant progress with the clearance of key strategic sites. The most significant achievements are:

- The Chesterhill Avenue clearance area – a Beacon Award project, progressing ahead of its delivery target with over 64% project completion at the end of March 2009,

- The completion of the demolition of unsustainable dwellings in Highfield Road, Swinton; Rookery Road, Kilnhurst and Mahon Avenue in Rawmarsh,
- The decision to progress the acquisition and demolition of 105 unsustainable dwellings in Canklow.

Over 2,000 dwellings have directly benefited from £0.9 million of investment in the Gateway programme conducted in Dalton, Meadowbank, Swinton, Brampton and Rawmarsh.

The continuation of the programme of refurbishment of service centres initiated in 2007-08 has seen significant physical improvements to:

- The Bridleway in Sandhill completed in May 2008,
- The Thorogate neighbourhood centre in Monkwood, completed in March 2009,
- Wath Town Centre, which commenced in November 2008.

In conclusion, the HMR programme has consolidated its already solid track record of delivery with the completion of key regeneration initiatives that have improved the housing choice and quality of life of residents in the Pathfinder areas.

7.3 HMR Programme 2009-11

Rotherham's three year funding allocation was confirmed in 2008 to total £25.9 million with £15.2 million in 2009-11. A provisional 10% reduction on the last two years of the programme has been announced by Transform South Yorkshire (TSY) due to the uncertainties on the level of public funding stemming from the economic and financial crisis. As a result, the HMR programme has been reduced by £1.4 million to total £13.8 million of investment for the period 2009-11.

A spend programme has been developed which will deliver key investments to meet spend already committed on core projects, with over £ 8 million of reserve projects identified for delivery should the 10% funding cut decision be reversed and additional resources be made available.

The 2009-11 programme of delivery reflects the priorities set by the ADF Steering Groups in 2008 specifically in relation to the need to deliver more new affordable homes, of a tenure and type that are responsive to the current economic and housing downturn. The HMR programme of land assembly for residential development would contribute to the launch of potential affordable housing projects, including Council housing projects, financed by PFI or direct public finance initiatives. The HMR spend programme will also contribute to local employment, support local business and involve community participation through its transport and infrastructure improvement activities.

7.4 Distribution of programme resources.

Based upon a £13.8m programme of activities, funding would be allocated across Rotherham's five ADF areas as follows:-

ADF	Funding Allocation	% of total
Town Centre	£1.2m	9%
East ADF	£1.4m	10%
West ADF	£2.9m	21%
Rawmarsh and Parkgate	£5.5m	40%
Wath and Swinton	£1.1m	8%
Enabling (cross cutting)	£0.9m	6%
Over-programming 08-09	£0.8m	6%
Net Programme 2009-11	£13.8m	100%

A summary of the proposed activity within the Rotherham programme is attached in Appendix 1. Included within the programme are the following key projects:-

- **Bellows Road (£5.2m)** – strategic acquisition of the existing neighbourhood centre through contract agreement or CPO and procurement of a developer partner to redevelop the site into a mixed use development. A key HMR and corporate priority.
- **Canklow (£2.6m)** – addressing non-decency in the private sector by removing 103 unsustainable dwellings, enabling new homes to be constructed on cleared sites, extending the range, quality and choice of housing offer in the area.
- **Town Centre Projects (£1.3m)** – completion of the redevelopment programme at Westgate, providing new residential and retail space and consolidating land assembly in the town centre.
- **Chesterhill Avenue (£0.7m)** – the completion of the clearance programme removing a further 52 unsustainable homes and presenting a major new development opportunity to the market to further transform the area.
- **Support to new built / conversion (£0.3m)** – supporting the provision of new affordable homes on cleared sites and extending the range of housing through conversions

The 2009-11 period will see the continuation of the public realm improvement programme in all ADF areas and support to new built developments with:

- **Gateways (£0.6m)** – continuation of the of gateway enhancement programme within key locations, including, Brampton and Rawmarsh.

- **Environmental improvements (£0.5m)** - Complementing the 2010 environmental improvement programme in Eastwood Middle to support interventions on privately owned properties.
- **Community engagement (£0.5m)** – continuation of community empowerment initiative to engage participation in regeneration through small scale environmental projects across all Pathfinder areas
- **Wath Town Centre (£0.4m)** – further enhancing a key town centre, through improved public realm, safety measures and improved connectivity with existing and emerging households within the Dearne.

In addition £10 million of new projects and extension of existing commitments will be kept in reserve to mitigate any spend slippage and utilise any additional funding allocation if restrictions on spend were lifted later in the programme. Included in the reserve programme are:

- **Strategic Acquisitions (£3.6 m)** – supporting transformational changes in Rotherham East in partnership with RSLs and private developers.
- **Canklow (£0.6 m)** – removing further unsustainable dwellings in an area marked by poor housing and blight.
- **Repopulating the Town Centre (£2.2 m)** – supporting the provision of new affordable homes and extending the choice of housing type and tenure.
- **Gateway and street environmental works (£ 2.2 m)** – continuation of the transport and non-housing infrastructure improvements
- **Conversions and refurbishments (£1,1m)** – supporting decency in the private sector through conversions and repair works

7.5 key Issues

There is a medium to high risk that HMR funding will not be available beyond 2011. It is therefore important that we continue to closely monitor the programme to identify and alleviate against any risks, through the effective management and containment of the programme within its funding allocation.

Regular monitoring and reporting of progress and spend will be provided to TSY, ADF Steering Groups and Cabinet Member. A year end position statement will also be provided, together with a process of programme review at the end of each year.

7.6 Linkages with complementary programmes

We will continue to align our activity with other public funded programmes such as Yorkshire Forward and the Town Heritage Initiative. We will also

continue to utilise sites within the HMR Pathfinder area to support new affordable housing delivery, through the private sector affordable housing programme but equally through PFI and public funded initiatives to develop social housing on mixed tenure developments.

8. Finance

The HMR Pathfinder programme is funded by the Home and Community Agency (HCA) and administered by Sheffield City Council through Transform South Yorkshire (TSY) acting as the regional accountable body. The progress on the programme is monitored monthly and quarterly through the financial claims and core indicators reports respectively.

9. Risks and Uncertainties

There is currently no certainty to HMR Pathfinder funding beyond the 2011 period. However, it is anticipated that there will be a continuation of some form of external regeneration based programme beyond 2011, albeit potentially in a different form. The Neighbourhood Investment Service will continue to monitor developments and work closely with Transform South Yorkshire and its South Yorkshire LA partners to strategically plan the shape a future programme should take and to continue to lobby regional and central government agencies for resources to support the continued regeneration of the sub-region.

The Bellows Road acquisition is a key project and has received a significant portion of the funding allocation in the period (£4.9m – 40%). The control of the site will depend on the willingness of the owner to sell the property or on a successful CPO process. While a transaction agreement with the owner can be reached at anytime, in the case of a CPO, the procedure leading to the inspector's decision will take to the spring/summer 2011, leaving little time for reserve projects to be implemented if the CPO fails. As a result, a robust programme of projects is kept in reserve to ensure that the Rotherham funding allocation will be met with investment in the final year of the HMR funding round.

10. Policy and Performance Agenda Implications

The works carried out by the Pathfinder programme contribute towards the Corporate and cross cutting policy agenda related to Regeneration and in particular the priority of improving and promoting the image of Rotherham.

The Pathfinder programme also contributes towards our key corporate strategic themes of:-

Rotherham Learning
Rotherham Proud
Rotherham Safe
Rotherham Alive
Rotherham Achieving

These key themes are reflected within the Individual Well-being and Healthy Communities outcome framework, as follows:

Improved Quality of Life – by creating opportunities for improved housing standards to meet household aspirations and an improved quality of life, through facilitating homesteading to meet identified housing needs and removing obsolete housing and environmental blight (Objective 6)

Exercise Choice and Control – through enabling a range of housing options to be presented to households affected by regeneration programmes; ensuring individuals can exercise choice and control over their housing options and home life (Objective 6)

Personal Dignity and Respect – through creating housing choices and tools which promote independent living, personal dignity and respect, investing in quality neighbourhoods, ensuring residents can enjoy a comfortable, clean and orderly environment.

Freedom from discrimination or harassment – through providing quality housing and independent living, targeted to meet specific need, to support improved health and well-being, facilitated by a transparent process agreed with the client from the outset (Objective 2)

Economic well-being – providing high quality housing, through high design standards and meeting identified needs in order to create sustainable neighbourhoods, offering high quality and extended choice of housing provision, to meet current and future aspirations.

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ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS
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1.	Meeting	Sustainable Communities Scrutiny Panel
2.	Date	16th July 2009
3.	Title	Tenant Empowerment in Rotherham
4.	Directorate	Neighbourhoods and Adult Services

5. Summary

Tenant empowerment is high on the Government's agenda, and the White Paper *Communities in Control – Real People, Real power* (July 2008) aims to deliver a fundamental shift in power towards tenants and residents. Although RMBC and 2010 Rotherham Ltd offer tenants and residents a wide range of ways to get involved in services and decision-making, RMBC has no formal document relating to the development of tenant management organisations (TMOs) and other tenant empowerment opportunities. A report was provided to Cabinet Member for Housing and Neighbourhoods on 1st June 2009, proposing that we develop a clear policy document and service standard in consultation with stakeholders and customers, and that we implement a communication strategy to raise awareness of Members, staff and customers of the opportunities that are available. The report also set out some of the key issues to be addressed by the policy document. The purpose of this report to Sustainable Communities Scrutiny is to provide key information about empowerment, and provide a brief update (under section 7.4).

6. Recommendations

NOTE THE CONTENT OF THE REPORT.

7. Background

7.1 Developing a tenant empowerment policy in Rotherham

Empowerment is high on the agenda for Government, as indicated by:

- The introduction of the Tenant Services Authority (December 2008), the new regulator for social housing which is designed to act as a champion for tenants, providing more choice and championing their needs and aspirations.
- The National Tenants Voice – due to commence in summer 2009. This is an independent non-departmental government body run by tenants and experts who will lobby for tenant rights and strengthen the tenant movement in England.
- The Government has made Tenant Empowerment Grants available for proposed tenant management organisations (TMOs) and RMBC needs to tap into this resource to avoid being left behind by other local authorities.

There are significant benefits of empowerment for tenants and communities. Studies have shown that existing TMOs are performing better than the host landlord with many in the upper quartile for performance indicators. Tenants with a vested interest have found that this had led to direct improvements in estate life, particularly in relation to anti-social behaviour.

Rotherham currently has no formal policy / procedure document relating to tenant empowerment. Although there have been a number of proposed tenant management organisations in the past, these have folded at the tenant ballot stage, and this may have in part been due to a lack of support and information provided to tenants. It is important that we develop a clear policy / procedure document and communication strategy in Rotherham to enable us to support groups to take on more ownership and control of their neighbourhoods, thus contributing to more sustainable communities.

A specialist Tenant Empowerment Officer role has been created to develop the Council's policy and take forward this important agenda. The Officer is based within the Neighbourhood Investment Service, and four of the main functions of the role are:

- To provide effective liaison between RMBC, 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 is only handed to groups that can 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 RMBC.
- To ensure appropriate links are made to other tenures including private sector and tenants of housing associations.

By developing and adopting a tenant empowerment policy, RMBC can consider both opportunities provided to tenants and how tenants can collectively set the agenda for the service. The policy needs to capture Rotherham's ambitions and empowerment objectives and build a coherent case based on democratic involvement, business efficiency and service delivery. The policy needs to clearly outline the communication principles and look at ways of engaging a wider section of the community base (NB Rotherham's existing TARAs are

predominantly controlled by older residents with in excess of 85% of members being over the age of 60 - Rotherfed statistics 2008).

The development of a clear service standard is needed to formalise what level of service tenants can expect to receive in relation to empowerment opportunities. The standard should clarify the role of RMBC and give staff and tenants the basic framework relating to empowerment, offering guidance on timeliness, quality of service and information available.

7.2 Communication strategy

It is important to develop a clear communication strategy at an early stage. This will need to demonstrate how we will raise awareness of RMBC and 2010 Rotherham Ltd staff, other partners, Elected Members, and tenants and leaseholders.

The main proposals are to:

- Produce a briefing for RMBC and 2010 Rotherham Ltd staff and other partners
- Hold a seminar for Elected Members
- Produce information for tenants and leaseholders in publications such as Rotherham News and 2010 Rotherham Ltd's newsletter 'Round Your Way'
- Hold awareness-raising sessions with tenants and leaseholders
- Develop a policy and service standard, consulting all stakeholders
- Launch this policy in October at a further event for tenants and leaseholders
- Link in to Local Strategic Housing Partnership and other key forums

If approved this will be developed into a clear action plan and managed by the Tenant Empowerment Officer. The principles of Rotherham's Consultation and Community Involvement (CCI) framework will be followed.

