

HOUSING AND COMMUNITY SERVICES COMMITTEE

20th November 2003

PRESENT:-

Labour Group

Councillor Southern (Chair), Councillor Lauro (Vice-Chair) and Councillors Carroll, Isham, Jones, Mulgrew and Taylor.

Conservative Group

Councillors Mrs. Hood, Harrison, Mrs. Renwick, Shaw and Mrs. Walton.

In Attendance

Councillors Bell, Harrington, Murphy and Stone (Labour Group).

APOLOGY

An apology for absence from the Meeting was received from Councillor Whyman M.B.E. (Labour Group).

HCS/59. **MINUTES**

The Open Minutes of the Meeting held on 9th October 2003 were taken as read, approved as a true record and signed by the Chair.

HCS/60. **DECLARATIONS OF INTEREST**

Councillor Mrs. Renwick declared a personal interest in respect of item No. 18 – Sheltered Housing – Strategic Vision.

HCS/61. **MEMBERS' QUESTIONS AND REPORTS**

The Chair advised that an Open item on repair policy had been included in the Exempt section of the agenda in error. With Members' approval, this would be considered during the Open part of the Meeting. He had been made aware of an additional item on Gas Servicing. As Chair, he was of the opinion that it should be considered on Health and Safety grounds as a matter of urgency.

MATTERS DELEGATED TO COMMITTEE

HCS/62. **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEES – BEST VALUE REVIEW OF OLDER PEOPLE IN THE COMMUNITY**

It was reported that Derbyshire County Council completed a major Best Value Review of "Older People in the Community" during the summer. A copy of the Executive Summary had been circulated and it had been considered by the Community Scrutiny Committee. The Scrutiny Committee felt that the review might have implications for a number of Council services and that policy committees should be consulted prior to finalising the response to Derbyshire County Council.

The review was citizen based, focusing on four main themes that were originally identified through consultation with older people. The four themes were set out within the report, together with a number of specific issues. Proposals and options for improvement were outlined and a “Strategy for Older People” Action Plan was proposed.

The Committee was asked to consider how the review might impact on its service areas and a number of specific issues were highlighted to aid discussion of this topic. Councillor Harrington presented the report. He sought Members feedback and they were welcome to attend the next Community Scrutiny Committee when this Best Value Review would be considered in further detail.

In receiving the report, comment was made about the provision of a gardening service. The Vice-Chair spoke of the need to provide sport, recreation and leisure activities specifically for older people. The Chair voiced his disappointment at proposals for the Oaklands Home, but it was noted that this was outside the scope of this Best Value Review.

RESOLVED:-

That Members’ views be reported to the Community Scrutiny Committee on the County Council’s Best Value Review of “Older People in the Community”.

HCS/63. **ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE**

RESOLVED:-

That the Open Minutes of the Etwall Leisure Centre Joint Management Committee Meeting held on 14th July 2003 be received.

HCS/64. **DRAFT SERVICE PLANS 2004/07**

The Committee gave consideration to draft Service Plans for the period 2004/07 for the Community and Leisure Development and Environmental Health Divisions. It was noted that some elements of the Environmental Health Service Plan were the responsibility of another Committee. The Housing Services and Technical Services Plans were not presently available and would be reported to a future Meeting, to be agreed with the Chair.

Service Plans provided an important part of the Council’s Performance Management Framework and details were given of those other elements within this framework. The form and content of Service Plans had been revised with the aim of making them shorter and more focused on key issues. They had also been extended to cover a three-year period, although they would be reviewed and rolled forward annually. Progress reports would continue to be made every six months. Details were provided of the sections contained within each Service Plan. All plans had been developed on the basis that there would be no change in the level of resources devoted to that service area. Proposals for service developments or reductions along with new capital projects would be considered through a separate mechanism and incorporated into the Service Plans at a later date. Proposals resulting from the new Corporate Plan would also need to be included later. It was proposed therefore that the Chief Executive, in consultation with the Chair of

the Committee, be authorised to agree final versions of the plans when the Budget and the Corporate Plan had been approved.

Each Divisional Manager was invited to highlight key issues within their Service Plan. The Vice-Chair spoke about the Community Plan, links to the Local Strategic Partnership and he explained that there would be a Crime and Disorder Sub-Group of the Partnership. This might provide funding opportunities for some of the posts within the Community and Leisure Development Division that were currently resourced from other external sources. He looked forward to the new arrangements with great enthusiasm.

The Deputy Leader of the Council referred to Health and Safety, including home safety and raising an awareness of safety issues. In response, the Officer spoke about the Safer Homes initiative, delivered through the Council for Voluntary Services. This sought to reduce the risk of burglary and accidents in the home. Councillor Carroll then referred to food safety and other health initiatives.

Councillor Harrison recognised the importance of services delivered through this Division and spoke particularly about Crime and Disorder. Information was sought on the funding provided by the Council, the Constabulary and the Home Office. With regard to the Environmental Education Project he questioned how much funding was received from the East Midlands Development Agency. A response was provided that included details of likely funding for Anti-Social Behaviour Officers and further information would be provided to Members. Councillor Murphy commented on the opportunity to link with other authorities and to integrate services to give the widest range of assistance to vulnerable people. A question was also submitted about the Best Value Performance Indicators for this Division.

