

COMMUNITY SCRUTINY COMMITTEE

4th March 2002

**PRESENT:-**

**Labour Group**

Councillor Richards (Chair), Councillor Routledge (Vice-Chair) and Councillors Evens and Sherratt.

**Conservative Group**

Councillor Harrison.

**In Attendance**

Councillors Bell, Harrington and Southern.

The Chair welcomed Clive Mitchell of District Audit who was in attendance to observe the Meeting.

**APOLOGY**

An apology for absence from the Meeting was received from Councillor Mrs. Robbins (Conservative Group).

The Chair expressed his gratitude on behalf of the Committee to Paul Evans and staff at the Depot for conducting an interesting tour of the Depot which had taken place prior to the Meeting. Members observed a great atmosphere amongst the staff at the Depot and had enjoyed the tour.

CYS/24. **MINUTES**

The Open Minutes of the Meeting held on 14th January 2002 were received.

CYS/25. **BEST VALUE REVIEW – HOUSING SERVICES**

The Committee was advised that further to the last Meeting, the following activity on the Housing Services Best Value Review had taken place:-

- Two formal meetings of the Review Team
- the two sub-groups of the Review Team had met to develop the consultation and benchmarking/comparison strategies for the Review
- two training events had been held for the Review Team, staff and the Tenants Advisory and Consultation Team (TACT) on Best Value and Housing Finance.

It was noted that Review Team meetings continued to be well attended and the external stakeholders and TACT representatives were participating efficiently and providing a valuable input to the Review. However, there had been no input from Social Services to date. The Review would move shortly to the Challenge stage and input from the Social Services was considered to be vital. Councillor Routledge advised that the Social Services Department of Derbyshire County Council was currently being reviewed. Social Services had recently been asked to ensure that they were represented at the next

Meeting when the baseline information would be challenged in order for the key issues for the Review to be identified.

It was reported that Officers were currently working on the baseline assessment and the baseline information would be challenged by the Review Team at its next Meeting on 12th March 2002. It was anticipated that this meeting would identify the key issues for improvement from the Review and would draw up the action plan for the remainder of the Review.

The complementary work on the HRA Business Plan was progressing through the work of the HRA Business Planning Working Group. This Group had now met on five occasions and had developed the draft Housing Management and Financial Objectives for the HRA. An Action Plan for the Review was circulated.

Councillor Sherratt queried how the Council attracted Registered Social Landlords (RSL's) into the area. The Head of Community Services advised that the Council was efficient at the production of operational lists for this purpose but improvement was required on producing effective housing needs data. She referred to the Council's partnership working with Walbrook Housing Association which was proving effective in this area. The Environmental Health Manager referred to the Empty Home Scheme developed in partnership with Walbrook Housing Association. This scheme involved the Council making a compulsory purchase and receiving a cheque from Walbrook Housing Association for the cost of the purchase on the same day. Walbrook Housing Association would then take responsibility for the property. Councillor Sherratt expressed support for this particular type of scheme as opposed to disposing of large pieces of Council land.

The Committee noted the progress on the Housing Services Best Value Review.

CYS/26. **HOUSING INVESTMENT PROGRAMME (HIP)**

The Committee was advised that the 2001 HIP was submitted to the Government Office East Midlands (GOEM) at the end of July 2001. In December 2001 the Council was advised that it had continued to be assessed as being "below average" and was notified that its Housing Annual Capital Guideline (ACG) was £782,000.

The Committee was advised that Officers were disappointed in the assessment and the quality of the feedback provided. Some of the positive issues emerging from the assessment were outlined. It was noted that the key points to address arising from the feedback were as follows:-

- the need to collect and effectively interpret data on housing needs and stock condition
- the need to strengthen and update the overall housing needs information for the private sector
- the need to complete the rolling programme of sub district housing surveys and then carry out objective needs and market trends analysis
- the need to obtain accurate stock condition data to set and meet decent homes targets for Council houses

- the need to urgently complete the housing needs survey in time for the next HIP round
- Decent Homes targets must be set in the 2002 HRA Business Plan
- the engagement of partners in joint funding arrangements to maximise the amount of investment in housing stock available
- the need for full data analysis of the levels of required investment to bring houses up to the Decent Homes Standard and maintain that condition
- the need to urgently review IT requirements to meet new activities, e.g. rent restructuring

It was reported that Officers did not accept the feedback that “tenant participation continued to be patchy”. Recent work had seen an increase in the active involvement of tenants across the district on the TACT with local Tenants Groups now operating and increasing. The Council had established the HRA Business Planning Group in November 2001 to involve tenants and Members in setting future objectives for the landlords service and to appraise stock options for the future.