7.3 Key tenant empowerment issues to be addressed by the policy

a) Confirming roles and responsibilities

A clear framework needs to be put in place, setting out roles and responsibilities for tenant empowerment, community engagement and resident involvement, across the three key organisations: RMBC, 2010 Rotherham Ltd and RotherFed. This will cover the following:

- Rotherfed currently supports potential and existing TARAs from initial formation to offering ongoing support via guidance on business plans and development.
- 2010 Rotherham Ltd publicises involvement opportunities via the Tenant Compact and the *Key Player* database. Clarification around these opportunities is needed to maximise the potential 'take up' from customers. A detailed menu of involvement needs to be created.
- Links into Area Housing Panels need to be strengthened and publicised, and their role in the community and how they feed into the Area Assemblies needs to be clarified.
- Any gaps need to be addressed particularly in relation to the ownership / leasehold and management of community centres.
- The control and management of groups interested in empowerment opportunities who do not necessarily wish to form a TARA should be considered.
- Feedback from customers needs to be utilised to ensure that the information provided covers any existing gaps in responsibilities.

b) Completing actions identified by Council Housing Directions sub-group 2: This sub-group explored ways of strengthening tenant empowerment opportunities in Rotherham as

part of the overall Council Housing Directions project. The work of the sub-group filters naturally into the empowerment agenda and will be addressed by the Tenant Empowerment Officer's work programme and in the development of the formal policy.

c) The Tenant Compact - "Here's the Deal": This is under review and will be amended to incorporate the empowerment agenda and highlight the role of RMBC and the link to Rotherfed and 2010 Ltd. The review also needs to consider tenant empowerment key lines of enquiry and how these can be incorporated into any future agreement. This would be in line with Audit Commission guidance and fit with the emerging national tenant empowerment framework.

d) Aston Tenants and Residents Association (TARA): This TARA has recently completed an "Options Study" with the Agency for Community Empowerment and is now preparing to serve a Right to Manage Notice on RMBC. The group is predominantly interested in managing the caretaking of the local environment and the community centre. Progress of the group will be followed closely and it is proposed that a more detailed report be presented to Cabinet Member in July 2009. The Aston Tara could be viewed as a 'test case' to allow RMBC to work closely with the group and to look at removing some of the main barriers to effective tenant empowerment. RMBC needs to ensure that any Management Agreement effectively protects the Council's interests and has best value principals at its core. The Tenant Empowerment Officer will need to liaise effectively between the TARA and RMBC.

f) Area Housing Panels: Opportunities to strengthen Area Housing Panels need to be considered including a "community gateway" approach to empowerment. This model permits local bodies to increase or decrease their say on housing management tasks through cyclical option appraisals, which allows a staircase of responsibility both up and down. The area panels would need the support of a development programme and competence framework. Their links to the Area Assemblies would need to be considered although community gateway models do not require any change of ownership on local authority properties.

7.4 Update on current position

The main body of this report was provided to Cabinet Member for Housing and Neighbourhoods on 1st June 2009, and it was resolved that a seminar must be arranged for Elected Members to obtain their comments and questions, prior to commencing with broader communication activities. This seminar was held on 7th July 2009 and chaired by Councillor Akhtar, and was well-attended. All questions and comments from Elected Members will be addressed in the new documentation relating to tenant empowerment.

There is no significant update to be provided regarding Aston TARA at this stage.

8. Financial implications

The financial implications associated with the process of developing TMOs relate to the payment of allowances and funding. Grants are available from the Government's Tenant Empowerment programme for "options" studies such as the one carried out in Aston. An approved agency has to be appointed to access the grant and carry out the study, and the grant may cover 100% of these costs. Further tenant empowerment grant funding is available if a group proceeds to the feasibility and development phases. At the development phase this grant currently meets 75% of the costs and the Council is required to cover the other 25%.

Once a Right to manage Notice is accepted, a proposed TMO can ask the Council for training, office accommodation or other facilities that may be necessary. The proposed TMO

can use part of the empowerment grant to contribute to these services but this is not always possible.

Any proposed TMO will need to know that their plans are viable, therefore the local authority will need to provide details of how management and maintenance allowances are calculated. The TMO can then calculate the amount of allowance they are likely to receive. Any allowance paid should reflect value for money and should not cost the local authority any more than the allowance paid to the current contractor who provides that service. This allowance will relate directly to the amount of properties covered by the TMO.

Any TMO will require monitoring in the same way as an external contractor and ongoing support may be necessary – a dedicated member of staff will be needed to liaise with TMO(s) to ensure the Council's interests remain protected.

9. Risks and uncertainties

Although legislation surrounding the Right to Manage process has been in existence since 1994, the empowerment agenda remains relatively in its infancy with all existing TMOs predominantly in the south of England. However, Government commitment to this programme is increasing rapidly and failure to explore empowerment opportunities will see local authorities being 'left behind' by those who support the initiatives.

A small number of proposed TMOs in Rotherham have already folded at the ballot stage, which may have been partly due to lack of information / resources. Greater involvement of Council staff and Members during the development stage should help to build better relationships and understanding on all sides.

RMBC would have to be certain that any proposed TMO would be in a position to provide effective, value for money services within agreed service standards. Customer satisfaction would need to be closely monitored on a regular basis.

Any proposed TMO would need to consist of members made up of a wide section of the community base. There would need to be significant community interest to allow new members to be appointed should those involved wish to stand down. This is a significant factor as TMO staff need to have a range of 'competencies' which may not always be readily available. Some existing TMOs have co-opted members from other TMOs in order to retain their management function.

The Local Management Agreement will need to clearly outline what RMBC expects of any TMO and the level of service its customers can expect to receive. TMOs will require close monitoring (as with any external contractor) to ensure service levels and value for money are maintained. Any customer dissatisfaction will reflect on the reputations of RMBC and 2010 Rotherham Ltd.

Failure to provide adequate service and subsequent folding of any TMO would have financial implications for RMBC, who would need to source the services provided from elsewhere. The allowance paid to the TMO may be lost.

10. Policy and performance agenda implications

Although tenants of RMBC have a good range of opportunities to become involved in matters relating to their homes there are currently no strategic documents capturing Rotherham's ambitions and empowerment objectives. Developing an empowerment policy would build a coherent case for involvement.

Development of the policy would fit in with the Consultation and Community Involvement framework and the Rotherham Proud theme as well as the Tenant Compact.

An effective empowerment policy will be viewed favourably by the Audit Commission.

Research has found existing TMOs to be in the top 25% (upper quartile) on performance indicators against Local Authorities. Customer satisfaction and community spirit have also increased.

A strong framework of service standards will need to be in place along with effective monitoring of the Management Agreement to ensure any TMO is providing value for money to both the customer and RMBC.

11. Background papers and consultation

- Communities in Control: Real People, Real Power (White Paper)
- CLG guidance on the Right to Manage
- The National Federation of TMOs – The Way Forward for Local Authorities
- Tenants Managing: An evaluation of Tenant Management Organisations in England (CLG November 2002)
- Local Authority, ALMO and TMO relationships – A Good Practice Guide

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ROTHERHAM BOROUGH COUNCIL – REPORT

1.	Meeting:	Sustainable Communities Scrutiny Panel
2.	Date:	16 July 2009
3.	Title:	Choice Based Lettings – improving the service from a customer perspective;
4.	Directorate:	Chief Executive's All wards

5. Summary

The report sets out the findings and recommendations of the scrutiny review into Choice Based Lettings – improving the service from a customer perspective. 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 Government plans to have choice-based lettings (CBL) policies in place across England and Wales by 2010. 'Keychoices' Rotherham's Council's system for managing choice based lettings was introduced in June 2005.

Housing queries are a major part of Member's surgery casework, with lack of available and affordable housing options being a significant concern for many constituents. Demand on local housing in Rotherham remains high with over 19 thousand people currently on the waiting list. It is an ongoing pressure to manage customer expectation against a finite resource of housing stock. In these circumstances, it is essential that the lettings system is fair and transparent.

The purpose of this scrutiny review was to find out the customer experience of the Choice Best Lettings (CBL) Service and to identify any gaps in the service and any areas of work for further development.

The recommendations from the review are detailed in Section 9 of the report and include:

- That a sub-regional CBL scheme is not supported unless it can be demonstrated that its introduction will have a positive impact on the availability of housing in the Borough.
- That further reports are presented to the Scrutiny Panel on options for social housing (including the future options for Council Housing)
- That a system for the introduction of 'real-time' feedback for customers be introduced as a matter of urgency.
- That robust measures are put in place to ensure that the Housing Register is as an up to date, accurate and effective database of customers.
- That a review of the effectiveness of the Quality Landlord Scheme is undertaken.
- That proposals are put forward to improve communications and working processes between Key Choices Team and 2010 Rotherham Ltd.

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

Availability of affordable, quality housing is a key concern for members. With high demand for housing, it is important that the process for allocation and letting is transparent otherwise it may damage the public perception of the Council and its partners.

10. Policy and Performance Agenda Implications

The Comprehensive Area Assessment (CAA) will assess how well housing need is being met.

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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Choice Based Lettings – improving the service from a customer perspective

Review of the Sustainable Communities
Scrutiny Panel

June 2009

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1. EXECUTIVE SUMMARY

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Housing queries are a major part of Member's surgery casework, with lack of available and affordable housing options being a significant concern for many constituents. Demand on local housing in Rotherham remains high with over 19 thousand people currently on the waiting list. It is an ongoing pressure to manage customer expectation against a finite resource of housing stock. In these circumstances, it is essential that the lettings system is fair and transparent.

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- That further reports are presented to the Scrutiny Panel on options for social housing (including the future options for Council Housing)
- That a system for the introduction of 'real-time' feedback for customers be introduced as a matter of urgency.
- That robust measures are put in place to ensure that the Housing Register is an up to date, accurate and effective database of customers.
- That a review of the effectiveness of the Quality Landlord Scheme is undertaken.
- That work is undertaken to improve the information given to existing and potential applicants to ensure that there are clear, simple instructions about how and where to bid and the rationale for prioritisation of bids
- That the website is redesigned using best practice from other authorities.
- That consideration be given to giving fuller descriptions of properties, including indication of garden sizes.
- That proposals are put forward to improve communications and working processes between Key Choices Team and 2010 Rotherham Ltd.

2. ORIGINAL CONCERNS – WHY MEMBERS WANTED TO LOOK AT THIS ISSUE

'Homes for All', the Government's five year housing plan published in 2004, set out the Government's plans to have choice-based lettings (CBL) policies in place across England and Wales by 2010. This reflected the changing approaches to housing allocation; from providers selecting potential tenants for the houses they own, to a system that explicitly reflects choice and aspiration amongst tenants. 'Keychoices' Rotherham Council's system for managing choice based lettings was introduced in June 2005.

Housing queries are a major part of Member's surgery casework, with lack of available and affordable housing options being a significant concern for many constituents. The Local Government Association estimates that 9 out of 10 councils have experienced or anticipate greater demand on social housing in their area because of the recession¹. In part this is due to repossessions, fewer available mortgages and the lack of affordable housing – these circumstances are mirrored within the Borough. Demand on local housing in Rotherham remains high with over 19 thousand people currently on the waiting list. It is an ongoing pressure to manage customer expectation against a finite resource of housing stock. In these circumstances, it is essential that the lettings system is fair and transparent.

Given these the time that had elapsed since the introduction of Keychoices and the potential for greater demands on the service, panel members considered it timely to review how choice based lettings was working in practice and what, if any, improvements could be made to the service.

3. TERMS OF REFERENCE

The purpose of this scrutiny review was to find out the customer experience of the Choice Based Lettings (CBL) Service and to identify any gaps in the service and any areas of work for further development.

The review examined:

- What are the current policies & practices
 - What are the examples of best practice in other authorities,
 - How we work with customers
-

¹ <http://www.lga.gov.uk/lga/core/page.do?pagelid=1693338>

- The role of councillors in the CBL process

Key questions were asked to ascertain

- How the customer experience of choice based lettings can be improved?
- What works well with the Key Choices Service and how does it compare with other housing providers/ local authorities etc
- Whether all sections of the community access Keychoices equally (for example older people) – and if not, how can we improve this?
- If the scheme was easy to use, particularly for more vulnerable groups
- Whether improvements can be made to way agencies work together; including Key Choices, 2010 Rotherham Ltd, Registered Social Landlords (RSLs) and private landlords
- The development of the service in the medium to long term

It became apparent during the review that we needed to distinguish between the Allocations Policy²; (which determines eligibility for council housing and how priority status is awarded) and the CBL scheme which is the method by which properties are advertised. Although the two systems are clearly linked; this review does not examine the allocation policy in any depth at this time. It does however, recommend that its implementation is monitored by the Sustainable Communities Scrutiny Panel (or its successor panel) to ensure that its impact is fair and transparent. Nor does this review comment in any depth on the process for turnaround of void properties as this was subject to a separate review.

3.1 **Methodology**

The review group included:

- Cllr Rose McNeely (chair)
- Cllr Alan Atkin
- Cllr Jacquie Falvey
- Cllr Jeb Nightingale
- Derek Corkell (Rotherfed)

² RMBC Allocation Policy, A Housing Option Approach for Rotherham, December 2008

The review began its evidence gathering in November 2008. Interviews were organised with Cabinet Member, and officers from Neighbourhood and Adult Services and 2010 Rotherham Ltd. The review group visited the Property Shop and Neighbourhood Offices (as ‘mystery shoppers’). Cllr Rose McNeely attended the 4th Annual Choice Based Lettings national conference: “Delivering Choice Based Lettings: Enhancing Choice and Mobility”, using the case studies cited at the conference as a basis for good practice and comparison. Further web-based searches of other housing providers were also undertaken. Views were sought from members of the public via interviews and an article in Rotherham News and the review group also met with a focus group organised by Rotherfed (the borough wide federation of Tenants and Residents Associations), and with RSL representatives and private landlords.

The review group would like to thank all those who contributed to the review and the staff in Key Choices and 2010 Rotherham Ltd for their openness and co-operation.

4. BACKGROUND

4.1 What is Choice Based Lettings?

The Government’s policy aims for Choice Based Lettings (CBL) were originally set out in its consultative Green Paper Quality and Choice: A Decent Home For All (DETR & DSS, 2000 p 12). This emphasised four objectives – offering choice, tackling social exclusion, helping to create sustainable communities, and encouraging the effective use and management of social housing.

The Government’s guidance states that the term “choice based lettings scheme” is used to mean that an authority uses an advertising scheme as part of its allocation policies³. The Department for Communities and Local Government (DCLG) has set a target that all local authorities should operate such a system by 2010.

Until recently, most local authority housing registers were run on a point based system. When an empty property became available, shortlists were created and the household at the top of the list was offered the property. More often than not, this was determined by the earliest date of registration rather than actual housing need. There was an element of choice in customers could state their preferred property type and location, but they were often frustrated by the length of time they had to wait. There was also a perceived lack of clarity about the process for nominations and whether assessments of need were always fairly made.

