

HOUSING AND COMMUNITY SERVICES COMMITTEE

31st August 2006

PRESENT:-

Labour Group

Councillor Southern (Chair), Councillor Richards (Vice-Chair) and Councillors Carroll, Dunn, Jones, Shepherd, Tilley and Whyman, M.B.E.

Conservative Group

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

Independent Member

Councillor Mrs. Walton

In Attendance

Councillors Mrs. Lane and Lane.

APOLOGY

An apology for absence from the Meeting was received from Councillor Shaw.

HCS/25. **MINUTES**

The Open Minutes of the Meeting held on 20th July 2006 were taken as read, approved as a true record and signed by the Chair.

HCS/26. **REPORTS OF OVERVIEW AND SCRUTINY COMMITTEES**

Community Scrutiny Committee: Report on Work Programme 2006/07: Presentation By Councillor Lane - Chair of Community Scrutiny Committee

Councillor Lane advised the Committee that reports on homelessness and housing repairs and maintenance would be submitted to the Community Scrutiny Committee at its Meeting on 11th September 2006.

RESOLVED:-

That it be noted that the Community Scrutiny Committee will be considering reports on homelessness and housing repairs and maintenance at its Meeting on 11th September 2006.

HCS/27. **“ACHIEVING MORE” – PERFORMANCE MANAGEMENT FRAMEWORK SERVICE REPORTS - FIRST QUARTER 2006/07**

The Committee considered a report on current performance levels in relation to the Committee's contribution to the Council's Corporate and Improvement Plans and the Community Strategy Action Plan as well as the Best Value Performance Indicators for which it was responsible.

The Committee was advised that this performance report built on the existing approach to performance reporting and management. The format had been designed to provide an approach that was consistent across all services and linked into the work of the Improvement Panel which was working to improve performance across the whole of the Council.

The report at Annexe 'A' provided information on actual performance at the end of the first quarter (30th June 2006). It summarised information on the Corporate Plan, Improvement Plan, Community Strategy and Best Value Performance Indicators. The information presented was presented for the services that reported to this Committee, being Environmental Services, Housing Services and Leisure & Community Development.

The Service Plan format had been reviewed recently and refreshed to ensure that it still met the current best practice available. Service Plans for 2006/09 would be submitted to Policy Committees for approval in October 2006. The Committee was advised that it was important that Corporate and Service Plans were incorporated into the Council's performance management arrangements with regular reports to Policy Committees to assist Members in undertaking their key role in managing the Council's performance.

RESOLVED:-

That the Committee notes the "Achieving More" Performance Management Framework Service reports for the first quarter of 2006/07.

HCS/28. **"ACHIEVING MORE" – PERFORMANCE MANAGEMENT FRAMEWORK OVERALL PERFORMANCE OF HOUSING & COMMUNITY SERVICES COMMITTEE**

Members considered a report on current performance levels in relation to the Committee's contribution to the Council's Corporate and Improvement Plans and the Community Strategy Action Plan as well as the Best Value Performance Indicators for which it was responsible.

The table within the report detailed the current level of performance and assessed whether the targets would be achieved. The report summarised the position in relation to the Committee's responsibilities and provided an opportunity for Members to note performance levels and review those areas that were not "on track" to achieve the agreed target by the end of the year.

The information provided related to the following areas:-

- Corporate Plan
- Improvement Plan
- Community Strategy Action Plan
- Best Value Performance Indicators

Members were advised that the Committee's performance levels were very good and compared with the position across the Council. Delivery on the Community Strategy Actions was slightly behind the Council average, but performance on the Corporate Plan and Best Value Performance Indicators including the priorities was ahead of the corporate average. Performance being delivered within the Committee services was of a high standard and improving, which was the result of the focus and hard work of both employees and Members. Members noted that in order to improve services further, the Committee should

review the areas where performance might not achieve the agreed targets to satisfy itself that the proposed actions would achieve the plans for the service delivery.

