

HOUSING AND COMMUNITY SERVICES COMMITTEE

27th April 2006

PRESENT:-

Labour Group

Councillor Southern (Chair), Councillor Richards (Vice-Chair) and Councillors Carroll, Mulgrew, Taylor (substituting for Councillor Dunn), Whyman, M.B.E. and Wilkins.

Conservative Group

Councillors Harrison, Mrs. Littlejohn, Shaw and Mrs. Wheeler (substituting for Councillor F. Hood).

In Attendance

Councillor Lemmon (Conservative Group) and Councillor Tilley (Labour Group). With the approval of the Chair, Councillor Lemmon spoke to the Minute No. HCS/88.

APOLOGIES

Apologies for absence from the Meeting were received from Councillor Dunn (Labour Group), Councillor Hood (Conservative Group) and Councillor Mrs. Walton (Independent Member).

HCS/84. **MINUTES**

The Open Minutes of the Meeting held on 16th March 2006 were taken as read, approved as a true record and signed by the Chair.

HCS/85. **DECLARATIONS OF INTEREST**

Councillor Whyman, M.B.E. declared a prejudicial interest in the report relating to the Catherine Jonathan Playing Field, Egginton, as members of his family used the playing field site and he had received hospitality from one of the residents present at the meeting who had attended to hear the decision on the playing field site.

Councillor Mrs. Littlejohn declared a prejudicial interest in the report relating to the Catherine Jonathan Playing Field, Egginton, as she lived in Fishpond Lane, which was immediately adjacent to the site.

Councillor Mrs. Wheeler declared a personal interest in the Community Partnership report in respect of the Repton Parish Council Heritage Map project, as a Repton Ward Member.

Councillor Harrison declared a personal interest in the Community Partnership Report in respect of the Aston-on-Trent Memorial Hall application, as the site was within his County Council Electoral Division.

Councillor Tilley declared a personal interest in the report on the Football Pitch Drainage Works, Goseley Recreation Ground.

MATTERS DELEGATED TO COMMITTEE**HCS/85. ASSOCIATION OF RETAINED COUNCIL HOUSING**

The Committee considered a report that requested authorisation for the Director of Community Services to commit the Council to membership of the Association of Retained Council Housing and authorised payment of the sum of £1,000 in membership fees.

The Committee was advised that the Association of Retained Council Housing was a newly formed organisation, which sought to represent the interests of stock retaining housing authority at a national level. Membership of the association would be open only to those housing authorities which had successfully completed a stock options appraisal which recommended stock retention in whole or in part and which had had the appraisal and recommendations signed off by the relevant Regional Government Office. The aims of the Association as specified in its constitution were:-

- To lobby the Government for a sustainable long term financial strategy to support residents' choice for retention of Council housing in local authority ownership and management.
- To share good practice and exemplify the success and long term benefits of local authority ownership and management.
- To champion the concept of a comprehensive housing service and the integral role of retentions of the housing stock to local authorities strategic and enabling role.
- To promote opportunities for collaborative working, joint commissioning of services and policy development to support the objective of stock retention.

RESOLVED:-

That the Director of Community Services be authorised to:-

- (1) Commit the Council to membership of the Association of Retained Council Housing.***
- (2) Make payment of £1,000 as the Council's membership fee of the Association of Retained Council Housing.***

HCS/86. DERBYSHIRE SPORT

The Committee received a verbal report from Councillor Richards on Derbyshire Sport. Members were advised that the Partnership Group of Derbyshire Sport held its quarterly meeting on 15th March 2006. The main business of the meeting was:-

- The consultation received on the County Sports Plan was considered. This included the comments received from this Committee. The Plan would still be launched in July.
- A regional structure had been agreed for preparing for the London 2012 Olympics so that local areas could gain from the event and its legacy.
- A process has been agreed for identifying priority sports in the County for development.

- Work on a financial feasibility for a Derbyshire Leisure Card was authorised. Following this work, a report would be submitted to this Committee to consider South Derbyshire's involvement.
- The Derbyshire Youth Games were to be replaced with a competition framework that enabled more young people to progress in their chosen sports and fit better with the schools, clubs and governing bodies of sport.

The new Partnership was now fully staffed and starting to impact on sports in the County. The business discussed at the Partnership meetings involved setting the framework for work that would be seen at a local level by our own South Derbyshire Community Sports Network.

RESOLVED:-

That the content of Councillor Richards' report on Derbyshire Sport be noted.

HCS/87. **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEES: SHELTERED HOUSING SERVICES**

The Committee considered a report of the Community Scrutiny Committee in respect of the provision of Sheltered Housing Services.

The Chair advised Members that Councillor Harrington was not able to attend this meeting to present the Community Scrutiny Committee report and had asked that his apologies be made to Committee.