³ Department for Communities and Local Government; Allocation of Accommodation: Choice Based Lettings Code of Guidance for Local Housing Authorities, August 2008

The greatest difference between CBL and the 'traditional' way of allocating housing via the waiting list described above, is that applicants for housing have to actively apply (or 'bid') for vacant properties in areas that they want to live which are advertised via the local newspaper or on a website. All prospective applicants have to 'sign-up' to the local housing register, detailing their circumstances. On the basis of this, applicants can apply for available properties matched to their situation (e.g. a single person would not be eligible for a three-bedroom house).

Customers are usually grouped in 'bands' which reflect their assessed need, e.g those with the greatest priority in the top band. Clients express an interest or 'bid' for properties that are advertised. In the event of several clients from the same band applying for one property, a shortlist is created based on length of time on the register. The schemes usually include a method of publicising which properties had been allocated and the registration date of the successful applicant, to assist others in assessing their likelihood of success in applying for similar properties in future. The CBL scheme in Rotherham follows this pattern.

The Government's Department of Communities and Local Government⁴ conducted research into the original CBL pilot schemes found that "social housing customers welcomed the choice, control and transparency of Choice-Based Lettings (CBL)." More recent research also funded by Communities and Local Government found that

- CBL leads to improved tenancy sustainment and tenant satisfaction;
- Encourages applicants to think more flexibly about their housing choices;
- Tends to reduce rather than compound ethnic segregation;
- Outcomes for homeless households are largely positive.
- The costs of setting up CBL can be off-set by housing management efficiencies.

4.2 Local Context

4.2.1 The vision for housing in Rotherham is outlined in the Housing Strategy 2008-2011 - "Building prosperous, inclusive communities and shaping places where people have a real choice of housing." This vision is reflected in the Community Strategy and Corporate Plan.

4.2.2 The Housing Strategy outlines the current picture of housing in the Borough. Although many improvements have been made to the housing market across all tenures, there remain problems of housing affordability, pockets of multiple

⁴ <http://www.communities.gov.uk/housing/housingmanagementcare/choicebasedlettings/>

deprivation and low demand, rural housing issues, and a small but significant amount of poor quality private sector housing.

4.2.3 The rented sector in Rotherham (council, housing association and private landlord) is just over 30% of the overall housing tenure which is broadly in line with the sub-regional average. Of this 23.2% is council owned, although this again is reflected across South Yorkshire, is significantly higher than the national average of 13.2%.

4.2.4 Average incomes in Rotherham are more than £50 per week *below* the national average and fall well below regional comparisons⁵. This clearly has an impact on people's ability to afford properties in the area – either to buy or rent. For many because of their low income level, home-ownership is not an option and they rely on the private or social rented sector for housing.

- Private renters – 49.5% in employment
- Social renters – 15.8% in employment

4.2.5 The Housing Strategy also details areas of significant current or future housing demand or support needs. These include:

- Lack of rural housing supply and issues about affordability
- People from BME communities – lack of suitable accommodation, decent homes standards and affordability
- Gypsies and travellers – lack of suitable sites
- People with support needs including older people, people with mental health issues and disabled people (with 17.3% of all households in the borough having an identified need)

4.2.6 The Decent Homes programme was launched in 2001 requiring all housing to be of prescribed standard by 2010. Locally, this has been implemented by 2010 Rotherham Ltd. This programme has brought in significant funding to invest in bringing council housing to Decent Homes Standard (DHS). The amount of stock which falls below the DHS has been reducing over the years,

4.2.7 The Housing Act 1996 governs the allocation of social housing and is a statutory function set out to allocate based on need, to give reasonable preference to particular groups in need such as those overcrowded, homeless and those with medical needs. The Allocation Policy and choice based letting scheme is compliant with this legislation.

4.2.8 Since the introduction of Keychoices, there has been a wholesale review and

⁵ RMBC Housing Strategy 2008/09-2011/12

revision of the housing allocations policy, implemented from 1 December 2008. The major changes to the policy include:

- All applicants have to bid for properties, and no one will be “matched” to any specific properties (including those with medical needs, although they will be offered support to ensure that they are actively bidding for properties).
- There are now 4 groups: Priority Plus, Priority, General Plus and General.
- All vacant properties are offered first to applicants bidding from the Priority Plus Group. As a general guide, the following quota for advertising will be used: 50% to the Priority Group, 40% to the General Plus Group and 10% to the General Group

There are currently 19238 on the waiting list⁶, of these 16888 are in the general, 750 general plus and 1600 priority categories. The numbers with Priority Plus status fluctuate and as of 16th June 2009, there were 60 Priority Plus applicants at this time.

- 4.2.9 The last Housing Register review took place on the 1st June 2008 and was completed by 1st December 2008. The previous Housing Register review was completed in November 2003. During these reviews, each applicant is contacted to see if their details are correct and if they wish to remain on the register (see para 7.2.6).

5. WHAT ARE THE CURRENT POLICIES & PRACTICES

- 5.1.1 The system appears to be comparable with other CBLs systems in the country, and its relatively early implementation meant that it was used as a model of good practice by other Local Authorities.
- 5.1.2 The CBL service is available to households who have applied to join the Council's housing register. Once applications have been assessed by either 2010 Rotherham Ltd or Key Choices, households receive a letter explaining which registration category they are in, the date of their registration and their registration reference number.
- 5.1.3 Customer satisfaction levels with the service appears high⁷:

⁶ As at 9th June 2009

⁷ Housing Options Service Standard October 2008

<http://www.rotherham.gov.uk/NR/rdonlyres/DD35B2F2-48A0-4406-B407-0FECDEEF2BD1/0/HousingOptions.pdf>

- 97% of current customers are satisfied that they have been provided with the appropriate advice and information on their options.
- 85% of customers have their housing application registered and are informed of their application number and category within 10 working days.
- 97% of current customers are satisfied that their enquiries are dealt with promptly and fairly.

5.1.4 Unlike many other CBL schemes, the housing allocations process (Key Choices) has remained in-house rather than sitting with the Arms Length Management Organisation (2010 Rotherham Ltd). There is a strong commitment from the Cabinet Member to maintain this separation.

5.1.5 In line with most other CBL schemes, all available Council properties in the Rotherham area are advertised via the Internet, the property guide pages of the Rotherham Advertiser and in hard copy at the property shop and Neighbourhood Offices. Bids can be submitted in person at the Property Shop or Neighbourhood Offices, via the website or by telephone or text messaging. Properties available for letting are advertised every Wednesday morning from 10.30am until the following Tuesday at 4.00pm. Properties that have had no bids are advertised the following week as 'Direct Homes' on a 'first come first served' basis.

5.1.6 Between 1st June 2008 and 31st May 2009 there have been 1433 lettings and approximately 53000 bids were received for the same period.

For Period 1st January 2008 – 31st December 2008; the following contacts were received:

Telephone	Internet	Text
14305	21513	285

All other bids are made in person and approximately 800 – 1000 people come into the property shop each week. The footfall at the Property Shop is considerable, over a single day⁸ over 50 people per hour made enquiries for housing.

Since January, 731 Properties Have Been Allocated

- Priority + Group 49 (6%)
- Priority Group 342 (47%)

⁸ 17 June 2009, figures from Sandra Tolley, Housing Choice Manager

- General + Group 156 (22%)
- General Group 184 (25%)

5.1.7 In addition to advertised Council properties, there are also a number of other housing options under the CBL 'umbrella'. These include:

- HOUSING ASSOCIATIONS (RSL) - other social landlords with rented properties in Rotherham. RSL's are "not for profit" organisations that have different types of property to rent, which includes homes for young people, families and older people.
- PRIVATE RENTING - Private rented properties that are advertised through the "Key Choices" scheme are part of the "Rotherham Quality Landlord accreditation scheme."⁹
- MUTUAL EXCHANGE - provides an online mutual exchange database, with a flexible online self service function within the Key Choices webpage, that enables customers who are already tenants the facility to transfer both locally and nationwide.

5.1.8 There is a single application process for RSLs and private landlords who advertise properties through Key Choices.

5.1.9 Customers are limited to 3 bids per week. As agreed by Cabinet¹⁰, there are no penalties attached to people who refuse properties (unless they are statutorily homeless and are being re-housed). This is in line with Government Guidance that suggests that Housing authorities "should not, as a matter of course, impose penalties on applicants who refuse an offer of accommodation which they have applied for under a choice based lettings scheme"¹¹.

5.1.10 Key Choices are about to purchase a software package 'Arbitras' to manage CBL. This will enable customers to receive 'real time' feedback on progress of bids.

6. EXAMPLES OF GOOD PRACTICE IN OTHER AUTHORITIES

6.1.1 As part of the evidence gathering, the chair of the review attended the 4th

⁹ Accredited properties will be expected to comply with a range of standards, covering issues such as gas, electric and fire safety and general maintenance.

¹⁰ Cabinet Report 27 Feb 2008, "Review of the Letting Policy"

¹¹ DCLG Allocation of Accommodation: Choice Based Lettings Code of Guidance for Local Housing Authorities, August 2008

Annual Choice Based Lettings national conference: “Delivering Choice Based Lettings: Enhancing Choice and Mobility”. The conference gave examples of best practice and highlighted current Government thinking about how CBL schemes should develop in the future.

- 6.1.2 The conference had a keynote speaker from DCLG who highlighted progress towards the 2010 target of all local authorities having a CBL scheme in operation. Take-up of CBL has been considerable and there are very few local authorities in England who do not have schemes or plans to operate a scheme. The speaker also reiterated the Government’s intention to encourage greater sub-regional working through joint CBL schemes. It should be noted however that the review group were not persuaded that a sub-regional scheme would bring added value to people in Rotherham as its introduction may place greater pressure on the housing register in the borough. Movement towards greater sub-regional working was not supported in this instance.
- 6.1.3 The conference ‘showcased’ new developments to help customers make an informed choice on vacant properties. Home Connections – a partnership in London and Midlands, have developed **virtual tours** technology on their website to allow homeseekers to view properties before bidding. The tour shows access to the property and views of each room. Common feedback from current applicants was that they were unsure of the property layout and whether further information could be provided to help them make a more informed choice. Information on garden sizes was also requested, as some people wanted properties with larger or easier to maintain outside spaces. As there are significant refusal rates on properties (both nationally and in Rotherham), such measures to improve the quality of information may ensure that fewer refusals are made.
- 6.1.4 Another comment from our interviews and focus group, suggested that information on local services was not always correct and consequently guides to local schools etc were removed from the RMBC website. Manchester Homefinder publishes easy-to-use area guides on its website, with maps, press releases about new developments, links to Schoolfinder service, and adult/community learning opportunities. The Home Connections site also links with employment advice and job search sites. Although the provision of comparable services may have resource implications, its feasibility should be explored.
- 6.1.5 Many CBL schemes, including RMBC, use websites to allow homeseekers to feedback on their experiences. The feedback form for Key Choices is ‘tucked’ at the bottom of some of the pages and may be difficult to locate. Consideration should be given to locating the feedback in a more prominent position on all pages, including those hosted on the 2010 Rotherham Ltd website.
- 6.1.6 Key Choices operates ‘Direct Homes’ (a first come first served service) for properties that cannot be let through the bidding system, where the first person who meets the letting criteria is offered the property regardless of waiting time or priority. These are often hard-to-let or properties in areas of low demand. This is in line with good practice elsewhere – however, the term ‘direct homes’ was felt to be confusing and it was suggested that a change of terminology to

'first come first served' would be preferable.

- 6.1.7 Many local authorities (for example East London Lettings Company and Sheffield Homes) publish detailed tables of average waiting times, by property size, type to provide bidders with information about how long they might need to wait (see Table 1). Currently Rotherham does not undertake this. The Strategic Director of Neighbourhoods and Adult Services expressed a view that the system may be easier to understand and expectations managed better if each property is advertised with an indication of the need group to which it will be offered to and the length of time on the housing register needed to be able to qualify for the shortlist. Members supported further exploration of this.

Table 1 "Average Waiting times 2005-2006" example from ELLC (East London Letting Company)¹²

This table indicates the average waiting times for clients with no additional preferences. The figures are a general guide and the actual time you may wait may be longer or shorter. Where 'none let' appears no properties of this type were let when these times were calculated.

	Bedsit	1 Bedrooms	2 Bedrooms	3 Bedrooms	4 Bedrooms
Houses and Bungalows	none let	2 years 10 months*	none let	none let	8 years 3 months
Ground Floor Flats & Maisonette s	4 years 11 months	6 years 1 months	4 years 3 months	none let	none let
1st to 3rd floor Flats & Maisonette s	4 years 2 months	5 years 11 months	3 years 10 months	5 years 4 months	none let
4th and above Flats & Maisonettes	none let	3 years 8 months	6 years 6 months	none let	none let
Overall Average Waiting Time	4 years 7 months	5 years 8 months	4 years 4 months	5 years 4 months	8 years 3 months

* This property was only available to transfer clients

¹² <http://www.ellchoicehomes.org.uk/Data/ASPPages/1/1290.aspx>

- 6.1.8 Several authorities and Housing Associations have links on their websites to audio feeds (for visual impaired clients) or British Sign Language versions of how to use their system. There are also links on the website to commonly used community languages¹³; Rotherham's website does not currently offer this although there is an interpretation service available on request. The Rotherham website provides a text to speech facility and large print, and the symbols used in advertisements have been 'quality assured' by Speak-Up¹⁴.