RESOLVED:-

(1) That the Committee:-

- **Notes the continuously improving performance within its area of responsibility.**
- **Agrees remedial measures where performance is not on track.**
- **Reports all actions agreed to the Improvement Panel.**

(2) That the Director of Community Services be requested to provide all Members of the Committee with information on the following matters:-

- **Clarification of the figures provided in Table 5 of the report.**
- **The number of people staying in temporary Council accommodation in the District.**

(3) That all future performance management reports to the Committee include actual numbers as well as percentages and that each page be numbered.

(4) That the Chair of the Committee be requested to write to Mark Alflat, Lee Carter, Karen Talbot and Vicki Taylor-Stokes to express the Committee's thanks for their hard work over the past eight months during the absence of the Head of Service.

HCS/29. **BADGER HOLLOWS LEISURE PARK, COTON PARK, LINTON**

The Committee considered a report on the lease of the recreation area at the Badger Hollows Leisure Park, Linton to the Linton Parish Council.

Members were advised that the capital works at the Badgers Hollows Leisure Park site were now substantially completed and establishing and formalising ongoing management of the site was now imperative. It was confirmed that the Linton Parish Council was committed to managing the recreation area at Badger Hollows Leisure Park once work on the site had been completed, possibly by taking a long-term lease. Discussions had taken place with Linton Parish Council and it was proposed that the Parish Council be granted a 25 year lease of the site at an initial peppercorn or nominal rent, subject to confirmation of revenue support from the District Council. Members were advised that allowances for £14,000 revenue support contribution had already been made in the Council's financial forecast for future years.

It was confirmed that the completed new leisure area would offer an excellent community facility to both the residents of Coton Park and the wider catchment area of Linton, Castle Gresley and parts of the Swadlincote urban area.

RESOLVED:-

That the Finance and Management Committee be requested to approve the following:-

- (1) ***The grant of a lease of the recreation area at Badger Hollows Leisure Park, Coton Park, Linton to Linton Parish Council for a term of 25 years at an initial peppercorn rent, with detailed heads of terms to be agreed with the Director of Community Services.***
- (2) ***The payment by the District Council to Linton Parish Council of revenue support of £14,000 over the first three years of the lease.***

HCS/30. **COMMUNITY PARTNERSHIPS SCHEME**

The Committee considered a report which provided information to Members on applications for funding received under the Community Partnerships Scheme and sought approval for recommendations from the Assessment Panel for awards from that scheme.

The Committee was advised that the following applications were received and considered for the first round of the scheme in 2006/07:-

- Melbourne Scouts and Guides – the total cost of the project was £16,000 which included constructing the store, electrics, planning and design costs and the adaptation of turning it into a climbing wall.
- Derbyshire Wildlife Trust – the total cost of the project was £235,335 which included the cost of salaried project officer and associated costs for three years, the purchase of a terrain vehicle, other habitat and restoration work and the purchase of bird hides.

The Community Partnerships Scheme Assessment Panel met on 17th July 2006 to score the applications against questions and weightings agreed previously. Once the weightings had been applied, the final score for each project was as follows:-

Melbourne Scouts and Guides	–	4.67
Derbyshire Wildlife Trust	–	6.67

The Panel's recommendation for distribution of the grant was as follows:-

Melbourne Scouts and Guides	–	£4,000
Derbyshire Wildlife Trust	–	£7,562

RESOLVED:-

That the Committee, having considered the recommendations of the Community Partnerships Scheme Assessment Panel, awards the following two grants to the two organisations detailed below:-

- (1) ***Melbourne Scouts and Guides - £4,000 towards an equipment store.***
- (2) ***Derbyshire Wildlife Trust - £7,562 towards the purchase of a vehicle and bird hides.***

HCS/31. **MUTUAL EXCHANGE**

The Committee considered a report which had been produced at the request of Members following discussion at the last Meeting of the Committee on 20th July

2006 regarding exchanges of property. The purpose of the report was to provide information to Members in relation to the legislation and procedure in respect of mutual exchanges of Council properties.

The Committee was advised that a secure tenancy could be assigned to another person(s) within the provisions of Section 92 of the Housing Act 1985. Assignments were permitted in three circumstances:-

- Firstly, in accordance with property adjustment orders in connection with matrimonial proceedings.
- A secure tenancy could be assigned to a person who would be qualified to succeed to the tenancy in the event of the tenant's death immediately before the assignment taking place.
- A secure tenancy may be assigned by way of exchange with the written consent of the landlord.