The Environmental Health Service Plan was discussed. In response to a question from Councillor Shaw, there was a discussion about private landlords.

RESOLVED:-

- (1) That the Draft Service Plans for the Community and Leisure Development and Environmental Health Divisions be approved as the basis for service delivery over the period April 2004 to March 2007.***
- (2) That the Chief Executive be authorised, in consultation with the Chair of the Committee, to agree final versions of these plans when the new Corporate Plan and the 2004/05 Budget have been approved.***
- (3) That Members' views be taken forward regarding matters to be addressed through the budgetary process.***

HCS/65. **BEST VALUE REVIEW – STRATEGIC HOUSING**

The Committee was reminded of the scope of the Strategic Housing Review and the issues that had been identified to shape the review. A Review Team was established, together with a small steering group of Officers. The Review Team was organised into four groups, working with Officers to undertake an

analysis of the existing service in terms of strengths, weaknesses, opportunities and threats. To complement the Best Value Review work, a group was established to develop the Housing Revenue Account Business Plan and its composition and purpose were reported.

A baseline assessment was prepared and a challenge process took place. This process led to four key issues, which were set out within the report. The Review Team then developed consultation and benchmarking/comparison strategies. Four main outcomes from the review were reported and this work had been followed by thematic reviews of Balancing Housing Markets and Decent Homes.

In receiving the report, Members discussed the planned closure of the Aston Hall Hospital and the relocation of its residents. It was questioned whether the Council had been consulted about the availability of suitable alternate accommodation and it was confirmed that discussions had taken place. Bespoke accommodation would be built within South Derbyshire and meetings were ongoing to see how the Council could assist. Members wished to be kept informed about the closure of the Hospital and it was requested that local Members be involved in discussions at the appropriate time. Comment was also made about the adaptation of properties occupied by disabled persons and the Chair voiced his concerns over current service delivery. The Director of Community Services explained that regular meetings were held with Derbyshire County Council and he agreed to pursue the Chair's concerns. He then responded to a question from Councillor Jones, explaining the multi-agency approach used to assess adaptation needs and prepare schemes as quickly as possible.

RESOLVED:-

That the Committee approves the report and formally “signs off” the Best Value Review of Strategic Housing.

HCS/66. **REPAIR POLICY**

The Committee was asked to consider a proposed policy which covered all aspects of non-programmed works on housing property. Currently, work was undertaken on Council properties through planned works and responsive repairs. For the current financial year, anticipated expenditure was approximately £3.84 million, of which £1.03 million or 70% would be responsive repair works. The report was concerned with repair works and these were typically the result of direct requests from tenants, together with works relating to void properties. The report included proposals for a rechargeable repair policy, a mutual repair policy and it incorporated the decoration policy agreed previously by the Committee. Current satisfaction levels indicated that tenants were happy with the quality of work undertaken, the service received from operatives and the Repair Inspectors/Project Officers. However, there was a need to reduce the time taken to carry out repairs and to explain to tenants how repairs were prioritised. There was also a need to outline issues that tenants were responsible for and to set down a rechargeable repair policy, to explain those circumstances in which tenants would be expected to carry out their own work.

A Draft Repair Policy was appended to the report for the Committee's consideration. This set out:-

- The responsibilities of both the tenant and Council in relation to maintenance issues within the home.
- The standard timescales for works delivered by the repairs and maintenance service.
- Those repairs, which if carried out by the Council were rechargeable to the tenant.
- Re-let repair priorities.
- The Decoration Allowance scheme (this part of the policy was already adopted by Committee).
- Mutual repairs (e.g. where a flat had been purchased, there were usually shared responsibilities for repairs).
- Performance management issues.

The main body of the policy, relating to repair responsibilities, was based upon existing practice, but there were several items where responsibility had been clarified for the first time. It was proposed that detailed consultation be undertaken with TACT and a broader level, with all tenants through the regular newsletter. The final Draft Policy would then be reported to the Committee at its Meeting on 5th February 2004, for further consideration.

The Chair felt that tenant participation meetings should be arranged, so that the revised policy could be discussed. Councillor Carroll welcomed the document, but suggested that further information be provided to clarify repair categories and timescales. The Housing Manager would endeavour to revise this for the final version of the document. With the Chair's approval, Councillor Bell spoke to this item. He suggested that an appointment system be introduced for repairs and was advised that such a system was already in place for repair inspections. It was hoped to introduce an appointment system for the actual repairs and the new Information Technology system should help to achieve this. Councillor Bell also commented on the correspondence required where delays occurred, or if the repair was not carried out satisfactorily. The Housing Manager felt that too many repairs were classified as urgent and with discipline, performance statistics could be improved. He intended to report repair statistics periodically to the Committee.

