



**NEWARK &  
SHERWOOD**  
DISTRICT COUNCIL

*Castle House  
Great North Road  
Newark  
NG24 1BY*

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**Friday, 4 January 2019**

**Chairman: Councillor B Laughton  
Vice-Chairman: Councillor T Wendels**

**Members of the Committee:**

**Councillor Mrs B Brooks  
Councillor Mrs C Brooks  
Councillor Mrs I Brown  
Councillor M Buttery  
Councillor Mrs S Michael  
Councillor N Mison  
Councillor N Mitchell  
Councillor Mrs P Rainbow  
Councillor Mrs S Saddington  
Councillor Mrs S Soar**

**Substitute Members:**

**Councillor B Crowe  
Councillor Mrs G Dawn  
Councillor T Roberts  
Councillor D Staples  
Councillor D Thompson**

**MEETING: Homes & Communities Committee**  
**DATE: Monday, 14 January 2019 at 6.00 pm**  
**VENUE: Civic Suite, Castle House, Great North Road,  
Newark, Notts NG24 1BY**

**You are hereby requested to attend the above Meeting to be held at the time/place  
and on the date mentioned above for the purpose of transacting the  
business on the Agenda as overleaf.**

**If you have any queries please contact Helen Brandham on [helen.brandham@newark-sherwooddc.gov.uk](mailto:helen.brandham@newark-sherwooddc.gov.uk) 01636 655248.**



## AGENDA

	<u>Page Nos.</u>
1. Apologies for Absence	
2. Declarations of Interest by Members and Officers and as to the Party Whip	
3. Declaration of any Intention to Record the Meeting	
4. Minutes of Previous Meeting	4 - 10
<b>Part 1 - Items for Decision</b>	
5. Gladstone House - Extra Care Scheme Update	11 - 15
6. Homes & Communities Revenue Budget 2019/20	16 - 27
7. Fire Safety - Joint Working Agreement	28 - 66
8. Newark and Sherwood Homes - Annual Delivery Plan	67 - 81
9. Public Space CCTV Update	82 - 103
10. Energy Company Obligation Flexible Eligibility Funding Opportunity	104 - 111
11. Rough Sleeper Estimate 2018	112 - 115
<b>Part 2 - Items for Information</b>	
12. Customer Comments Update	116 - 118
13. Health & Safety Update - Violent Incidents	119 - 124
14. Homeless Review Findings	125 - 127
15. Forward Plan (February 2019 to January 2020)	128 - 129
<b>Confidential &amp; Exempt Items</b>	
16. Exclusion of the Press and Public	
<p>To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 7 of part 1 of Schedule 12A of the Act.</p>	
<p>None</p>	

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Homes & Communities Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts NG24 1BY on Monday, 5 November 2018 at 6.00 pm.

PRESENT: Councillor B Laughton (Chairman)  
Councillor T Wendels (Vice-Chairman)

Councillor Mrs B Brooks, Councillor Mrs C Brooks, Councillor Mrs I Brown, Councillor M Buttery, Councillor Mrs S Michael, Councillor N Mison, Councillor N Mitchell, Councillor Mrs P Rainbow, Councillor Mrs S Saddington and Councillor Mrs S Soar

APOLOGIES FOR ABSENCE: None – All Members of the Committee present.

27 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

28 DECLARATION OF ANY INTENTION TO RECORD THE MEETING

NOTED that there would be an audio recording of the meeting undertaken by the Council.

29 MINUTES OF PREVIOUS MEETING

AGREED (unanimously) that the Minutes of the meeting held on 10 September 2018 be approved as a correct record and signed by the Chairman.

30 GYPSY & TRAVELLER UPDATE

The Committee considered the report presented by the Director – Safety which sought to update Members on the issues that had arisen over the past year in respect of unauthorised encampments throughout the district. The report also sought Members' consideration and approval of the proposed Policy for dealing with unauthorised Gypsy, Roma and Traveller (GRT) encampments.

The report provided Members with information relating to the long established GRT community in the district and the work undertaken in the past in calculating the pitch requirements with the production of a Gypsy & Traveller Accommodation Assessment. It was also reported that there had been 10 unauthorised encampments over the previous 12 months and that the costs incurred to deal with these had been in the region of £10,000. The costs included legal fees and bailiff's costs but excluded clean-up costs and Council Officer time and resource in responding to the issues.



Paragraph 3 of the report provided Members with information as to what the Policy would enable the Council to do when dealing with unauthorised encampments and what powers would be available to them for such action.

In considering the report Members expressed their support for the proposed Policy and welcomed the powers that were available to the Council to deal with unauthorised encampments.

It was noted that the most recent event at the Newark Sports & Fitness Centre appeared to have involved travellers from Ireland. Members noted the recent changes to legislation in Ireland whereby travellers' vehicles could be seized if they were situated in an unauthorised encampment and queried whether such a change was being considered by the UK Government. Members also queried whether the Council would continue to support private landowners with relevant information on what action to take should the travellers occupy their land.

In response, the Director – Safety advised that the vehicles involved at the recent encampment had Irish number plates and that they had stated that they were travelling for the summer period. She also confirmed that she was not aware that the UK Government were proposing to align legislation with that of the Irish Government. In relation to advice given to private landowners, the Director – Safety confirmed that this would continue.

Members agreed that it would be useful if the UK Government adopted the same legislation as that of the Irish Government as it would likely reduce the amount of unauthorised encampments which occurred in the district.

