

HOUSING AND COMMUNITY SERVICES COMMITTEE

17th July 2003

**PRESENT:-**

**Labour Group**

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

**Conservative Group**

Councillor Atkin (substitute for Councillor Harrison), Mrs. Hood, Mrs. Walton and Mrs. Wheeler (substitute for Councillor Mrs. Renwick).

**In Attendance**

Councillors Harrington (Labour Group).

**APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Harrison, Mrs. Renwick and Shaw (Conservative Group).

HCS/16. **MINUTES**

The Open Minutes of the Meeting held on 5th June 2003 were taken as read, approved as a true record and signed by the Chair.

HCS/17. **DECLARATION OF INTEREST**

Councillor Isham declared a personal interest in respect of Item 10 – Homelessness Strategy 2003-2006.

HCS/18. **REPORTS OF MEMBERS**

The Chair welcomed representatives of the Tenants Advisory and Consultation Team and the Comprehensive Performance Assessment Peer Challenge Team. He introduced the new Housing Services Manager, Mr. Bob Ledger. The Director of Community Services thanked Mr. Mark Seaborne of Pennington Consultants for the work he had undertaken as Interim Housing Manager. The Leader of the Council echoed these sentiments and also welcomed Mr. Ledger.

**MATTERS DELEGATED TO COMMITTEE**

HCS/19. **BRETRY CREMATORIUM JOINT COMMITTEE AND SCRUTINY PANEL**

Councillor Mrs. Wheeler reported on the expansion of the small chapel at the Bretby Crematorium.

**RESOLVED:-**

- (1) That the Open Minutes of the Bretby Crematorium Joint Committee Meeting held on 27th November 2002 be received.***

**(2) That the Open Minutes of the Bretby Crematorium Scrutiny Panel Meeting held on 16th April 2003 be received.**

HCS/20. **MEDIATION SERVICES**

It was reported that mediation services were now well established throughout the United Kingdom, supporting numerous organisations and local authorities. This was a process by which third party mediators sought to resolve disputes between people. It could involve anything from resolving conflicts between neighbours, family members or amongst school children, to mediating between victims of crime and their offenders. Through the Crime and Disorder Partnership's Anti-Social Behaviour Action Team, a feasibility study had been undertaken into the possibility of establishing a mediation service within South Derbyshire. Two options had been considered, the first being to set up an in-house service where permanent staff were paid directly by the local authority and any partners. The mediators would be trained volunteers with the likely cost for such an arrangement being in the region of £40-60,000, dependant upon the number of full-time staff required. With this option, there was a further issue in that trained volunteers were difficult to recruit and there tended to be high staff turnover rates.

The second option was to enter into a "pay by use" arrangement with an existing mediation service. This arrangement would be easier to establish, would cost considerably less and could be operated for a trial period to determine its effectiveness. Discussions had taken place with Tamworth Mediation Service, which was willing to enter into an agreement and already operated a "satellite" family mediation service based at the CVS Offices within Swadlincote. The cost of a "pay by use" referral service would be in the region of £100 per consultation visit. On average, most cases would require 2 – 3 visits, although this could be increased if necessary. Potential funding sources included the Crime and Disorder Partnership fund, monies available through the Council's Homelessness Strategy work and possibly through "Connexions".

Examples were given of the service areas that might benefit from access to a mediation service and the merits of a "pay by use" agreement were highlighted. The success of such a service was difficult to predict, but with regular feedback it could be monitored. The provision of a mediation service was also part of an inspection focus within the Comprehensive Performance Assessment. Members' approval was sought in principle and in terms of funding, the initial anticipated budget was £5,000. The Crime and Disorder Partnership had already allocated £2,000 towards providing a service.

**RESOLVED:-**

***That the Committee approves negotiations with Tamworth Mediation Services to establish a mediation service for South Derbyshire on a "Pay by Use" service level agreement.***

HCS/21. **REVIEW OF COMMITTEE TERMS OF REFERENCE**

It was reported that as part of the Asset Management Best Value Review, the Review Team had considered the level of Member involvement in asset management matters. There had been guidance and reports from a number

of bodies highlighting the lack of Member involvement as a national issue. The Review Team had considered how Members could become more involved in asset management and several Members had been consulted on this issue. Historically, asset management had been covered by a number of committees. Councils which operated the Cabinet system now had one Member responsible for asset issues.

The 2002 Asset Management Plan dealt with all non-housing related assets and was scored as 'satisfactory' rather than 'good'. The Council could not meet a requirement that a Cabinet Member or Lead Committee Member held responsibility for the Authority's property resources. The Government Office for the East Midlands had confirmed that a particular Member should hold this specific responsibility and it had suggested that the Council move to one Committee having asset responsibility. This would assist a corporate approach to asset management and logically it should be Finance and Management Committee, which already was responsible for strategic asset management. This would lead to greater knowledge, expertise and ownership of all asset matters. It was an action point in the Improvement Plan approved by the Finance and Management Committee at its Meeting on 18th February 2003.