7. HOW WE WORK WITH CUSTOMERS

7.1 Bidding process

- 7.1.1 The Staff in Neighbourhood Offices and Key Choices receive notification that a property is to be vacated; during the 4-week notice period they advertise the property and collate a shortlist of 30 bids which they pass on to the Empty Homes Team at 2010 Rotherham Ltd. 2010 Rotherham Ltd assess the customer's status and from this list, eligible applicants are invited to view the property and if the property is appropriate, will 'sign-up'. The scrutiny review into 'Void Turnaround Times' has made a recommendation about the verification process.
- 7.1.2 Key Choices produce the advertisements for the property for distribution in the press, website and Neighbourhood Offices. These advertisements are printed in plain language and the symbols used have been approved by the Speak-Up Self Advocacy Group.
- 7.1.3 The website is the most popular option for seeking information with 65,000 hits per month. However, witnesses reported that the website is difficult to navigate and not all links are working consistently. The review 'tested' the website for ease of use and clarity of information. The review group confirmed that not all links were working consistently and that the housing options page was extremely difficult to locate, particularly using the A-Z of services. For those less computer literate, this may prove a barrier to accessing services.
- 7.1.4 Bids are also submitted by telephone, via Neighbourhood Offices, Rotherham Connect and text messaging. However, concerns were raised that bids submitted via telephone, particularly to Neighbourhood Offices may not have

¹³ For example London Borough of Camden under the 'Home Connections' <http://www.homeconnections.org.uk/Camden/CFEHome.jsp?partnerName=Camden&websiteformat=graphical&colorSchemeText=1>

¹⁴ a self-advocacy group for people with learning disabilities

been recorded properly on the customer application¹⁵. Consequently their bids that may have met the criteria were not considered. Members of the review group visited Neighbourhood Offices and a new Joint Service Centre. Unlike the Property Shop, information was not always readily available or displayed in full. Customers had to ask for a folder and the adverts were printed in black and white rather than the full colour option and on occasions, Housing Association properties had not been included. Other authorities have provided touch screen kiosks at their outlying offices to ensure that customers not able to access central offices have consistent information.

7.1.5 Several witnesses stated that misleading information was given out at Neighbourhood Offices about how to bid for properties. It was acknowledged that the high turnover of Customer Service Staff meant that it was difficult to ensure consistency. Although it was a relatively small sample, (approximately 20 people) of these, a significant number reported difficulty.

7.1.6 There is a need to ensure accuracy and consistency in descriptions. Some of the discrepancies included describing one flat as a house (although this was altered when pointed out), and giving incorrect information on school catchment areas. There have also been occasions where the group (general/ priority) has been different on the large adverts (in shop window / on internet) and the small ones that go into the Rotherham Advertiser. Several people interviewed suggested that information was not always consistent at Neighbourhood Offices, with details available on the website that was not available in outlying districts. We heard from both RSLs, RMBC and 2010 Rotherham Ltd staff, that the deadline for the production of adverts was extremely tight and put respective teams under enormous pressure to publish information. Given the discrepancies in information (again witnessed by the review group) it is questionable whether the process is properly 'quality assured' and therefore on occasions inaccurate information may be presented to customers.

7.1.7 The Safer Homes Manager suggested that 'standard' or 'example' photographs could be used instead of actual photographs of the property. This was put forward on the basis as Council properties are often of similar design. It may be appropriate to test whether this would be a satisfactory option for customers or if they would prefer actual photographs of the property they were bidding for¹⁶. The Chief Executive of 2010 Rotherham Ltd, suggested that the weekly deadline for the submission of advertisements and the collation of information to support this placed considerable pressure on the Empty Homes Team. It was suggested that this had a subsequent 'knock-on' effect on other areas of work, for example verification of applications. Further requests were made to see if

¹⁵ Bids can be registered onto customer applications by both 2010 Rotherham Ltd and Keychoices who share the same ICT system.

¹⁶ ensuring any advertisement is compliant with the Property Misdescription Act 1991

the deadline for receipt of advertisements could be re-negotiated with the publisher. These should be explored to see if they would bring service improvements.

7.1.8 Support for vulnerable customers is available via the Housing Solutions team and Medical Assessment Team. Key Choices staff will also advise customers at the Property Shop. This includes contacting customers to alert them of suitable vacancies. However we received feedback that would suggest that the bidding process was not universally understood by all customers. For people in outlying areas or without ready access to a Neighbourhood Office, they were unclear as to how support could be accessed. This may be more acute for people with learning disabilities or older people with different experiences and expectations of the housing allocation system. Evidence received from RSLs suggests that older people seeking accommodation are confused about the process and require greater support.

7.1.9 Given the earlier comments (see 6.1.4) about the consistency of information, steps should be taken to ensure that customers are not disadvantaged and vulnerable clients or those without access to computers are not marginalised or discriminated against.

The ethnic breakdown of bidders and non-bidders is broadly in-line with the current ethnic make-up of the Borough. At present, monitoring is undertaken by ethnicity but not age, disability or gender. It is suggested that systems are developed to monitor the use (and non-use) of the CBL service to ensure that the process is accessible to all sections of the community.

7.1.10 One of the greatest areas of frustration is the lack of feedback on whether the customer has been successful in the bid. Most witnesses cited this as one of their greatest concerns. We were told that applicants regularly check the allocations lists for feedback. It appears from our interviews that not all properties that are advertised routinely appear on the weekly list of allocated properties. A customer reported that of the nine properties that they had bid on only two appeared on the results sheets. The reasons for this may be entirely valid, e.g. the property required more repairs than anticipated or there were other changes in circumstances. However, the voids turnaround review highlighted pressures on customer verification which may have a 'knock-on' effect on this process.

7.1.11 Members of the review attended an open meeting organised by Rotherfed to determine the views of users of the scheme. A number of issues were raised, but the main thrust of people's concerns was that there appeared to be a lack of understanding of the scheme. The information booklet is a helpful description of the process but it was suggested that further guidance could be included to inform customers of what happens after you have put in a bid. It was reported that even though customers had been actively bidding, they did not know how many could be on each shortlist, and how decisions about allocations are taken. This led to a perception that the process was not as transparent as it could be. As transparency was one of the objectives of CBL, it is suggested that further attention is given to provide customers with a fuller explanation of prioritisation and shortlisting, and a better system of feedback, to enable them to understand

how the system works. There was a request that more information on the scheme needed to be communicated to people once they have registered. Certainly, those present were unaware of other schemes that were available, such as downsizing from larger properties, etc. or shared ownership options.

- 7.1.12 It appears from feedback to Members (from evidence and surgery reports) that members of the public do not make the distinction between 2010 Rotherham Ltd and the Council. Whilst some members of the public were very positive about the service they had received, there were comments about poor information, delays and lack of clarity and confusion about 'who did what'. This view was shared by members of the review group. Regardless of how the organisations are structured, it is evident from feedback and our own observations, that communications and working processes between the different teams involved could be improved. If the separation of choice based lettings function between 2010 Rotherham Ltd and RMBC is to be maintained, further work needs to be undertaken to ensure that there is greater clarity about respective responsibilities that is understood and shared by all relevant teams.

7.2 **Managing expectations**

- 7.2.1 Although satisfaction levels appear high, the feedback that we received showed that service users demonstrated mixed views about CBL. For those who had successfully bid for a property, they were largely positive (although suggestions were made to improve the process) however, a significant number of unsuccessful applicants were less positive about the scheme.
- 7.2.2 The DCLG paper 'Monitoring the Longer Term Impact of Choice Based Lettings' highlighted that applicants who had been bidding unsuccessfully¹⁷ over long periods of time felt demoralised as they had little chance of success as they could not predict how long they would have to wait for a property. This largely reflects the feedback received from focus groups and interviews. Although many witnesses expressed a view that the old 'time-served' system was preferable, this was not supported by the review group. Housing allocation should be on the basis of need and whilst ever there is a limited stock, those with greater needs should have priority.
- 7.2.3 In theory, CBLs applicants can exercise choice about the area they wish to live and the type of housing they wish to occupy. However, in more popular areas or in certain types of housing (for example family properties) demand will always outstrip available stock. This was reiterated in interviews with Councillors, customers and potential customers and RSLs. A view was put forward that there needs to be a greater balance between supply and demand, and serious consideration needs to be given to building more social housing in

¹⁷ *Monitoring the Longer Term Impact of Choice Based Lettings, October 2006*

general and council housing in particular.

- 7.2.4 In focus groups and interviews, applicants stated that for those with lower assessed needs and fewer years on the housing register, there was little likelihood of them successfully bidding for a property. This caused great frustration. As one councillor who submitted evidence to the review stated *“(the situation) is one of rationing not allocation.... Between 150 and 400 people bid for a 3 bedroom property. We may ensure that the house is allocated to the right person but [...] there are between 149 and 399 dissatisfied customers”*.
- 7.2.5 For customers in the ‘general’ category, there was a widespread perception that their chance of getting a property of choice was remote (there are almost 18,000 in the general category and approximately 10% of properties allocated to this group). Whilst it was acknowledged that those with greatest need should have housing priority, there was a strongly expressed view that the system was unfair, with many people being assessed as having priority who were not in legitimate need. Whilst some of these misconceptions were fuelled by deliberate misrepresentations about the allocation policy, as housing demand becomes more acute, there is a risk that this perception may have a serious impact on community cohesion.
- 7.2.6 Because of the high number of bids, the length of time on the housing register becomes a crucial factor in CBL allocation. Clients have reported that they have been unsuccessful in bids but saw that the successful applicant had been on the housing register for a shorter period than themselves. Although there may be a valid reason behind this, there was a widespread suspicion that the system was not fair and transparent. Several customers have approached Members who have found that they have been registered for a shorter period than they believed. This could be due to administrative errors or possibly short breaks when they did not renew their application. One member of the review group gave an example of a close family member being sent a recent renewal notice to his previous-but-one address, even though he was an existing council tenant.
- 7.2.7 There are often high numbers of bids against individual properties (for example 163 for a house in Kimberworth). The volumes of bids make it difficult for staff in the Empty Homes Team to ‘sift’ up to 30 applications for each property and ensure that verification checks are undertaken. As highlighted in the ‘Voids Turnaround Time’ review, it is suggested that many of these initial bids are ineligible. Of those RSLs interviewed, many reported that routine checks on applicants were not always undertaken accurately. An example was given of a Housing Association property that had been offered to an individual who had previously been refused RMBC properties under local lettings policies. It emerged after the property had been let that they were not eligible because of their circumstances and/or previous convictions. Other examples were given that verification checks had not been undertaken on applicants who had rent arrears and another who was not eligible for housing because of their status.
- 7.2.8 Not only does the high number of bids place pressure on the team; Councillors have reported anecdotally there is an expectation amongst customers that they have to bid each week to maintain their place on the housing register

(regardless of whether their bid is a positive choice) believing that this will improve their chances of success when a property they do want becomes available. As customers are bidding on properties they do not want, if they are offered the property, there is a greater risk of refusal (impacting on the voids performance figures). In addition to this, as greater numbers of people are applying for properties and are unsuccessful, the levels of frustration and disillusionment with the process is compounded. The review identified that there is a need for a clearer understanding about how the bidding process in Choice Based Letting works.

7.2.9 These 'wasted' bids are slowing down the allocations process. As submitted to the Sustainable Communities Scrutiny Panel, analysis for 2007/8 showed that 28.1% of people who were allocated a property refused to move. The main reasons given for refusal were:

- No wish to move
- Not desired location
- Property too small
- Refused to view

These reasons suggest that the customers may have had no intention for moving house in the first place. There is also a possibility that they did not have enough information available to them at the bidding stage in order to make a properly informed decision about whether the property was suitable for them. 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. 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.

7.3 Feedback received from RSLs

7.3.1 Many RSLs operating in the Borough offer at least 50% of their vacant properties in line with Housing Corporation requirements¹⁸ to be allocated through the Key Choices scheme, many offer more. However, it was reported that a small number do not currently meet the 50% quota although the reasons behind this were not explored.

7.3.2 Of those RSLs interviewed the Key Choices scheme was viewed positively. Suggestions for improvements included developing dedicated support for older

¹⁸ Housing Corporation Regulatory Circular 02/03 , February 2003

and more vulnerable clients to help them through the biddings process. On a related theme, RSLs reported that the process for allocating properties for medical priorities appeared to have to be an 'exact' match rather a broadly suitable property that could be adapted to meet needs. This was reported to cause delays and it was suggested that it would be helpful if a more flexible approach was adopted to allocate properties to people who fall outside of a strict criteria but may still be vulnerable.

- 7.3.3 The issue of the risk attached to tenancies was a significant concern. Several RSLs reported that pre-tenancy risk assessments are not routinely shared and warning codes are not always clear. Whilst this may only impact on a small proportion of customers, clarifying risk can be resource intensive. It was suggested that efficiency could be made if 'standard' electronic forms were developed, with shared codes.
- 7.3.4 The RSLs gave examples of other Local Authorities undertaking single assessments across housing, social care and health services. Although none of the customers highlighted this as a concern, it may mean that collation of information is streamlined and customer needs are more transparent.
- 7.3.5 There was no consensus about the introduction of a common housing register, with some RSLs expressing a strong preference for retaining 50% of their stock for allocation.

7.4 **Feedback received from private landlords:**

- 7.4.1 The services offered to private landlords do not fall within the Allocations Policy and is therefore not part of the Choice Based lettings scheme. However, the numbers of people seeking rented accommodation across the board and the availability of social housing, mean that private sector is an essential element of our housing options. The review group felt it was important therefore to get a picture of how we work with our partners in both the private and social housing sectors.
- 7.4.2 To advertise properties via the Key Choices Property Management scheme, private landlords have to register to accredited via the 'Quality Landlord Scheme'. This is graded in three bands, gold, silver and bronze. They pay a fee to Key Choices as a managing agent, which varies depending on which band they subscribe to. As part of the evidence gathering we wrote to all landlords on the current list. Many landlords were positive about the level of service received from Key Choices commenting favourably about the standard of service and levels of customer support available. Several phone calls from registered landlords detailed the ease of use, advantages of a wide distribution area for advertising properties and benefits of having easy access to trades-people for repairs.