The purpose of the report was to consolidate the work undertaken by the Overview and Scrutiny Committee, Housing and Community Services Committee and Officers from the Council's Housing Services Division in respect of improvements and repairs to Sheltered Housing Schemes and the long term improvement of the service in general.

The report sought to round off the work undertaken to date and ensure focus was given to implementing the Sheltered Housing Service vision and standards programme.

RESOLVED:-

That the Committee:-

- (1) Receives this report.***
- (2) Acknowledges the Overview and Scrutiny Committees' recognition of the hard work of this Committee and Housing Officers and their achievements in respect of the Sheltered Housing Service.***
- (3) Notes that the Director of Community Services will be investigating how best to resource the delivery of the actions set out in the Sheltered Housing Vision and Standards Programme***

HCS/88. **CATHERINE JONATHAN PLAYING FIELD, EGGINTON**

Note: Councillors Mrs. Littlejohn and Whyman M.B.E., having declared prejudicial interests, withdrew from the Meeting during the consideration of this item.

Councillor Lemmon advised that he had been requested to raise two matters of concern:-

- That action be taken to prevent dog fouling at the Playing Field.
- That the access at the rear of the properties in Smedley Court, Church Road and Fishpond Lane, Egginton should not be used for access by delivery vehicles.

The Committee considered a report relating to the Catherine Jonathan Playing Field in Egginton and whether certain residents of Smedley Court, Church Road and Fishpond Lane, Egginton had demonstrated to the satisfaction of the Council that they had established a right to use the playing field for recreational purposes only via an access from the rear of their properties.

The Committee was advised that the Council had received letters from a number of residents of Smedley Court, Church Road and Fishpond Lane, Egginton stating that they had an access onto the Catherine Jonathan Playing Field from the gates and openings at the rear of their properties which they had enjoyed for many years, in some cases prior to the land being purchased by the Council and utilised as a playing field in 1976.

The Committee was advised that it would appear from the information obtained so far that a private access to the Catherine Jonathan Playing Field may have been established over time. However, it was noted that there was no evidence to establish any use of right of way from the point of exit of the playing field onto the adjoining owners' land, i.e. the access to Egginton Hall and onto the highway.

It was confirmed that should the Council wish to challenge the alleged rights of the owners of the properties in Smedley Court, Church Road and Fishpond Lane, Egginton it would have to rebut any statutory declaration made by them to the Land Registry. However, if the Council acknowledged the rights of these residents that they were claiming, it would need to clarify the detail in writing to the Parish Council and to the residents themselves and make it clear that the use of such access would be for entry to the playing field for recreational purposes and not as a right of way onto any adjoining land.

RESOLVED:-

That the Committee:-

- (1) Formally acknowledges the rights of certain residents of Smedley Court, Church Road, and Fishpond Lane, Egginton to access the Catherine Jonathan playing field from the rear of their properties.***
- (2) Acknowledges that the Council is not in a position to grant or acquiesce over any rights of way over land belonging to an adjoining landowner.***

Note: Councillor Lemmon the left the Meeting at 6.30 p.m.

HCS/89. **MANAGEMENT OF THE LULLINGTON CROSSROADS GYPSY CARAVAN SITE**

Note: Councillors Mrs. Littlejohn and Whyman M.B.E. returned to the meeting at 6.30 p.m.

The Committee considered a report which advised Members that the Lullington Traveller Site was no longer being operated as a purely temporary transient site and which sought approval to changing the site rules, policies and procedures to regularise the matter.

The Committee was advised the proposal in respect of the Lullington Gypsy Caravan Site was that a number of plots became permanent and that some became semi-permanent (allowing tenants to stay for up to six months) which could provide for a total of four caravans remaining available for transients to be directed to or for travellers who were staying for a period of fourteen days or less. Regardless of the potential for these travellers to leave the site and set up on an authorised encampment, these two plots and their fourteen days limit would be enforced strictly.

The Committee was advised that the fine detail of how the site would work, the new rules, regulations and procedures, together with details of the zero tolerance system and the effects on the unauthorised eviction procedures would be created and put into place by the Council's Environmental Protection Unit as managers of the site.

Members noted that the proposals would enable the Council to give consideration to the needs of the travelling community and in doing so, the Authority would base itself in a stronger legal position to deal with illegal encampments on either its own land or Derbyshire County Council's land.

RESOLVED:-

That the Committee approves changes to the management arrangements of the Lullington Crossroads Gypsy Caravan site as outlined in the report, in particular:-

- (1) The creation of three different plot types on the site, consisting of permanent, semi-permanent and temporary plots.***
- (2) The introduction of a zero tolerance system whereby travellers who cause problems, or who break site rules can be removed and prevented from re-access onto the site.***
- (3) The removal of the current Site Warden's jurisdiction over who is allowed onto the site.***
- (4) That the Head of Environmental Services be authorised to amend the site rules to enable the enforcement of this system.***

HCS/90. **RIGHT TO BUY SALES AND FIRST RIGHT OF REFUSAL**

The Committee considered a report that advised Members of the amendment to the Right to Buy legislation and the introduction of the Council's right of first refusal if a former Council property was resold within ten years.