Members were advised that work was in hand to improve performance in the key areas identified by GOEM, namely:-

- (1) Setting Decent Homes targets and appraising options to meet targets.
- (2) Improving the availability of information on housing needs and market trends and,
- (3) Tenants involvement in stock options for the future.

The Committee was advised that Officers from the Housing, Environmental Health and Planning Departments were meeting in March to map out the work needed to update and complete the 2002 HIP process. The Consultation Strategy agreed by the Housing Best Value Review Team included holding an inter-agency workshop to share information on need, debate priorities and inform the future direction of the Housing Strategy and the Private Sector Renewal Strategy. This would be arranged for May and would lead to an updated Housing Strategy and Private Sector Renewal Strategy which would be produced by the Head of Community Services and the Environmental Health Manager and reported to Committee in June 2002. The HRA Business Plan would be reported in July 2002 following a wider consultation with tenants.

The Chair of the Committee referred to the Decent Homes target and asked what could be achieved by 2004. The Head of Community Services advised that she did not perceive any major problems provided the Council received the continued level of Major Repairs Allowance (MRA). The Council might have difficulty in meeting the demand for bathroom replacements. The bathrooms at Willoughby House were to be upgraded this year but a high percentage of the MRA had been spent on UPVC improvements. Once the Stock Condition Survey had been carried out then Members would need to agree priorities for spending the MRA. He queried the interim results of such a survey and asked what benchmark was being used for a Stock Condition Survey. The Head of Community Services advised that 99 properties were to be evaluated across the District and this information would be constantly monitored. Councillor Evens also queried the Council’s Housing Needs Survey and was advised that in 1998 a survey was carried out in Melbourne.

This had been used to inform the Housing Strategy and the Council needed to decide how it was to conduct its Housing Needs Survey for the future.

The Chair asked how the Council could involve more people in TACT as it was noted that a large percentage of its Members lived in sheltered accommodation. The Head of Community Services advised that five or six new members had been generated recently and welcomed any ideas Members had on encouraging tenant involvement. The Chair referred to the Council's exhibition trailer which was only used approximately six times a year and suggested that this might be used to recruit for TACT. The Head of Community Services also referred to the mobile Police Station which could possibly be utilised. Councillor Routledge talked about tenants being confused as to which Area Tenant Meeting they were to attend, (for example, some tenants were confused as to whether to attend the Newhall or the Midway Meeting). It was suggested that the Council should "forget postcodes" and decide the perimeters for such tenant meetings on a different basis.

The Committee noted the report on the Housing Investment Programme.

#### CYS/27. **ABANDONED VEHICLES**

The Committee was advised that this Council and Derbyshire County Council had respective duties under various legislative provisions to deal with abandoned vehicles. Both the Police and the Highways Authority were charged with the power to arrange the immediate removal of dangerously or illegally parked vehicles.

It was a criminal offence under the Refuse Disposal (Amenities) Act 1978 to abandon a vehicle and this offence carried the maximum penalty of a fine of £2,500 or three months' imprisonment, or both. In practice, the difficulties in tracing the person currently in possession of the vehicle meant that the numbers of prosecutions throughout the country were negligible.

The Committee was advised that the Council had a duty to remove the vehicles abandoned in the open air. Local Authorities were obliged to notify the owner of the vehicle either by attaching a Notice to the vehicle or sending it to the address of the last known keeper. It must allow the following notice periods to expire before the vehicle could be removed:-

- 15 days if the vehicle had been abandoned on private land
- 7 days if the vehicle was abandoned on the highway and was in such a state that it had no value

Vehicles with some value that had been abandoned on the highway might be removed immediately by the local authority who then would send a 21 day Notice to the address of the last registered keeper. However, Section 101 of the Road Traffic Regulations Act 1984 gave powers to competent authorities to dispose of vehicles that had been abandoned. Where a local authority was of the opinion that a vehicle was in a condition in which it ought to be destroyed, and it did not have a current licence displayed, the vehicle could be destroyed immediately. Where the vehicle was not in a poor condition, a local authority had to take steps to find the owner of the vehicle.