Since the review group initially sought information from private landlords, a detailed business plan has been developed to improve how Key Choices Property Management operate. It is therefore accepted that some of the points raised by landlords may have been already addressed. However, the review group felt that it was important that we list the concerns raised by the landlords

about the service and how it could be improved. These include:

- Minimise the delays in landlords receiving payment after tenants have paid rent to Key Choices. However, it was reported that since the initial evidence gathering that the numbers of tenants with arrears is now 6%, compared with 20% when the scheme was set up. Recent monitoring figures report that 99% of landlords receive rent payments promptly.
- If tenants have not paid their rent within a defined period (e.g. one week), they should automatically receive a reminder as happens with council tenants. The landlords felt that Key Choices (as a managing agent) should deal with problems promptly and keep landlords informed of the situation on a timely basis.
- Contracts and the payment of rents should be aligned with the payments system for housing benefits which is paid every 4 weeks
- Ensure that housing benefit should be paid directly to the landlord if the tenant fails to pay rent. This would reduce the amount of Council time and money currently spent trying to recover monies from tenants..
- Several landlords reported that there were delays in advertising properties. One gave an example of a five week delay, which consequently meant that she lost rental income. Many people are exploring property rental to supplement incomes. This is particularly acute given the current economic climate.
- A month's rent is taken from tenants as a deposit. If the tenant falls into arrears, this deposit is taken off the amount of arrears said to be owing. Landlords feel that this deposit should be kept separate to deal with outstanding damage or repairs and not be used to balance the monies owing.
- Improved communication from Key Choices. This included prompt information to landlords about payment and repairs.
- The system for payments into the landlord's bank account does not include a reference to which property the payment is for. The 'docket' or payment slip should also include information about which month the rent payment is for (when paid in arrears the landlord does not know which period it covers).
- Provide landlords with full information about the prospective tenants, including if there are any outstanding rent arrears or previous breaches of tenancies. Some of the landlords interviewed said that they did not automatically receive references for tenants from Key Choices. Nor were they given a right to refuse tenants (one reported visiting a property to find new tenants in residence. She had not been informed that prospective tenants were interested nor had she approved their tenancy).
- Several landlords either had dealings with independent managing agencies or operated lettings on a large scale. There was a wide perception that whilst Key Choices has considerable expertise in managing council properties, its experience and capacity to act as a management agent for private sector housing could be improved.

8. THE ROLE OF COUNCILLORS IN THE CBL PROCESS

- 8.1.1 A large number of Members Enquiries are generated due to poor understanding of the CBL scheme and lack of information fed back to applicants. If an automated real-time response could be generated at the time of bidding, applicants would have a better understanding of the system and make more realistic bids. It was suggested that the Arbitras system could accommodate this.
- 8.1.2 Whilst some Housing Champions liaised closely with ward Members and supported them at weekly housing surgeries, this was not consistent. Local ward councillors are not routinely provided with sufficiently accurate performance information regarding housing related issues locally, creating difficulties and tensions when dealing with individual constituents and housing office staff. Information is available on the Council website, with ward members being informed of the empty homes in each ward, via the Cabinet Member information on a monthly basis. Members asked for regular updates and briefings on changes to the local and borough-wide lettings policies, and performance information relating to local housing issues, in particular waiting times and lettings.
- 8.1.3 As cited earlier, several customers have approached Members who have found that they registered on the housing register for a shorter period than they believed. This could be due to administrative errors or possibly short breaks when they did not renew their application. Although it may be impractical to review the housing register on an annual basis, it is suggested that a random 'audit' of cases takes place throughout the year to ensure that the database is continuing to be effective.
- 8.1.4 A number of queries from ward councillors centre on the ability of people with caring responsibilities who do not live with the people or person that they care for. A ward councillor highlighted a case of a carer who wanted to live closer to his aging parents. He supported them and ensured that their reliance on other care services were kept to a minimal but lived a distance away from their home. The carer had made unsuccessful bids for housing in the vicinity. The councillor had tried to intervene on his behalf but was told that he did not meet the criteria for re-prioritisation. The review group were informed that the Allocation Policy takes into consideration the status of non-domicile carers as part of the medical assessment process, however, members felt that this could be made more explicit in the policy document.
- 8.1.5 Members are acutely aware of the demands on housing, particularly for family properties. Many Members had anecdotal reports of under-occupancy. Although this was not explored in any depth, recommends that further work be undertaken to establish how this issue can be tackled.

9. RECOMMENDATIONS

As councillors, we get queues of people at surgeries wanting to know how long it will be before they can have a house. The likelihood is that for customers without priority status, they will need to wait some time before they bid successfully. As one Member put it *“we have 21,000 properties and 19,000 people on the waiting list ... our problem is one of rationing not allocation.”*

As such, we felt it was very important to manage the expectations of new applicants and existing tenants. Failure to do this may damage both the reputation of local ward Members and the Council as a whole.

Cabinet Member for Neighbourhood

- 1) That a sub-regional CBL scheme is not supported unless it can be demonstrated that its introduction will have a positive impact on the availability of housing in the Borough.
- 2) That proposals are put forward to ensure that all housing associations in the Borough release 50% of their empty properties for allocation through Key Choices
- 3) That the Allocations Policy makes explicit reference that the caring responsibilities of non-domicile carers can be taken into consideration when determining the applicant's housing category.
- 4) That this Scrutiny Panel receives further reports on how under-occupancy in social housing can be addressed.
- 5) That the impact of the Allocations Policy is regularly monitored by this Scrutiny Panel.
- 6) That further reports are presented to the Scrutiny Panel on options for social housing (including the future options for Council Housing)

Key Choices

- 7) That a system for the introduction of 'real-time' feedback be introduced as a matter of urgency. This feedback should include property specific information, relating to which need group it will be offered to and an indication of the length of time on the housing register needed to be able to qualify for the shortlist.
- 8) That robust measures are put in place to ensure that the Housing Register is as an up to date, accurate and effective database of customers. To support this, that a random 'audit' of cases takes place throughout the year to ensure that the database is continuing to be effective

- 9) That the current appeals procedure against removal and/or re-assessment of registration date, be reviewed to ensure that they are adequately meeting the needs of customers, and that this system is clearly outlined to applicants.
- 10) That a review of the effectiveness of the Quality Landlord Scheme is undertaken.
- 11) That full equality monitoring of successful and unsuccessful bidders is undertaken (not just on the basis of ethnicity) to inform service improvement and that the Equality Impact Assessment is updated on the basis of this information.
- 12) Explore whether an alternative title to “Direct Homes” can be developed which is more ‘user friendly’, descriptive of its purpose and is easily understood by the public.

Key Choices/ 2010 Rotherham Ltd

- 13) That work is undertaken to improve the information given to existing and potential applicants to ensure that there are clear, simple instructions about
 - how and where to bid (so customers bid on properties that they are interested in); and
 - the rationale for prioritisation of bids
- 14) That the website is redesigned using best practice from other authorities. As part of this redesign, the feasibility of ‘virtual tours’ and links with other public services should be explored.
- 15) That systems are put in place to ‘quality assure’ the information published via the web and other avenues to ensure consistency.
- 16) Customer feedback forms should be located in a more prominent position on all web-pages, including those hosted on the 2010 Rotherham Ltd website.
- 17) That consideration be given to giving fuller descriptions of properties, including indication of garden sizes.
- 18) That the weekly results sheet also reports the status of previously advertised properties that are awaiting allocation.
- 19) That proposals are put forward to improve communications and working processes between Key Choices Team and 2010 Rotherham Ltd. This should include measures to ensure that bids received at outlying offices and by telephone are recorded and communicated.
- 20) That information given out at Neighbourhood Offices is comprehensive and consistent. To support this, training should be undertaken with relevant officers in central and Neighbourhood Offices to ensure that they are aware of current developments and processes; this should be updated on a regular basis to address any issues of staff turnover.

- 21) Ensure relevant and appropriate information about local lettings policies and the housing history of prospective tenants are communicated to RSLs/private landlords.
- 22) That the process for advertising properties via local media is examined to ensure it is the best use of staff resources and provides value for money.

Information to Members

- 23) Review the information sent to all Councillors so that they are well placed to answer any housing queries from their constituents. Drawing on good practice from several wards, Members should be encouraged to work closely with Housing Champions to organise 'housing surgeries' to address specific issues about the application process.
- 24) That regular Member briefing/ information sessions on housing related matters are held, particularly following any significant changes to policy.

10. THANKS

- Cllr Jahangir Akhtar, Cabinet Member for Housing and Neighbourhoods
- Tom Cray, Strategic Directors, Neighbourhoods and Adult Services, RMBC
- Kirsty Everson, Director of Independent Living, RMBC
- Sandra Tolley, Housing Choices Manager, RMBC
- Staff at Keychoices Property Shop, RMBC
- Kevin Lowry, Chief Executive, 2010 Rotherham Ltd
- Adrian Cheatham, Safer Homes Manager, 2010 Rotherham Ltd
- Empty Properties Team, 2010 Rotherham Ltd
- Gail Bouskill, Johnny Johnson Housing Association
- Linda Rushworth and Nicola Heaton, Places for People Housing Association
- Richard Harrison, Chevin Housing Association
- Chris Jones, Arches Housing Association
- Steve Ruffle, Rotherfed

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CABINET MEMBER FOR HOUSING AND NEIGHBOURHOODS
15th June, 2009

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

An apology for absence was received from Councillor Kaye.

7. DAVE RICHMOND, DIRECTOR OF HOUSING AND NEIGHBOURHOOD SERVICES

The Chairman welcomed Dave, the newly appointed Director of Housing and Neighbourhood Services, to his first Delegated Powers meeting.

8. ENERGY PERFORMANCE CERTIFICATE - 6 MONTH UPDATE

In accordance with Minute No. 95 of 27th October, 2008, the Director of Housing and Neighbourhoods presented an update on the above.

The price of an Energy Performance Certificate (EPC) had risen slightly over recent months for private sector housing from £45 to as much as £80 which probably reflected the declining number of qualified EPC officers as the recession continued to affect the housing market.

There were 4 service areas within the Council affected by EPC legislation:-

- Key Choices Property Management – As part of the KCPM service, properties belonging to private sector landlords joining the accredited scheme or benefiting from initiatives such as Rent in Advance, were required to have a current EPC in place prior to the property being occupied.
- Trading Standards – To date Trading Standards had not taken any enforcement action in relation to non-compliance with EPC legislation.
- Neighbourhood Investment Service – A very limited capacity exists within the Service to carry out an EPC assessment. The opportunity had been made available to private sector landlords registered with the Council's Registered Quality Landlord Scheme. To date no appointments had been made.
- 2010 Rotherham Ltd. – 2010 employed 2 accredited Agency Surveyors to carry out EPCs on all voids, vacated and Right to Buy properties. To date 2,622 EPCs (40 per week) have been carried out with an average rate of 'D'.

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

(2) That a progress report be submitted in 12 months.

9. LONGFELLOW DRIVE - NEW HOUSING SCHEME FENCING

Further to Minute No. 147(2) of 2nd February, 2009, the Director of Housing and Neighbourhoods reported on the outcome of investigations into the matters raised in the petition.

The Neighbourhood Investment Service had contacted the petitioners to clarify issues and discuss possible solutions and entered into discussions with Chevin Housing Association. A joint assessment had been carried out involving the local PCSO, Planning Officers and local Ward Councillor.

A proposal had now been agreed that satisfied both the residents and owners' concerns. The Housing Association had commenced work to replace the fencing with black metal railing around the sensory garden thereby eliminating isolation to the residents in the corner and with green stained timber palisade fencing to the rear of the newly built bungalows to improve visual and social connectivity between the new bungalows and the existing residents. A gate was also to be provided to a property to restrict access to its rear to deal with concerns of vulnerability.

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

(2) That the actions undertaken in response to the petition to resolve residents' concerns be noted.

10. LONGFELLOW DRIVE

Further to Minute No. 65 of 1st September, 2008, the Director of Housing and Neighbourhoods presented an update on action taken to resolve the issues raised in the petitions.

The Neighbourhood Investment Service had continued to address the issues raised, maintaining regular dialogue with the relevant sections of 2010 Rotherham Ltd., the Council and Council partners in order to ensure that the concerns raised were concerned.

The 4 issues raised were:-

- Play facilities – Herringthorpe Playingfield – future plans were on hold at present. However, the local community would be consulted as part of the development process
- Road safety – Middle Lane South – As a result of an assessment carried out by Streetpride, it was unlikely that a crossing would be

installed at the present time. However, a draft road improvement scheme had been drawn up for Middle Lane around Clifton School and Clifton Park. Community consultation was currently underway.

- Use of the community centre by the wider community – The Neighbourhood Centres review was underway with the initial recommendation to retain the neighbourhood centre which formed part of the Longfellow Drive sheltered housing scheme. Further work was also being undertaken on any future requirements for funding to sustain the existing facility. A protocol of hire and use of neighbourhood centres on sheltered schemes has been approved. Petitioners had been advised that the facility could be hired by the wider community for a small charge.
- Health and safety issues relating to an unsafe wall – Security gates and fencing have now been installed to the area. Residents who lived within the gated area had been provided with keys.

The community had had the opportunity to discuss issues raised in the report and any other matters through a range of consultations which included door-to-door visits. No further comments or concerns had been raised to date.

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

(2) That the Director of Independent Living refer to Chevin Housing Association the fact that the local community was interested in making use of the facilities at Bakersfield.

(3) That the actions undertaken in response to the petitioners' concerns be noted.

11. DECENT HOMES ENHANCED SUPPORT FOR VULNERABLE CUSTOMERS

Resolved:- That this item be deferred to a future meeting.

12. DEVELOPMENT OF 2010 ROTHERHAM LTD.'S IMPROVEMENT PLAN

In accordance with Minute No. 240(3) of 29th April, 2009, work was now underway on developing the Improvement Plan with the report submitted setting out the broad areas to be covered and explaining the process that would be followed to agree the final version.

A number of key areas for improvement had been identified by the Council including issues identified by feedback from tenants and

leaseholders obtained from both the STATUS tenant satisfaction survey and the recent test of opinion survey. Performance issues and Audit Commission feedback had also been taken into account. The key areas included:-

- address tenants' and leaseholders' priorities for improvement
- achieve the standards expected of a three star, top performing organisation
- make a unique contribution to Rotherham's top priorities
- ensure all services were well organised, well managed and well governed
- ensure strong financial management processes were in place
- deliver value for money, making excellent use of resources

A series of meetings had been arranged between the Council and 2010 to ensure that a draft document was agreed by the middle of June.

A stakeholder seminar was to be held to discuss the plan and confirm arrangements for ongoing consultation. Tenants and leaseholders would be consulted in late June/early July via a series of focus groups.