Under the existing Terms of Reference, the Finance and Management Committee had responsibility to oversee the management of the Council's assets, including the commercial portfolio, the Council Offices and other corporate assets. Housing and Community Services Committee had responsibility for a range of housing asset matters, the provision and management of leisure facilities, cemeteries, public parks and open space. The Environmental and Development Services Committee was responsible for the provision and management of public conveniences, bus shelters, the Swadlincote Bus Station, public car parks and the Swadlincote Market contract.

It was suggested that Housing and Community Services and Environmental and Development Services Committees continued to be responsible for the services which were run from the assets listed above. However, responsibility for non-housing asset related issues should be transferred to the Finance and Management Committee. It was proposed to include a note at the top of each committee's Terms of Reference explaining this. With regard to reference CS/01, relating specifically to housing, it was suggested that the responsibility to sell, lease or purchase housing land and estate shops should rest with the Finance and Management Committee.

There would be a need to continue to consult with Members of the Housing and Community Services and Environmental and Development Services Committees as appropriate over issues under consideration. In practice, many asset issues were linked to service delivery and the matter would be reported to both committees. The Chairs of both these committees sat on Finance and Management and could report the views of their Members to that Committee. In situations where the matter for consideration did not have service delivery implications, it was suggested that the report author consulted with the relevant committee Chair, to decide whether the matter should also be referred to that Committee for consideration.

It was recognised that these changes might lead to an element of duplication, but this was counter balanced by the positive benefits which the changes

would bring to the way in which the Council managed its assets. Members considered examples of how this would work in practice.

It was noted that the Council alone was permitted to vary committee Terms of Reference.

**RESOLVED:-**

***That the Council be recommended to transfer responsibility for all non-housing asset matters to the Finance and Management Committee.***

HCS/22. **HOMELESSNESS STRATEGY 2003-2006**

It was reported that the Homelessness Act came into force in July 2002 and an outline was given of the requirements placed on local authorities. In January 2003, a Homelessness Planning Day was held to inform key stakeholders of the implications of the Act. A questionnaire was then sent to all key partner organisations to map the existing services and to identify gaps in provision. This information was collated with Government statistics to form the Homelessness Review.

Copies of the Review were sent to all key stakeholders, including neighbouring authorities. Recipients were asked to provide feedback and East Staffordshire Borough Council had expressed an interest in joint working, to develop temporary accommodation. In April, a Homelessness Steering Group was established to prepare jointly the Homelessness Strategy. Details were provided of the Group's membership. The draft strategy was circulated to stakeholders in June, to provide formal consultation. A Members' awareness event was held on 23rd June 2003 and following feedback, the Strategy had been amended. A copy of the final draft strategy was submitted for the Committee's consideration.

The Chair commented that two representatives of the Tenants Advisory and Consultation Team (TACT) had been on the Steering Group. He apologised to TACT representatives for the apparent recent lack of recognition for this Group and the valuable contribution that it made. Another Member welcomed the involvement of the YMCA in this Strategy.

**RESOLVED:-**

***That the Committee approves the Homelessness Strategy, as submitted.***

HCS/23. **HOUSING STOCK OPTIONS**

Members were reminded of the Housing Options Review report considered in March 2003 and the subsequent seminar on this issue. It was reported that Government expected local authorities to engage and consult thoroughly with tenants and other stakeholders, as part of considering options for the future ownership and management of the housing stock. The Government had strengthened this advice through recent guidance.

The Council had already undertaken an inclusive and thorough process as part of considering options. This included working with a group of tenants and Members to examine the options and conduct a 'visioning' exercise for

the service. Site visits had been undertaken to see how other options worked elsewhere.

The process had been subject to external scrutiny by the Audit Commission and the feedback had been positive about the process and the way in which tenants had been engaged. The new guidance placed great emphasis on the need to engage and consult with tenants properly. All local authorities were required to conduct an option appraisal and this appraisal must be signed off by the Government Office. Tenants needed to be involved in the process if it was to be endorsed by the Government Office.

A consultation and empowerment strategy had been prepared for consideration and this was appended to the report. The strategy set out the objectives for the Council, proposed engagement activities and evaluation arrangements. It was principally aimed at tenants, but also staff and elected Members. The consultation process would be lengthy, particularly if an option other than stock retention was pursued. This process would be the first real opportunity for wider tenant consultation and the options, how they might work, the implications and the broader issues that were driving any potential change.

Within this context, Members needed to be mindful that feedback was likely to be in the form of requests for more information, detail and reassurance. Tenants would need time and staff contact before they could reach an opinion in an informed and reliable manner.

In terms of financial implications, the strategy had a budget estimate of £59,000. This consisted of external consultancy support, a budget of £17,000 for materials/disbursements and a budget of £10,000 for an independent Tenant Advisor. The cost would need to be met from Housing Revenue Account reserves.