The Committee was advised that amendments to the Right to Buy legislation set out in the Housing Act 2004 presented the opportunity in future for Council properties to be resold to the District Council to increase its housing stock. It was noted that this opportunity afforded by the right of first refusal would only be available for a period of eight weeks.

RESOLVED:-

- (1) That delegated authority be given to the Head of Housing Services following consultation with the Chair and Vice-Chair of the Housing and Community Services Committee in respect of future decisions to utilise or forego the Council's right of first refusal where properties purchased under the Right to Buy Scheme are available to buy back***
- (2) That any decisions taken by the Head of Housing Services under the delegated authority granted at (1) above be reported to the next available Meeting of this Committee.***

HCS/91. **ALLOCATION POLICY**

The Committee considered a report, which advised of amendments proposed to the Council's Housing Allocation policy. The revised policy document was submitted as annex 1 to the report and the current policy was submitted as Annex 2.

The Committee was advised that in 2004, it had approved the current allocations policy, which had now been in operation for two years. It had become apparent during that period that the allocations policy document needed to be reformatted to become more accessible and transparent and that usage had highlighted the need to amend and clarify eligibility and points awarded for applicants who fell within certain categories.

Members were advised that the principles and objectives of the Council's allocation policy remained the same, with the addition of a commitment to work with the Council's partners and registered social landlords to increase access to and options for social housing through nomination agreements.

RESOLVED:-

- (1) That the Committee approves the updated Housing Services Allocations Policy which includes:-***
 - Amendments to the priority rating of homeless applicants.***
 - Applicants with insecurity of tenure.***
 - Clarity of local connection and medical need.***
 - Provision to move the general needs stock to sheltered accommodation.***
 - Clarity on overcrowding and relationship breakdown provisions.***
 - Deferments.***

- ***Allocations to Gypsy site plots.***
- (2) ***That paragraph 3.5 of the Housing Services Allocations Policy be amended to read as follows:-
'Within the application form we will ask applicants to disclose household income, and where our Officers decide that applicants can afford to secure their own accommodation, appropriate advice and assistance will be given to help them do so'.***
 - (3) ***That in respect of paragraph 3.14 of the Allocations Policy, arrangements be made for a visit to applicants who have not replied so that they remain on the housing register until the visit has taken place.***
 - (4) ***That in respect of paragraph 9 of the Allocations Policy relating to succession to a tenancy, advice be obtained from the Council's Legal Services Section and Members be advised accordingly.***
 - (5) ***That the Director of Community Services be requested to write to the Performance Manager, Housing Operations Manager and Repairs and Improvement Manager, expressing the thanks of the Committee for their work.***

HCS/92.2006 – 2007 SAFER SOUTH DERBYSHIRE ACTION PLAN

The Committee considered a report which informed Members of the Safer South Derbyshire Partnerships 2006 – 07 Action Plan and asked the Committee to accept the Action Plan.

The Committee was advised that the 2005/08 Crime and Disorder Strategy identified the following priorities:-

- anti-social behaviour (including criminal damage and disorder)
- community reassurance and fear of crime
- property crime (including burglary and car crime)
- violent crime (including domestic abuse, assault, robbery and sexual offences)
- substance misuse (drugs and alcohol)

Members were advised that the budget available for implementing the Safer South Derbyshire Partnerships work and related crime and disorder initiatives held by the Authority was expected to be in the region of £620,000, consisting principally of contributions or partnership support of £330,000 from the Council itself, £130,000 from the Police, £11,000 from Derbyshire County Council and £81,000 from the Local Area Agreement.

It was noted that the delivery of the Partnership Plan would contribute to achieving many of the Council's objectives contained within its Corporate Plan and Community Strategy.

RESOLVED:-

That the Committee accepts and adopts the Safer South Derbyshire Partnership 2006 – 07 Action Plan.

HCS/93. **2005 / 2008 SERVICE PLANS – YEAR END REPORTS**

The Committee considered a report on year end service plan monitoring reports in respect of the following divisions:-

- Housing Services
- Leisure and Community Development
- Environmental Services

Members were asked to note that the Environmental Services plan also included matters that were the responsibility of the Environmental and Development Services Committee and these were shown in italics.