Progress against the plan would be monitored via monthly Council/2010 liaison meetings as well as opportunities to enable tenants and leaseholders to provide high quality information through a variety of mechanisms to ensure the plan continued to meet customer aspirations.

Resolved:- (1) That the key areas for improvement set out in Section 7.2 be noted.

(2) That a further report be submitted in July, 2009, setting out the final Improvement Plan and detailed monitoring arrangements.

(3) That the timetable attached at Appendix 1 be noted.

13. 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.

14. HMR PATHFINDER PROGRAMME FINANCIAL UPDATE

The Director of Housing and Neighbourhoods submitted an update on the financial position of the Housing Market Renewal Pathfinder as at the end of March, 2009.

The Programme had commenced in 2004 and to date had drawn down and delivered £41.5M of HMRP funding to support housing market renewal investment activity. In the 2008-09 period, the Pathfinder Programme had delivered £11.5M of investment and exceeded by £0.8M the spend target for the year.

Transform South Yorkshire had announced that the 2009-11 funding allocation for Rotherham would be provisionally reduced by 10%, a funding reduction of £1.4M across a 2 year period. This remained subject to final confirmation at the TSY Board meeting scheduled for 15th June and to further financial appraisal by the HCA.

The 2009-11 Programme had been developed through a process of strategic masterplanning and regular reviews with ADF Steering Groups, key partners and stakeholders. The Programme had been updated to respond to the new challenges created by the economic downturn and credit crunch to support the local economy and sustain the delivery of affordable housing.

A summary of investment to date and a financial overview of the 2009-11 proposed programme of activity was set out in the report.

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

(2) That the revised programme for the 2009-11 period be supported.

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

15. 2010 ROTHERHAM LTD. 2009/10 CAPITAL PROGRAMME

Resolved:- That this item be deferred for a meeting between 2010 Rotherham Ltd. and the Council.

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

16. REPAIRS AND MAINTENANCE SERVICE

Further to Minute No. 133 of 22nd December, 2008, the Interim Director of Investment, reported that the initial stage of the review had now been completed.

The review had recommended, confirmed by 2010 Rotherham Ltd. Board, that the decision to externalise the Repairs and Maintenance Service remained the best option available. However, given the financial

implications associated with the various models, the Board had been advised that the establishment of a joint venture company may not be the best vehicle to externalise the service and that other forms of partnership with the private sector should be explored.

The review also proposed that, given the likely duration of an OJEU procurement process and the financial position of the in-house service provider, a change and cost reduction programme should commence immediately and run in parallel with the procurement exercise to address immediate financial viability issues.

Resolved:- (1) That the continued process of externalising the Repairs and Maintenance Service be approved.

(2) That the recovery actions being undertaken and the potential support that may be required from the Council be noted.

(3) That progress reports be submitted to the 2010 Rotherham Ltd. Board and Cabinet Member.

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

17. NEIGHBOURHOODS GENERAL FUND REVENUE OUTTURN 2008/09

The Service Accountant reported that the Neighbourhoods General Fund Revenue Account had outturned at a net overspend of £261,000.

Detailed analysis of the overspend was set out in Appendix 1 of the report submitted but were the result of 2 key areas relating to the Dignity contract and an animal disposal case.

Discussion took place on the overspend and the Community Leadership Fund.

Resolved:- That the report be noted.

(Exempt under Paragraph 3 of the Act – information relating to financial/business affairs of any particular person (including Council)).

18. HOUSING INVESTMENT PROGRAMME OUTTURN 2008/09

The Service Accountant submitted the final outturn position for the 2008/09 Housing Investment Programme (HIP).

By 31st March, 2009, £81,272M had been spent against the approved Programme of £79,019M, an overall overspend of £2.254M. This included an overspend of £0.127M on schemes managed by 2010 Rotherham Ltd. and a re-profiling of the Housing Market Renewal

Programme on Council managed schemes of £2.127M.

Appendix 1 of the report submitted provided a scheme by scheme analysis of spend against the approved Programme with explanations for any significant variances.

Resolved:- That the report be noted.

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

19. HOMES AND COMMUNITIES AGENCY INVITATION TO COUNCIL'S TO BUILD COUNCIL HOUSING

The Director of Housing and Neighbourhoods reported on the recent Budget announcement with regard to a £100M fund to support local authorities to build up to 900 new homes. The funding was being administered by the Homes and Communities Agency (HCA) and would be allocated through a similar process to the National Affordable Housing Programme.

Proposals must be new build, demonstrate strategic fit and deliverability. There were 2 opportunities to bid for resources with very tight deadlines of July and October, 2009, with successful bids being announced in September and November.

The report set out the bidding process along with scheme proposals.

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

(2) That the next steps detailed in the report be supported.

(3) That a bid be submitted to the Home and Communities Agency at the earliest opportunity.

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

CABINET MEMBER FOR HOUSING AND NEIGHBOURHOODS
Monday, 29th June, 2009

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

An apology for absence was received from Councillor Kaye.

20. REPRESENTATION ON OUTSIDE BODIES 2009/10

Resolved:- (1) That the attendance of the Council on other Bodies be as follows:-

Decent Homes Partnership	2 reps. from Sustainable Communities Scrutiny Panel	
Rotherham Licence Watch Steering Group	Councillor Wootton (Chair of Licensing Board)	
Rotherham Rent Bond Guarantee Scheme	Councillor Akhtar 1 rep. from Sustainable Communities Scrutiny Panel	
Rush House Management Committee	1 rep. from Sustainable Communities Scrutiny Panel	
Social Concerns Committee Churches Together	1 rep. from Sustainable Communities Scrutiny Panel	
South Yorkshire Trading Standards Executive Committee	Councillors Akhtar and Jack	
South Yorkshire Trading Standards Sub-Group	2 reps. from Sustainable Communities Scrutiny Panel	
National Society for Clean Air and Environmental Protection – Yorkshire and Humberside Division	4 reps. from Sustainable Communities Scrutiny Panel Councillor Wyatt	
Women’s Refuge	1 rep. from Sustainable Communities Scrutiny Panel	
Transform South Yorkshire Board	Councillor Akhtar	

(2) That the Sustainable Communities Scrutiny Panel be requested to nominate representation to those indicated above.

21. NEIGHBOURHOOD CENTRES REVIEW UPDATE

In accordance with Minute No. 157 of 2nd March, 2009, the Director of Independent Living submitted a progress report on the above review detailing the findings to date, emerging proposals and recommendation relating to future use.

The review findings to date highlight that the use of the centres, revenue expenditure and investment required in each centre varied significantly. Initial findings and recommendations relating to each of the centres were provided in an overview which was attached as Appendix 1 of the report submitted, the details included:-

- Centre location
- Ward
- The facilities available within each centre
- Condition of the centre
- Service requirements/usage
- Risks
- Rental income, expenditure and the payback period
- Costs to improve to ensure 'fit for purpose' and DDA compliance
- Initial community comments/concerns/aspirations
- Other community facilities located within the neighbourhood

63% of all Ward Members, or at least 1 Ward member within each Ward, had attended meetings with the Neighbourhood centres Manager and Neighbourhood Investment Services to discuss and develop initial recommendations and assess the potential impact of the review findings for each Centre within their Ward. The issues raised included:-

- The importance of the Centres in preventing isolation and social exclusion
- Loss of laundry as some bungalows cannot accommodate independent washing facilities: in addition reduction of Borough-wide Laundry Service
- Further loss of services for aged persons following changes to Meals on Wheels Service, Laundry Service etc.
- The rental income exceeds the expenditure on the majority of centres and no visible or recent investment or ringfencing of monies is apparent
- Misuse of Centres by Council and 2010 Ltd. operatives
- The need to explore the potential to opt out of the charge and service
- Support for increased use e.g. NHS locality based services and Safer Neighbourhood Teams
- Sensitive letting of void flats and accommodation attached to

Centres

Based upon the identified use, investment requirements, revenue expenditure and proximity to other communal facilities, initial recommendations were as follows:-

- 46 Centres (79%) to be retained and their use maximised – they would be programmed for essential repairs and improvements as per the indicative 15 year investment programme attached at Appendix 2
- 5 Centres (9%) needed further investigation to determine options for alternative use -
- 7 Centres (12%) required more detailed consultation to inform recommendations due to the potential for decommissioning – consultation to take place in July

Discussion ensued on the report covering:-

- Right to Buy
- Implications for sheltered accommodation without communal facilities
- Use of decommissioned Centres
- Potential of “opt outs”
- Funding for refurbishment

Resolved:- (1) That the progress of the review to date be noted.

(2) That it be noted that the 4 indoor schemes were to be reviewed separately with a report submitted at a later date.

(3) That the report be referred to the Cabinet Members for Adult, Social Care and Health and Economic Development, Planning and Transportation.

(4) That an all Member Seminar be held in due course.

22. 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.

23. PETITION FRANCIS HOWLETT SHELTERED HOUSING SCHEME

The Director of Independent Living reported receipt of a petition on 24th April, 2009, from residents living within the Francis Howlett Sheltered Housing Scheme expressing concern that the Relief Warden previously covering the Scheme had been removed and placed elsewhere due to an incident with a resident.

A letter had been sent to the lead petitioner on 27th April explaining the situation as well as a visit by the Independent support Manager to explain the role of a Relief Warden. The view of the lead petitioner was that the residents would prefer to have a dedicated Warden on site to ensure consistency and so that they felt safe and knew who would be visiting them on a daily basis.

The report set out the current position together with the reference to the recent review of the Warden Service/Independent Support Service. Consultation on the proposed changes had yet to commence with residents as the final proposals had yet to be submitted to the cabinet Member.

The Independent Support Manager would continue to keep in regular contact with the lead petitioner.

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

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

24. WASTE COLLECTION COMPLIANCE – ENFORCEMENT PROCEDURES

The Director of Housing and Neighbourhoods submitted a report on issues that had arisen following the completion of the roll out of the alternate week bin collection and the enforcement options available.

There were a number of occupiers that persisted in leaving excess waste at the side or on top of their bin or the bin in the street for unreasonable periods after it had been emptied. Despite considerable efforts to inform and advise occupiers on how to manage their waste, the problems still continued.

It was proposed that the current practice of informing and educating occupiers as to what they should do with their waste and removal of their wheeled bin following emptying on collection day be continued. It was also proposed that to use legal powers contained within the Environmental Protection Act 1990 and the Highways Act 1980 to deal with occupiers who persistently disregarded such advice and assistance.

Discussion ensued on the proposal. It was felt that where there were problems, contact be made with Streetpride and that attempts were made to resolve the problems informally in the first instance without recourse to enforcement action.

Resolved:- (1) That the proposed compliance procedures, as amended above, including the use of enforcement powers, to deal with persistent

5J CABINET MEMBER FOR HOUSING AND NEIGHBOURHOODS - 29/06/09

problems of waste being left at the side and on top of wheeled bins and empty bins being left in the street for unreasonable periods, be approved.

(2) That, for the purposes of Fixed Penalty Notices issued under Section 47ZA of the Environmental Protection Act 1990, a statutory default penalty (currently £100) be approved.

(3) That the proposed compliance procedures be publicised through Rotherham News and the media.

(4) That Cabinet be requested to recommend to Council the following delegations:-

(i) The Safety Neighbourhood Manager be authorised to issue Section 46 Environmental Protection Act 1990 Notices and to authorise prosecutions for offences under Section 46 of the 1990 Act and Section 137(1) of the Highways Act 1980.

(ii) That Officers of Neighbourhoods and Adult Services be authorised to conduct interviews under caution, the power to investigate offences under Section 46 of the Environmental Protection Act 1990 and, on behalf of the Council in its capacity as the local highway authority, offences under Section 137(1) of the Highways Act 1980.

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

25. STAGE 3 COMPLAINT PANEL

It was noted that a meeting of a Complaints Panel held been held on 9th June, 2009, comprising Councillors Atkin (in the Chair), J. Hamilton and Pickering. The Panel heard a complaint received from Mrs. F. relating to her request for her property to be extended to include a second bedroom and for the Ward Service to be removed from her tenancy.

The Panel had not upheld the complaints.

Resolved:- (1) That the Panel's findings be noted.

(2) That the Director of Independent Living review the designation of the properties concerned.

(Exempt under Paragraph 2 of the Act – information which is likely to reveal the identity of individuals)

26. INTRODUCTORY TENANCY REVIEW PANEL

It was noted that an Appeals Panel had been held on 11th June, 2009,

comprising Councillors Atkin (in the Chair), Havenhand and F. Wright, to review a decision to terminate an Introductory Tenancy.

The Panel had confirmed the decision made on 11th May, 2009.

Resolved:- That the Panel's decision be noted.

(Exempt under Paragraph 2 of the Act - information likely to reveal the identity of an individual)

SUSTAINABLE COMMUNITIES SCRUTINY PANEL
18th June, 2009

Present:- Councillor McNeely (in the Chair); Councillors Atkin, Blair, Cutts, Falvey, Gamble, Nightingale, P. A. Russell and Walker together with Mr. J. Carr (Environment Protection UK) and Mr. D. Corkell (RotherFed)

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

Apologies for absence were received from Councillors Havenhand, Hodgkiss, Lakin, F. Wright, Mr. A. Armitage and Mrs. B. Bartholomew.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the meeting.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

3. COMMUNICATIONS

- (a) The Chair welcomed Dave Richmond, the newly appointed Director of Housing and Neighbourhood Services, to his first Scrutiny Panel meeting.
- (b) The Chair drew attention to the fact that, as from September, the Scrutiny Panel would meet on a 6 weekly basis.
- (c) Danny Willoughby, a former Scrutiny Panel co-optee, had recently passed away.

Resolved:- (i) That a letter of condolence be sent to Danny's family.

- (d) A reminder was given that all mobile telephone must be switched off during the meeting unless exceptional circumstances applied.
- (e) It was noted that Alex Armitage had had to give his apologies for the meeting due to having suffered flooding to his property during the recent heavy rain.

Derek Corkell reported the Rotherham Lions had a fund specifically for those residents who did not have insurance etc.