Councillor Mulgrew referred to the 'out of hours' repair service and the fact that tenants could be recharged where a false statement was given in order to have non-urgent repair works completed out of hours. He questioned how Officers would assess whether a false statement had been made and it was hoped that literature provided to tenants would help to clarify this aspect of the repairs policy. The Housing Manager would have discretion whether not to recharge in certain circumstances and the policy was designed to penalise those who deliberately abused the system. Councillor Harrison spoke of the responsibilities placed on tenants for rear boundary fences and those between Council properties. It was explained that this had been the Council's policy for a number of years and there would be significant financial implications for the Council in assuming maintenance responsibilities. The vandalism of boundary fences was also discussed.

RESOLVED:-

- (1) That the Draft Repair Policy be approved for consultation.***
- (2) That a detailed consultation process be undertaken with the Tenants Advisory and Consultation Team and, at a broader level, with tenants as a whole through a newsletter.***
- (3) That a further report be submitted to the February Meeting of the Committee to determine the final policy.***

HCS/67. SECURING ENTRY INTO DOMESTIC PROPERTIES ON HEALTH AND SAFETY AND EMERGENCY GROUNDS

Further to Minute No. HCS/61 above, the Committee received an urgent report to formalise arrangements for securing entry into domestic property on Health and Safety grounds, in order to carry out emergency work or gas servicing. Such action might be required to prevent further damage to a Council property in a situation where the tenant could not be contacted.

The Committee was reminded of the duties imposed on the Council as a landlord through the Gas Safety (Installation and Use) Regulations 1994. The current Delegation Scheme was reported and it provided authority to arrange for gas safety checks on an annual basis, or as necessary. There was a further delegated power authorising entry onto land, but currently no express power to secure entry into Council-owned domestic property, if it was not made available by the tenant.

The Council undertook annual gas servicing in all Council properties through its contractor, Trent Force. The procedure for gaining entry into such properties was reported and took at least twenty-eight days to complete in full. A recent in-house audit had revealed that a high proportion of tenants were not responding until a late stage in the process and the issue of securing entry where it was not made available needed to be clarified.

It was proposed that the Housing Manager be given delegated authority to secure entry into domestic Council-owned properties for the purposes of minimising property damage and in the event of an emergency and for gas servicing. In relation to gas servicing, the procedure outlined in the report must have first been completed and been fully documented. In addition, the power would only be exercised after a further letter had been delivered by hand to the tenant's property, giving seven clear days notice of the proposed entry. It was clarified that entry would only be secured to carry out gas servicing after five letters and two visits had not resolved the matter. The cost of securing entry and then re-securing the property might be recharged to the tenant. For gas servicing, an Officer of the Council would accompany the Gas Engineer in any situation where the tenant had not given approval.

Members questioned the legal implications and were assured that the Council had a power to secure entry to properties. Specific delegated authority was sought, so that the Housing Manager could sanction such action. The Director of Community Services confirmed the process that would be undertaken before using this power. Members were concerned at the responsibility being placed on Officers, but also noted the obligation to

protect tenants and their neighbours. It was felt that when securing entry to a Council property, Officers would need to be accompanied by the Police.

RESOLVED:-

That the Housing Manager be authorised to secure entry into Council-owned tenanted domestic property for the purposes outlined in the report, subject to an appropriate course of action having first been followed and subject to a Health & Safety assessment of staff risk.

HCS/68. **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 Meeting held on 9th October 2003 were received.

MEMBERS' QUESTIONS AND REPORTS (Paragraph 3)

The Housing Manager was asked to investigate a specific repair issue.

ETWALL LEISURE CENTRE JOINT MANAGEMENT COMMITTEE (Paragraph 7)

The Committee received the Exempt Minutes of the Etwall Leisure Centre Joint Management Committee Meeting held on 14th July 2003.

PROVISION OF FLOODLIT ARTIFICIAL TURF PITCH IN THE SWADLINCOTE URBAN AREA (Paragraph 7)

The Committee authorised further negotiations with a preferred partner and the progression of this project.

DEVELOPMENT OF RECREATION FACILITIES – EX COAL STACKING SITE, COTON PARK, LINTON (Paragraph 7)

The Committee approved a way forward for this project and the suspension of Financial Procedure Rules, to meet funding conditions.

HOUSING SERVICES STAFF STRUCTURE (Paragraphs 8 and 11)

The Committee approved in principle an amended staffing structure for part of the Housing Division, subject to consultation and further reports being submitted to future Meetings.

DAY-TO-DAY RESPONSIVE ELECTRICAL MAINTENANCE AND REPAIR CONTRACT 2004/2006 (Paragraph 9)

The Committee authorised an extension to the current Day-to-Day Electrical Repair and Maintenance Contract.

PROVISION OF PART-TIME SATELLITE POST OFFICE AT KENDRICKS CLOSE (Paragraph 7)

The Committee approved consultation with tenants of this Sheltered Housing Scheme and, subject to certain conditions, delegated authority to progress this initiative.

SHELTERED HOUSING – STRATEGIC VISION (Paragraph 9)

The Committee approved a range of actions to deliver a Draft Vision for the future of the Sheltered Housing Service.

R. W. SOUTHERN

CHAIR