Under the Removal and Disposal of Vehicles Regulations 1986, made under Section 99 of the Road Traffic Regulations Act 1994, the Police had powers to move a vehicle where it was dangerous or a hazard to traffic.

Members were advised that the Government believed that local authorities were best placed to deal with local concerns and respond to local circumstances in dealing with abandoned vehicles. In the short-term, the Government intended to enhance the powers of local authorities by reducing the notice period on highways and private land after which it was possible for local authorities to remove vehicles. These short-term proposals were outlined in detail.

The Government also believed that stringent measures were required to ensure that all vehicles could be associated with a registered keeper who had clear responsibility for ensuring that the vehicle was operated legally and disposed of correctly. The key element in such an approach would be the continued fiscal responsibility of the former keeper. The keeper would maintain that responsibility unless they could demonstrate that they had notified the DVLA of the transfer or destruction of the vehicle. Under the current system it had been relatively easy for the keeper to disown responsibility for the vehicle, claiming he or she no longer had the vehicle in his or her possession.

The Committee was advised that the number of abandoned vehicles reported and dealt with had risen month on month from 2000 to 2002 and the detailed rise in vehicles were outlined to Members. The financial implications associated with this increased service were also outlined.

Councillor Evens advised that he would like the Committee to consider a report on the level in which the Council met the statutory deadlines for dealing with abandoned vehicles and indicated that he supported the idea of the proposed new legislation for more immediate action. The Environmental Health Manager advised that the Council was investigating how the service could be improved in particular by utilising the Clean Team for reporting such vehicles.

(At 5.50 p.m. Councillor Evens left the Meeting).

The Chair reported that he had been advised that if the petrol cap had been removed from a vehicle then the Council could move it immediately and it was agreed that this matter would be investigated.

**RECOMMENDED:-**

**That the Environmental Services Committee be asked to write to the Government supporting the short-term and long-term proposals for dealing with abandoned vehicles more efficiently and effectively.**

CYS/28. **COMMUNITY CONSULTATION STRATEGY – REVIEW**

Members were advised that it was proposed that the Community Consultation Strategy should be a concise document, backed up by a series of technical appendices that could be updated on a regular basis. Sections in the Strategy would discuss the following:-

- (1) Scope and purpose of the Strategy
- (2) The current position
- (3) Aims and objectives
- (4) Proposals
- (5) Work Programme

The proposals section would contain a series of guiding principles to be applied when consulting the community. More detailed guidance would be provided in a series of appendices covering such matters as:-

- recent consultation (with a database of key contacts and results)
- an Action Plan highlighting the major new initiatives for a period of the following eighteen months approximately
- consultation tools and techniques
- techniques for consulting ‘hard to reach groups’ such as young people
- the role of Members in the consultation process
- evaluating the results of consultation exercises
- the provision of support and advice, including training in consultation techniques

Work on the Strategy was being progressed through the Corporate Best Value Working Group. It was intended to produce a draft for consideration at the Community Services Committee on 11th April 2002. The Strategy would then be “rolled out” to Members and employees through a series of awareness events.

The Chair expressed concern about “consultation fatigue” and referred to the Citizens Panel as a good initiative for public consultation. The Policy and Best Value Manager advised that co-ordination of consultation with Derbyshire County Council was working well and there was now a need to co-ordinate public consultation issues within the organisation.

The Committee noted the report on the Community Consultation Strategy.

CYS/29. **WORK PROGRAMME**

The Committee reviewed the current Work Programme and noted that the item on Housing Management Issues was still outstanding and the Housing Allocations Policy and Procedures report would be received at a later date.

It was agreed that the Car Parking Best Value Review could be removed from the Work Programme. The Policy and Best Value Manager asked whether the Work Programme was working effectively and a general discussion took place with regard to the remainder of the Work Programme for the Meeting on 22nd April 2002. The Policy and Best Value Manager suggested that in the future the Committee could look at the Crime and Disorder Strategy, the Consultation Strategy and Health issues.

(Arising out of this discussion, Councillor Sherratt asked if Members could receive a list of abbreviations currently being utilised when considering health issues for information).

Councillor Harrison queried what role the Committee had in informing the Draft Local Plan and it was agreed to consider the feedback from the Local Plan at the next Meeting on 22nd April 2002. It was also agreed that the

Committee would receive a summary of the work carried out by the Committee over the year from the Policy and Best Value Manager.

K.J. RICHARDS

CHAIR

The Meeting terminated at 6.25 p.m.