(ii) That the Strategic Director of Neighbourhoods and Adult Services investigate the issue of any financial aid to those suffering damage to their properties during "mini" floods.

- (f) It was noted that the Director of South Yorkshire Housing

Association had been awarded a CBE in the recent Queen's Birthday Honours List.

- (g) Councillor Atkin gave a brief overview of a conference he had attended on 26th March, 2009, in London entitled "Financing Council Housing: From Words into Action".

4. HOUSING AND NEIGHBOURHOODS - PRIORITIES FOR 2009/10

Councillor Akhtar, Cabinet Member for Housing and Neighbourhoods, gave the following powerpoint presentation:-

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 and Safer Neighbourhood Teams
- Regulatory Function e.g. Licensing and Trading Standards

Achievements 2008/09

- Achieved 4 out of 4 for Housing CPA Service Block
- ALMO achieved 2 Stars
- 100% KPIs 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)
- 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
- 7% reduction in off-road motor vehicle reports
- 53.5% increase in domestic abuse detections
- Re-open Crematorium with Dignity
- Achieved Pioneer Status for Neighbourhood Crime and Disorder
- Hate Crime/Community Cohesion Service introduced
- Restorative Justice Scheme for young people introduced

- Y & H Environmental Enforcement Group – Award commendation (successful Fly Tipping Strategy)
- 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

Issues for 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 warden role
- 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 value for money study of Neighbourhood Services
- Drive up standards of Housing Management Services
- Reduce the fear of crime
- Carry on the focus of customer service

A question and answer session ensued with the following issues raised:-

- Elected Members not notified of the new “golden number” in order to contact Neighbourhood Champions
- Bureaucratic system for Area Assembly devolved budgets
- The need for a separate Housing Revenue Budget for the building of Council houses
- Partners not fully participating
- The need for improved signage to the new Crematorium car park
- Which cemeteries were the responsibility of Dignity

The Chair thanked Councillor Akhtar for his presentation.

5. ELECTION TO OUTSIDE BODIES

Resolved:- That the following nominations be made to the bodies set out below for the 2009/10 Municipal Year:-

Councillor P. A. Russell Substitute – Councillor Nightingale	Health, Welfare and Safety Panel
Councillor Atkin	Recycling Group
Councillors McNeely and Panel P. A. Russell	Looked After Children Scrutiny Sub-
Councillor Walker	Compact Monitoring Group
Councillors McNeely and Action Walker	Members Sustainable Development Group
Councillor McNeely Panel	Member Training and Development
Councillor McNeely	Churches Together

6. DRAFT WORK PROGRAMME 2009/10

The Scrutiny Adviser submitted an Outline Work Programme for 2009/10 which set out issues identified for future consideration by this Scrutiny Panel during the forthcoming Municipal Year.

It was not possible to be too specific at the present time on the precise nature of some issues for scrutiny and, therefore, the forward work programme would, to some extent, evolve during the course of the year.

Panel Members and officers had been contacted for their views on issues to be discussed over the Municipal Year. An outline programme had been formulated reflecting those comments and incorporating issues previously requested at Panel meetings. There would also be quarterly monitoring meetings 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 would also be scheduled into the work programme. At present, the Panel had not considered which issues would be subject to more in-depth review.

Issues identified for future scrutiny agendas included:-

- 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

Discussion ensued on the report. It was felt that the impact on the Allocation Policy, Empty Homes Strategy and under-occupation of Council housing could be linked together, that a further presentation and report on the impact and effectiveness of Enforcement Services and look at the proposals for the Warden Service at an early stage.

Resolved:- That the Scrutiny Adviser be requested to subject the possible Scrutiny Reviews to the Scrutiny checklist for suitability.

7. SCRUTINY REVIEW OF VOID TURNAROUND TIMES

The Chair presented the findings and recommendations of the Scrutiny Review into void turnaround times.

The review had highlighted that the involvement of several different teams in the management of void properties lead to confusion as to who was responsible for each stage of the process and a duplication of effort in some areas. Elected Members were not kept informed about void properties in their Wards and local residents were frustrated when they saw empty houses in their neighbourhoods that were not available to rent.

The average time taken to re-let empty homes had reduced significantly over the last 12 months and 2010 Rotherham Ltd. appeared to be committed to making further improvements to the service. Their recent Empty Homes Review carried out at the same time as the Scrutiny review in April, 2009, identified several areas for improvement which now needed to be developed into a realistic plan for action.

2010's Empty Homes Service Review aimed to map out the whole of the voids management process giving consideration to the deployment of resources, accountability, priorities and benchmarking against other services.

The Review had made 7 recommendations:-

- (a) That improvements be made to the Choice Based Lettings process in line with the recommendations of the current Scrutiny Review;
- (b) That the verification process be made more efficient by screening out ineligible bids at an earlier stage;
- (c) That clear criteria be published about the circumstances in which

decorating vouchers were issued to new tenants and that the allowance of £25 per room be reviewed;

- (d) That, in line with good practice demonstrated by high performing ALMOs, consideration be given to a Reward Scheme to encourage tenants to leave properties in good condition;
- (e) That information be provided to Elected Members on a regular basis on the void properties in their Ward including reasons why a property was empty and when it was expected to be re-let;
- (f) That more detailed information be provided when reporting on voids to give a clearer picture of why properties were empty and the financial implications and
- (g) That action be 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 Scrutiny Panel in due course.

The Chair thanked everyone who had taken part in the review.

Resolved:- (1) That the findings and recommendations contained within the report be endorsed.

(2) That the report be forwarded to the Performance and Scrutiny Overview Committee for approval and future submission to Cabinet.

(3) That the response of the Cabinet to the recommendations be fed back to the Panel.

8. IMPLEMENTATION OF THE SMOKE FREE LEGISLATION - UPDATE

Janice Manning, Food, Health and Safety Manager, gave the following powerpoint update on the implementation of the Smokefree Legislation:-

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 1 person and places open to the public
- "Work" includes voluntary work
- premises were "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 would also be required to be smokefree
- Employers would 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 were 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 1 person in connection with their business or employment

Smoke Free (Premises and 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 could cover all or part of the premises as a roof (including canvas awnings)
- “If it can be enclosed it will be considered enclosed”

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

Smokefree (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 (leave 1 on the standard scale)
Failure to display no-smoking signs	£200	£150	Up to £1,000 (level 3 on the standards scale)

Failing to prevent smoking in a smokefree place	N/A	N/A	Up to £2,500 (level 4 on the standard scale)
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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 e.g. 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.

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 e.g. 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 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.

Discussion ensued with the following points raised:-

- The criteria and emphasis of the Legislation was to protect people in the working environment from the harmful effects of second hand smoke
- Even if planning permission was obtained for a smoking shelter, it may not be compliant in terms of the Legislation
- The approach taken had been 1 of advisory with Fixed Penalty Notice served on continual offenders – there had been no prosecutions in Rotherham

Janice was thanked for her presentation.

9. FORWARD PLAN OF KEY DECISIONS FOR HOUSING AND NEIGHBOURHOODS

The Panel noted the Neighbourhoods and Adult Services Forward Plan of key decisions for the period 1st June-30th September, 2009.

10. SCRUTINY TERMS OF REFERENCE

Caroline Webb, Senior Scrutiny Adviser, 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 both Acts were now effective. The provisions relating to crime and disorder in both the 2006 and 2007 Acts commenced on 30th April, 2009. The Council's constitution needed to be amended to reflect the changes.

At its meeting on 29th April, 2009, it was agreed by Cabinet that, in the light of the above, there should be a review of scrutiny terms of reference.

It was noted that the Democratic Renewal Scrutiny Panel had been designated as the Crime and Disorder Committee.

The terms of reference for this Scrutiny Panel were:-

- 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

Resolved:- (1) That the legislative changes regarding overview and scrutiny functions be noted.

(2) That the terms of reference for this Scrutiny Panel be noted.

11. CABINET MEMBER FOR HOUSING AND NEIGHBOURHOODS

The Panel noted the decisions made under delegated powers by the Cabinet Member for Neighbourhoods held on 20th April and 1st June, 2009.

Resolved:- That reports be submitted on the following:-

garage sites
Airey properties

Housing Market Renewal Pathfinder

12. SUSTAINABLE COMMUNITIES SCRUTINY PANEL

The minutes of the meeting held on 16th April, 2009, were agreed.

13. PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE

The minutes of the Performance and Scrutiny Overview Committee held on 27th March and 17th and 28th April, 2009, were noted.

14. RECYCLING GROUP

The minutes of a meeting of the Recycling Group held on 28th April, 2009, attended by Councillors R. Russell (in the Chair), The Mayor (Councillor Ali), Atkin, Favley, Havenhand, Nightingale and Wyatt were noted

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
12th June, 2009

Present:- Councillor Whelbourn (in the Chair); Councillors Austen, Barron, Boyes, Gilding, J. Hamilton, Jack, License, McNeely, G. A. Russell, P. A. Russell and Swift.

Also in attendance was Councillor Kaye for item 9 below (Scrutiny Review – Road Safety Outside Schools)

1. MEMBERSHIP

The Chairman welcomed Councillor License to his first meeting of the Committee and expressed his gratitude to Councillor Burton for her past services to the Committee.

Resolved:- That the Committee place on record its thanks and appreciation to Councillor Burton for her service to the Committee.

2. DECLARATIONS OF INTEREST

Councillor Jack declared a personal interest in item 9 below (Scrutiny Review – Road Safety Outside Schools) being a governor at Aston Fence J. & I. School.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

4. FLOODS AND WATER MANAGEMENT BILL (DRAFT FOR CONSULTATION)

Graham Kaye, Principal Engineer, Drainage, presented the submitted report summarising the Government draft Floods and Water Management Bill for consultation and the Independent Review by Sir Michael Pitt. The draft bill addressed two issues, flood and coastal erosion risk management and water management, including details regarding :-

- a summary of the issues and new leadership roles that were relevant to local authorities and other partners on the Draft Flood and Water Management Bill
- a summary of the Council's and its partners' progress to improve further resilience against future flooding

The deadline for the consultation response was 24th July, 2009.

The Committee noted the progress of the Bill and implications for the Council. The potential future scrutiny role in calling partner organisations to account on introduction of the Bill was noted.

Discussion and a question and answer session ensued.

As a result of the latest flooding problems on Wednesday, 10th June, 2009, discussion then focussed on flooding issues generally.

Points covered in relation to the draft Bill and flooding issues generally included:-

- likelihood of the 'one body' being the local authority
- monitoring pilot schemes in Leeds and Hull
- surface water management plans, production of and costings
- need for a database compatible with Government database
- financial and resource implications
- concerns regarding individuals not on a watercourse being overlooked
- lack of consultation with ward and cabinet members
- general advice/tips re flooding action in community newspaper
- determination criteria for who is high risk and who decides
- need to ask people on the ground where problems exist
- lack of availability of promised sandbags for the Treeton area
- regular progress reports should be given to area assembly meetings
- utilise area assembly agendas as part of the consultation process
- debris/flytipping in watercourses
- drain/gully cleaning including frequency of and methodology
- need to identify problem areas and then educate
- planning responsibilities regarding new development
- holding partner organisations to account
- Section 106 implications

- localised flooding just being diverted elsewhere
- need for a map of the borough, at ward level, identifying high risk areas and readily accessible as a living document on the Council's website

Resolved:- (1) That the information be noted and the consultation be responded to.

(2) That this Committee considers that Planning Board should be asked to contribute, if appropriate, to such response with a view to including the planning and Section 106 issues now raised by Councillor License.

(3) That external partners/agencies be invited to a future meeting(s) starting in September, either collectively or individually to consider progress.

(4) That a review of the flooding problems occurring this week, and any in the future, be undertaken in time for the meetings in September.

(5) That the proposal that area assemblies be consulted on hotspots be reinstated.

5. REVIEW OF LOCAL CODE OF CORPORATE GOVERNANCE

Steve Merriman, Governance and Risk Manager, presented the submitted report relating to the above. It was best practice to review the Local Code of Corporate Governance annually. This year's review had resulted in proposals to make changes to the Code to incorporate:-

- the increasing importance of good partnerships' governance
- the impact of the economic downturn on local government, partners and the community
- an emphasis on an attitude of openness and inclusivity, integrity and accountability

The report covered:-

- best practice
- external audit view on Rotherham's governance framework
- proposals to revise the Local Code of Corporate Governance
- testing the Code for effectiveness

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The differences between the present Code and proposed amended Code were set out in the report.

Particular reference was made to the completion of a governance self assessment with partners.

Resolved:- (1) That the information be noted and the amended Code be supported.

(2) That it be noted that the Code had been used to test the effectiveness of the Council's governance arrangements, in order to inform the production of the Annual Governance Statement.

(3) That the governance self assessments, completed with partners, be referred to the respective scrutiny panels.

6. ANNUAL GOVERNANCE STATEMENT 2008/09

Further to Minute No. 8 of the meeting of the Audit Committee held on 27th May, 2009, Steve Merriman, Governance and Risk Manager, presented the submitted report which detailed the draft Annual Governance Statement (AGS) for 2008/09 and outlined the Council's view of the extent of good governance for the Council. Proper practice required the Chief Executive and Leader to sign the statement before presentation to the Audit Committee for approval.

The Committee reviewed the statement along with the format of the Cabinet Members' and Strategic Directors' statements of assurance.

The overall picture presented was positive.

Five issues had been identified from the 2008/09 review of governance arrangements. The Statement also provided an update on the issues arising in 2007/08.

It was noted that the Corporate Governance Group and the Audit Committee would monitor progress on actions to improve areas included in the 2008/09 statement and would review the effectiveness of governance arrangements during 2009/10.

The report set out in detail the :-

- General principles
- Procedure
- Structure of the Annual Governance Statement
- Significant Governance Issues
- Review and Monitoring

There were no direct financial implications. Any financial implications arising from any future development of internal controls would feature in

subsequent reports on this matter to Members.

If the Annual Governance Statement was not approved and published in a timely manner it could affect adversely the 2009 Use of Resources score and the overall reputation of the Council.