The Leader of the Council sought further detail on the costs of the consultation process. There was a need to ensure that this process was open and transparent and he stressed that tenants needed to be fully informed before reaching their decision. These sentiments were endorsed by other Members who felt that this was an exciting opportunity for tenants to take greater control over decisions concerning their property. The proposal for an independent Tenant Advisor was welcomed. Members discussed the mechanisms proposed for consultation and it was suggested that use be made of the Council's web site as a means of informing tenants and seeking feedback. Members asked how they could assist tenants and one suggestion was the production of a pocket guide which could be distributed to tenants, to provide useful information. The consultation process would need to be taken to tenants rather than expecting them to approach the Council. All publications and correspondence would need to be appropriately worded to assist tenants in their understanding of this important issue. There was a need for a balanced approach and to ensure that tenants were not led towards any particular option. The Chief Executive commented on the mechanisms being put in place to ensure probity throughout this process.

**RESOLVED:-**

- (1) That the Committee approves the consultation and empowerment strategy.***



**(2) That an additional budget of £59,000 be approved, to be met from Housing Revenue Account reserves.**

HCS/24. **ANTI-SOCIAL BEHAVIOUR**

The Committee was reminded of the duties of the four Tenant Liaison Officers (TLO), including responsibility for the management of anti-social behaviour (ASB). For the period April 2002 to March 2003, Officers had dealt with a total of 468 reported cases of ASB. These were categorised in a table included within the report and the majority were related to neighbour nuisance. Details were provided of current practice and procedures in place to ensure that a visit was made or a letter sent to the alleged perpetrator. If this did not resolve the situation, in appropriate instances, complainants were asked to complete log sheets. The log sheets were used to substantiate the complaint and the alleged perpetrator would be warned of the potential for formal action. Ultimately, a Notice of Intention to Seek Possession could be served, although this mechanism was used rarely. Throughout the process Officers sought the advice and assistance of other statutory bodies. The service currently provided a response to all complaints but there was a range of reported problems.

A number of areas for improvement had been identified. Additional powers were available through the Housing Act 1996 and the Crime and Disorder Act 1998. However, these additional tools had yet to be used and they were unlikely to be used in a meaningful way under the present arrangements. Reference was made to partnership working. Housing as a service could learn substantially from other colleagues who were involved with this area of work. ASB was not presently prioritised in terms of time, technical expertise or money, although it consumed a fair proportion of TLO time. TLO staff, some of which were new to the Council and Housing, had not received training in this area. There was limited specialist monitoring or surveillance equipment available and no arrangements for using external expert witnesses. Schemes to support complainants and deal with issues at an earlier stage were under-developed. The role of other agencies was limited and there was a general presumption that the Council, as landlord, would deal with such issues. There were recognised areas for improvement and a compelling case for dealing with ASB. More resources would need to be directed to this area of work, either directly or through partnership working. The work undertaken by Housing needed to be prioritised and focussed. It wished to develop an ASB policy as it related to Council tenants and an outline was given of issues to be included within the policy.

It was proposed that a Working Group comprising Members, tenants and Officers be established to consider the problems currently experienced and to develop a draft policy for consideration by the Committee. It was also proposed to procure training for appropriate Officers involved in the management of anti-social behaviour.

Several Members spoke to this item. A view was expressed that tenants did not receive an equitable service and that improved working was needed with external agencies. It was suggested that the Committee provide direction to the Working Group on this major issue. The value of completing complaint log sheets was questioned and Members explained the difficulty for some tenants in completing the sheets. Tenant Liaison Officers were praised for

their efforts in resolving disputes and there was recognition of the valuable roles performed by these Officers. Nominations were sought to the Working Group.

**RESOLVED:-**

- (1) That a Task and Finish Working Group be established to develop a policy for the management of anti-social behaviour in Housing.***
- (2) That Councillors Southern, Taylor and Mrs. Walton be appointed to the Working Group.***

HCS/25. **HOUSING REPAIRS AND MAINTENANCE**

It was reported that a detailed review of the Repairs and Maintenance Service had been undertaken. The report submitted included issues relating to the gas servicing contract and Members considered that the content of the report could not be discussed fully in the Open part of the Meeting, as exempt information might be disclosed.

**RESOLVED:-**

***That the item be deferred and considered during the Exempt part of the Meeting.***

HCS/26. **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 5th June 2003 were received.***

**HOUSING REPAIRS AND MAINTENANCE (Paragraph 11)**

***The Committee deferred consideration of this item to enable further research.***

**LAND TO THE REAR OF NOS. 11-37 BASS'S CRESCENT, CASTLE GRESLEY (Paragraph 9)**

***The Committee authorised the disposal of land to the rear of Nos. 11-37 Bass's Crescent, Castle Gresley.***

**LAND TO THE REAR OF NOS. 11, 13 AND 15 STANLEY CLOSE,  
NETHERSEAL (Paragraph 9)**

***The Committee agreed not to sell an area of land to the rear of the above properties.***

**HOUSING MANAGEMENT IT PROCUREMENT (Paragraph 8)**

***The Committee delegated authority to procure a new Information Technology system for the Housing Division.***

R. W. SOUTHERN

CHAIR