RESOLVED:-

That the year-end Service Plan Monitoring Reports in respect of the following Divisions be noted:-

- ***Housing Services***
- ***Leisure and Community Development***
- ***Environmental Services***

HCS/94. **PROPOSED MAINTENANCE AND IMPROVEMENT PROGRAMMES FOR COUNCIL HOUSING 2006/2007**

The Committee considered a report which provided information on the Council's progress towards meeting the decent homes standard as a result of implementing the improvement programmes agreed by the Housing and Community Services Committee on 5th February 2004. The report also requested approval for the content of the 2006/2007 Improvement Contracts.

Members were advised that the varying types of works identified to be undertaken to the Council's housing stock were to be delivered through continuing both existing improvement programmes and the five year cycle planned maintenance programme. This would ensure that the Council met the Government's 'decent homes' standard and targets set for 2006 – 2010. The Committee was informed that the major repairs allowance (MRA) for 2006 /2007 was approximately £1.8 million and the detail of the expenditure was as follows:-

- | | |
|--|-----------|
| • Central heating upgrades | £400,000* |
| • Window replacements | £210,000* |
| • Kitchen replacements | £200,000* |
| • Bathroom replacements | £260,000* |
| • Re-roofing | £25,000* |
| (2006/2007 Planned Maintenance Area) | |
| • Adaptation improvements | £160,000 |
| • HRA supplement for responsive and void repairs | £45,000 |
| • Environmental works | £10,000 |
| • Door replacements | £310,000* |

- Unforeseen Decent Homes work £80,000*
- Capital Salaries £106,500

*Identifies schemes which contribute towards meeting the 'Decent Homes' standards.

RESOLVED:-

That the Committee approves the Maintenance and Improvement Programmes for Council Housing 2006–07, as detailed below:-

Planned Maintenance Programme

Approve the content of the scheme, enter into the third year of the five-year partnership agreement with Harvey and Clark and suspend Financial Procedure Rules (Contract Rules).

Central Heating Improvements

Approve the content of the scheme, enter into the third year of the five-year partnership agreement with Robert Prettie Ltd and suspend Financial Procedure Rules (Contract Rules).

Kitchen Replacements

Approve the content of the scheme, enter into the third year of the five-year partnership agreement with Harvey and Clark and suspend Financial Procedure Rules (Contract Rules).

Bathroom Refurbishments

Approve the content of the scheme, enter into the third year of the five-year partnership agreement with Harvey and Clark and Robert Prettie Ltd and suspend Financial Procedure Rules (Contract Rules).

Adaptations

- ***Continue to delegate responsibility and to transfer the Housing Revenue Account (£100,000) and Major Repair Allowance (£160,000) budgets to the Environmental Health Service for specific improvements to adapt properties in accordance with Social Services recommendations***
- ***To increase the Major Repair Allowance by a further £150,000 in accordance with the Committee's resolution from 21st April 2005, concerning 'Proposed distribution of ring-fenced housing capital receipts'.***

HCS/95. **COMMUNITY PARTNERSHIPS SCHEME**

The Committee considered a report, which updated Members on applications for funding received by the Community Partnership Scheme and sought approval of recommendations from the Assessment Panel for awards from the scheme.

The Committee was advised that in total, two applications had been received for the fourth bidding round, one from Repton Parish Council and one from Aston on Trent Memorial Hall Committee. The Assessment Panel had decided to score the Repton Parish Council application only and requested that Officers revisit the original application from Aston on Trent Memorial Hall Committee to determine whether the present application covered costs requested in the first application. The Panel requested that a decision on eligibility for assessment

should be made by the Housing and Community Services Committee in the light of the clarification obtained.

It was moved and duly seconded that a grant of £1,750 be made from the Community Partnership Scheme to Repton Parish Council for the Heritage Map Project. Councillor Mrs. Wheeler requested that a second part be added to the motion, asking that Officers provide advice to the Aston-on-Trent Memorial Hall Committee applicants on the interpretation of the Community Partnership Scheme application criteria. Councillor Carroll advised that she did wish to include the additional wording in her motion. The Committee then voted on the original motion and, it was,

RESOLVED:

That a grant of £1,750 be made from the Community Partnership Scheme to Repton Parish Council for the Heritage Map Project.

HCS/96. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Minutes held on 16th March 2006 were received.

REPLACEMENT OF SWADLINCOTE CHRISTMAS LIGHTS (Paragraph 3)

The Committee considered a report on the method for the procurement and evaluation process for the replacement of Christmas lights in Swadlincote. The Committee approved the recommendations in the report and nominated a Member to the group which would evaluate submissions.

FOOTBALL PITCH DRAINAGE WORKS – GOSELEY RECREATION GROUND, HARTSHORNE (Paragraph 3)

The Committee considered a report on the spending of capital programme monies on the football pitch at Goseley Recreation Ground, Hartshorne. The Committee approved the recommendations in the report.

R.W. SOUTHERN

CHAIR

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