Every secure tenancy provided that the tenant may, with the consent of their landlord, assign their secure tenancy to another secure tenant who had the written consent of his/her landlord. Section 92 (2) of the Housing Act 1985 provided that consent could not be withheld for reasons other than specified in Schedule 3 of the Housing Act 1985. The report set out in detail the grounds for withholding consent to assign by way of exchange.

Members were advised that any refusal for a mutual exchange was to be made in writing to the secure tenant and the proposed assignee within 42 days of the tenant's application. The refusal notice must specify the grounds for refusal and provide particulars. If there were no obvious grounds for refusal identified in the application forms, the Tenant Liaison Officer would write to the proposed assignee's landlord for a reference. The report detailed the information required in the reference. As each secure tenant proposed to assign their existing tenancy to another person, the incoming tenant received the same security of tenure as the outgoing tenant. Introductory tenants were not entitled to enter into mutual exchange.

RESOLVED:-

That the Committee receives and accepts the information provided in the report about mutual exchanges, as detailed in the Housing Acts 1985 and 2004.

HCS/32. **TRANSFERS FROM ONE SOUTH DERBYSHIRE DISTRICT COUNCIL PROPERTY TO ANOTHER**

The Committee considered a report which had been produced at the request of Members following discussions at the last Meeting of the Committee on 20th July 2006 regarding transfers of property.

Secure tenants with the Council may move house within the Council's housing stock by either of two methods:-

- Firstly, a secure tenant could choose to opt for a mutual exchange where they swapped houses with another secure tenant of a local authority or an assured tenant of a Registered Social Landlord.
- The second option was to complete a housing application form for admission back onto the Council's housing register. The application form

was subject to points as detailed in the Allocations Policy which appeared as an appendix to the report.

The Committee was advised that although there was not a prohibition on transferring tenants from like to like properties within the current policy, it had tended not to happen because the Council's policy was aimed at meeting housing need rather than social desire. It was confirmed that current demand for Council properties continued to outweigh supply and there were currently 1,108 applicant households on the Council's waiting list.

Members were informed that the Committee would be asked in the near future to reconsider its allocation system. The Government wished to promote Choice Based Lettings Schemes, the essence of which was that each vacancy was advertised and applicants would have to take positive action to be considered for each vacancy. The purpose of the proposal was to try to encourage more sustainable communities. A detailed report to a future meeting of the Committee would enable Members to give full consideration to the matter.

A number of Members expressed concern about the current transfer system between Council properties, as it could be inflexible and may not allow people to move from one Council property to another in what was perceived to be a more desirable location. Members requested that consideration be given to an increased degree of flexibility in the existing policy which allowed for the inclusion of social desirability into the transfer system in a way which was flexible and fair for all Council tenants.

RESOLVED:-

- (1) That the Committee receives and accepts the information provided in the report concerning the system for transferring from one Council property to another.***
- (2) That a comprehensive report detailing proposals for possible changes to the Council's housing allocation system be submitted to the Committee within two Committee Meeting cycles to include proposals for the inclusion of social desirability in the transfer system between Council properties in a way which is flexible and fair for all Council tenants.***

HCS/33. **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 20th July 2006 were received.

RESURFACING TO ALMA ROAD, NEWHALL (Paragraph 3)

The Committee approved proposals to appoint a contractor for the partial resurfacing of Alma Road, Newhall and agreed to the suspension of the Council's Contract Procedure Rules in relation to the formal tender process.

PROPOSED SURVEY OF NON-TRADITIONAL DWELLINGS 2006/2007 (Paragraph 3)

The Committee approved proposals in respect of a survey of Non-Traditional Dwellings 2006/2007 including the suspension of the Council's Contract Procedure Rules in relation to the formal tender process.

SALES OF GARAGE SITES (Paragraph 3)

The Committee approved proposals for the disposal of three garage sites.

LEISURE AND COMMUNITY DEVELOPMENT STRUCTURE (Paragraphs 1 and 3)

The Committee supported proposals for a restructuring of the Council's Leisure and Community Development Service and agreed to recommend the details to the Finance and Management Committee for approval.

R.W. SOUTHERN

CHAIR