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

- significant issues
 - IT Business Continuity
 - Asset Management
 - Bereavement Project
 - Fostering
 - 2010 Rotherham Ltd
- Floods and clarification of insurance issues
- Degree of risk associated with 2010 Rotherham Ltd.

Resolved:- (1) That this Committee notes :

(a) the draft 2008/09 Annual Governance Statement

(b) the Statement needs to be presented to Cabinet for consideration and agreement

(c) the requirement for the Chief Executive and Leader to sign the Statement following consideration by Cabinet and prior to its formal presentation as a final document to the Audit Committee on 24th June, 2009.

(2) That the 5 significant governance issues, now reported, be referred to the respective scrutiny panels for monitoring.

7. PAYMENT OF INVOICES WITHIN THIRTY DAYS - FORMER BVPI8

Further to Minute No. 214 of the meeting of this Committee held on 17th April, 2009, Sarah McCall, Performance Officer, presented the submitted report which detailed BVPI8 and how it measured the payment of undisputed invoices within thirty days.

The Council had agreed the following average annual target for performance of BVPI8 with RBT:-

2009/10 97.5%

Outturn performance for recent years had achieved:

2006/07 91%

2007/08 94%

2008/09 92%

Recent performance for the new financial year had achieved:-

April 95.65%
Mat 96.44%

Year to date performance currently stood at 96.04%

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

- proposed performance clinic and representation from this Committee
- 'stopping the clock'
- developing measures to drive us to perform
- significant effect on small businesses and need to listen to voice of the small invoice sender
- need to identify barriers to payment
- attendance of directorates, respective Cabinet Member and Councillor Wyatt to future meetings.

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

(2) That arrangements be made for directorate attendance in accordance with Minute No. 214(2) of the meeting of this Committee held on 17th April, 2009.

8. PROCUREMENT LOCAL PERFORMANCE INDICATORS

Further to Minute No. 183 of the meeting of this Committee held on 27th February, 2009, Sarah McCall, Performance Officer, presented the submitted report setting out details of the indicators, targets and year end performance for 2008/09, together with recommendations to amend the current suite of indicators.

Of the eighteen indicators (details of which were appended to the report)

- three were status green
- four were status amber with performance on target
- one was status amber with performance below target
- two were for information/monitoring only without targets
- two had reporting yet to commence
- three were unable to report and proposed for deletion

- three were status red with performance below target

It was noted that the following had been approved by the Procurement Panel this week:-

- (a) Deletions:-
- | | | |
|------|---|--|
| LPI3 | - | Increase % spend with BME organisations |
| LPI5 | - | 10% of value of materials in a new build development above 1,000 square metres to be from sustainable sources e.g. renewable, recyclable, eco-friendly |
| LPI7 | - | % of demolition project contracts to comply with the ICE Demolition Model |
- (b) Addition:-Action 1-04
- refreshed Procurement Strategy action plan relating to agreeing a methodology for calculating Council spend with the voluntary and community sector

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

- reasoning behind the deletions and addition
- targets not reflecting performance
- carbon footprint and liaison arrangements
- realism of the targets in the current economic downturn
- need to measure spend irrespective of the achievability of targets

Resolved:- (1) That the current performance against the indicators be noted.

(2) That the proposed amendments, as now reported, be noted and endorsed.

9. SCRUTINY REVIEW - ROAD SAFETY OUTSIDE SCHOOLS

Councillor Barry Kaye, review group Chairman, presented the submitted report setting out the findings and recommendations of the review group. The review document was submitted to, and had been endorsed by, the Children and Young People's Services Scrutiny Panel at its meeting on 5th June, 2009.

Highlighted were the background to and rationale for the review, membership, scope, terms of reference, summary of findings and key recommendations.

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

- site visits to schools
- reducing number of accidents outside schools since 1997
- education of parents on road safety issues
- insufficient numbers of school crossing patrol wardens
- education of children to use crossing facilities
- pros and cons of congestion around schools
- provision of road safety information e.g. school prospectus, DVD presentation, loop presentations at parents' evenings, speed kills adverts, banners, governing body agendas etc.
- funding of initiatives
- action on priority areas first according to risk assessments
- importance of reducing speed limits
- inappropriate parking and parking enforcement activity
- staggered school finishing times
- design of schools to alleviate parking around school premises
- measures to raise parental awareness prior to children attending school

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 for response within two months.

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

(Councillor Jack declared a personal interest in the above item being a governor at Aston Fence J. & I. School)

10. SCRUTINY TERMS OF REFERENCE

Caroline Webb, Senior Scrutiny Adviser, 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 both Acts were now effective. The provisions relating to crime and disorder in both the 2006 and 2007 Acts commenced on 30th April, 2009. The Council's constitution needed to be amended to reflect the changes.

Cabinet, at its meeting on 29th April, 2009, agreed that, in the light of the above, there should be a review of scrutiny terms of reference.

The implications of the above for scrutiny were outlined and it was noted that Democratic Renewal Scrutiny Panel had been designated as the Crime and Disorder Committee.

Also submitted were the draft terms of reference for this Committee and the five scrutiny panels.

Discussion ensued on the respective terms of reference and the following issues were covered:-

- need for separate areas of responsibility regarding this Committee and Audit Committee in terms of process and operational issues
- terms of reference needed for the Looked After Children Scrutiny Sub-Panel
- clarification regarding scrutiny of issues relating to the Chief Executive's Directorate

Resolved:- (1) That the legislative changes regarding overview and scrutiny functions be noted.

(2) That, subject to the views now expressed, the draft terms of reference be approved and considered by respective scrutiny panels.

11. WORK PROGRAMME UPDATE

Caroline Webb, Senior Scrutiny Adviser, presented briefly the submitted report updating Members on the work programme for the Committee for the 2009/10 municipal year.

Resolved:- (1) That the work programme, as now submitted, be approved.

(2) That any issues of concern identified for scrutiny be notified to Cath Saltis.

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12. CORPORATE IMPROVEMENT BOARD - MEMBERSHIP

Resolved:- That the scrutiny representatives on the above continue to be Councillors Austen and Whelbourn.

13. MINUTES

Resolved:- That the minutes of the meetings held on 17th and 28th April, 2009 be approved as a correct record for signature by the Chairman.

14. WORK IN PROGRESS

Members of the Committee reported as follows:-

(a) Councillor G. A. Russell reported that the latest meeting of the Children and Young People's Services Scrutiny Panel had considered:-

- representation on panels, groups, other bodies etc for 2009/10
- draft work programme
- scrutiny review re road traffic safety outside schools
- key stage 4 results (GCSE)
- Safeguarding Children's Services – overview of activity
- impact assessment of young runaways and missing from home protocols
- Sheffield Children's Hospital NHS Foundation Trust Annual Health Check 2008/09

(b) on behalf of Councillor McNeely, it was reported that the Sustainable Communities Scrutiny Panel was considering/to consider:-

- voids turnaround review
- choice based lettings
- work programme
- Cabinet Member for Housing and Neighbourhoods' year ahead statement
- smoking enforcement one year on

(c) Councillor Austen reported that the latest meeting of the Democratic Renewal Scrutiny Panel had considered:-

- Safer Rotherham Partnership
- devolved budget process re Area Assemblies
- Community Leadership Fund

The next meeting would be considering:-

- terms of reference
- work programme
- reviews - start developing devolved budgeting

(d) Councillor Boyes reported that the latest meeting of the Regeneration Scrutiny Panel had considered:-

- panel nominations etc.
- work programme
- monitoring issues

Ongoing were:-

- sports review
- image of Rotherham review

(e) Councillor Jack reported that the latest meeting of the Adult Services and Health Scrutiny Panel had considered:-

- work programme
- dental issues

The next meeting was to consider:-

- performance of the ambulance service
- breastfeeding review
- ongoing work helping people to live at home

Reviews for the year were to include :-

- diabetes
- screening services
- CV disease

(f) Councillor Whelbourn reported that Andy Buck, Chief Executive,

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Rotherham NHS was to attend this Committee on 10th July, 2009.

Any issues proposed for raising with him at the meeting to be notified to Cath Saltis.

15. CALL-IN ISSUES

There were no formal call in requests.

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
26th June, 2009**

Present:- Councillor Whelbourn (in the Chair); Councillors Austen, Barron, Gilding, J. Hamilton, Jack, License, McNeely, G. A. Russell, P. A. Russell and Swift.

Also in attendance was Councillor Smith, Cabinet Member, Economic Development, Planning and Transportation for Item 18 below.

An apology for absence was received from Councillor Boyes and from Councillor Wyatt, Cabinet Member for Resources in respect of Item 18 below.

16. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

17. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

18. PAYMENT OF INVOICES WITHIN THIRTY DAYS (FORMER BVPI8) - ENVIRONMENT AND DEVELOPMENT SERVICES

The Chairman welcomed Councillor Smith (Cabinet Member for Economic Development, Planning and Transportation), Diane Douglas (Head of Business Unit), Joanne Kirk (Purchase to Pay Manager), Kim Marris (Procurement Information Management Officer), Mark Gannon (Transformation and Strategic Partnerships Manager) and Sarah McCall (Performance Officer).

Further to Minutes Nos. 214(2) and 7 of the meetings of this Committee held on 17th April and 12th June, 2009 respectively, Diane Douglas gave a presentation, as Procurement Champion for Environment and Development Services, on performance for the directorate in respect of BVPI8.

The presentation covered:-

- 2008/09 outturn performance
- 2009/10 target
- 2009/10 progress so far
- directorate improvement on last year
- Facilities Management outstanding invoices September, 2008 and April, 2009

- May, 2009 Summary
- What we've found
- What we're doing

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

- call off orders
- relative performances in Children and Young People's Services and Environment and Development Services
- liaison with other directorates
- 'stopping the clock'
- rationale for disputing invoices
- average payment time as a more meaningful indicator of performance
- procurement cards
- ethical cards
- receiving of invoices
- procurement champion role
- sharing of good practice inside and outside the Authority

Resolved:- That the information be noted and everyone be thanked for their attendance and input.

19. COMPREHENSIVE AREA ASSESSMENT - SELF ASSESSMENT

Julie Slatter, Head of Policy and Performance, introduced the submitted report which detailed how Comprehensive Area Assessment (CAA) Framework officially became effective from 1st April, 2009.

It had been agreed that the Rotherham Partnership would submit a self assessment to the Audit Commission Comprehensive Area Assessment Lead, which the Council would take the lead on, by the end of May, 2009. The self assessment was intended primarily to inform the Area Assessment element of the Comprehensive Area Assessment, but would also provide information for the organisational assessment of the Council.

The self assessment, as forwarded to the Audit Commission by the

Partnership, was submitted.

Julie also gave a presentation which covered:-

- What is CAA?
- Differences CPA and CAA
- Organisational Assessment
- Area Assessment
- CAA Timescales
- What we have done
- Question 1 How well do local priorities express community needs and aspirations?
 - How well do local partners understand their diverse communities?
 - How well do we engage with, involve and empower local people?
 - To what extent do local people influence decisions about setting local priorities?
 - Are priorities and needs in the Community Strategy and LAA appropriate and ambitious?
- Question 2 How well are the outcomes and improvements needed being delivered overall?
 - How safe is the area?
 - How healthy and well supported are people?
 - How well kept is the area?
 - How environmentally sustainable is the area?
 - How strong is the local economy?
 - How strong and cohesive are local communities?
 - How well is housing need met?
 - How good is the wellbeing of children and young

people?

- How well are people's social care needs and choices being met?
 - How good is the wellbeing of older people?
- Question 3 What are the prospects for the future?
- Strengths

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

- commissioning : most heavily weighted in Use of Resources
- role and influences of the South Yorkshire Lead
- KPMG role
- crime figures
- cost/benefit analysis of assessments
- mapping of all inspection/regulation activity
- level of evidence included
- concern regarding lack of linkage of individual inspection regimes into CAA
- schools affecting LAA target
- partnerships focusing on their own Use of Resources
- ABLE Project
- concern regarding lack of level of work with parish councils and need to be mindful of how to manage such dialogue and weave in the recommendations of the Scrutiny Review – Working with Parish Councils Part II
- Independent Living delivery
- shared services/commissioning shared services
- getting partners to reinvest savings
- awareness of Community Strategy, Corporate Plan and Year

Ahead Statement

- Forward Plan of Key Decisions

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

(2) That Panel Chairs and Vice-Chairs liaise with their respective scrutiny officer to identify the areas relevant to the respective Scrutiny Panels.

20. DRAFT ANNUAL REPORT

Cath Saltis, Head of Scrutiny Services, introduced briefly the submitted draft Annual Report for comment in respect of content and format.

Focus concentrated on the content of this Committee with the respective Chairs and Vice-Chairs of the panels invited to forward comments regarding their panels' content.

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

- work programmes
- timelines for production
- potential inclusion of co-optee details and experience for both statutory and non-statutory co-optees
- images to be used in final report

Resolved:- That the information be noted and any comments be forwarded to Cath Saltis within the next two weeks.

21. MINUTES

Resolved:- (1) That the minutes of the meeting held on 12th June, 2009 be approved as a correct record for signature by the Chairman.

(2) That, with regard to item (9) (Scrutiny Review – Road Safety Outside Schools), the DVD made by the young people be shown at area assembly meetings.

22. WORK IN PROGRESS

Members of the Committee reported as follows:-

(a) Councillor Austen reported that the Debt Recovery review was nearing completion and it was proposed to report to the Democratic Renewal Scrutiny Panel, Performance and Scrutiny Overview Committee and Cabinet on 16th, 24th and 29th July, 2009 respectively.

(b) Councillor Jack reported briefly on her visit to the Rothercare Service which had relocated to Bakersfield Court.

(c) Cath Saltis reported that a special meeting of the Children and Young People's Services Scrutiny Panel had been scheduled for Friday, 24th July, 2009 to consider the review of Children's Services.

Resolved:- That all appropriate officers be in attendance.

23. CALL-IN ISSUES

There were no formal call in requests.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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