AGREED (unanimously) that the Policy on Unauthorised Gypsy & Traveller Encampments be approved and adopted.

31 CHIEF INSPECTOR ANDY ROOKE - UPDATE ON COMMUNITY SAFETY AND POLICING IN THE NEWARK & SHERWOOD DISTRICT

The Committee received a verbal presentation from Chief Inspector Andrew Rooke of the Nottinghamshire Police Authority in relation to Community Safety and Policing in the Bassetlaw and Newark & Sherwood Division. CI Rooke spoke to Members about a number of matters as follows.

He advised that there had been a significant increase in the number of reported incidents during the summer period peaking at 1200 in a 24 hour period, noting that the usual figure was in the region of 750. This increase in incidents had now abated and levels had returned to a more usual number.

Until April 2018 there had been a regional collaboration of Police Authorities to deal with certain crimes and incidents although this had ceased in April 2018. In relation to staffing levels within the force, CI Rooke stated that the demographic of Officers was that of younger individuals who were still being trained or who had recently completed their training. There were few unfilled vacancies, which was to be welcomed, but the officers in post needed to be progressed through the force in order to gain the necessary skills and experience. CI Rooke also stated that the force continued to be required to implement further changes and deliver savings which could have an impact on service delivery.

In relation to management, CI Rook advised that there was a new County Commander and a newly appointment Inspector for Newark. The previous Inspector, Louise Clarke had been promoted and replaced by Inspector Heather Sutton. There was also a dedicated CID Team in Newark which was very welcome, positive news together with a newly appointed locally based Intelligence Officer.

Specifically to Newark & Sherwood, CI Rooke advised that there had been a 10.5% increase in the number of crimes committed and this equated to approximately 500 additional cases to the previous year. He stated that the increase was a reflection of county; regional; and national issues.

CI Rooke advised that incidents of anti-social behaviour were down but that low level public disorder crime had increased. However, this could be attributed to the fact that Police Authorities had been required to amend the way in which crime statistics were recorded. He noted that in relation to burglaries there had been an increase from the same time last year. Domestic burglaries were up by 50 with commercial burglaries being up by 75.

Members were advised that CI Rooke and his Officers undertook a daily review of reported incidents to assess whether there were any emerging trends. There was also a fortnightly review of all reported incidents to identify any themes and whether additional resources were required to target specific areas of concern.

CI Rooke updated Members on local issues advising that some 6/8 weeks ago there had been a specific increase in crime in Newark Town Centre and that this was thought to be driven by drug related crime. The figures reported were not in line with the rest of the county and therefore Operation Bough had been launched to combat the increase. This constituted both overt and covert operations in a proactive approach. Crime in the town centre had increased by 30% in comparison to the same time last year and plans were being activated to tackle this.

Members were advised that there had been an increase in cyclical crime e.g. travelling criminals who came into the district specifically to target the theft of high class vehicles and burglaries of affluent properties. The Police Authority now had a specific burglary team who could deploy resources rapidly and there was good intelligence on the perpetrators.

CI Rooke advised Members that there had been an increase in the use of County Lines explaining that this was when criminals targeted individuals who were easily manipulated or vulnerable into acting on their behalf. It was often the case that criminals selected areas perceived to be easy targets and used the individuals to carry out the crimes on their behalf.

The Chairman invited Members to put questions to CI Rooke and advised that, if possible, he would like him to attend Committee on a more regular basis.

A Member of the Committee advised that the villages on the Farndon side of the River Trent had little contact with their assigned PCSO and that if an incident was reported they were often given a crime number with no subsequent contact as to whether an investigation had taken place. CI Rooke advised that an assessment of the reported

incident would be undertaken and that if the victim was thought to be vulnerable they would receive an enhanced response, dependent upon the crime. He added that in some cases there would be no direct contact with a Police Officer and that the incident could be reported directly to HQ. Again, he reiterated that this would be dependent upon the incident.

In noting that the Police Authority was facing a difficult time a Member queried whether it was possible to have a breakdown of the crime figures. CI Rooke advised that the information would be available on the Police Authority's website.

A Member stated that the PCSO assigned in Southwell had an excellent relationship with the Town Council and residents but that if an incident occurred and he was required to review CCTV he had to make the journey to the Force HQ at Sherwood Lodge. The Business Manager – Community Safety, who was in attendance at the meeting, advised that there was a viewing suite available at Newark Police Station. Members agreed that the installation and use of CCTV cameras acted as a deterrent. A Member of the Committee queried whether it was possible that the Police could assist in having the CCTV camera reinstalled on the Winthorpe Estate, as since its removal there had been an increase in incidents. CI Rooke advised that they could provide evidence as to the number of reported incidents but that it was the responsibility of the local authority to determine their location.

In noting the aforementioned gap in skills and experience a Member queried whether suitable Officers could be drafted in to fill the gap. CI Rooke advised that the Bassetlaw and Newark & Sherwood Division were no worse off than any other area and that if a crime was committed then the appropriate resource would be assigned.

In concluding the debate the Chairman thanked CI Rooke for attending the meeting and reiterated his previous invitation to attend more frequently and that he would invite all Members of the Council to a future meeting to take part. He also stated that he would like to extend an invitation to the newly appointed Inspector for Newark, Heather Sutton to attend a future meeting of the Committee.

AGREED (unanimously) that Chief Inspector Rooke be thanked for his attendance and the information he presented be noted.

## 32 SCRUTINY OF THE COMMUNITY SAFETY PARTNERSHIP

The Committee considered the report presented by the Business Manager – Community Safety in relation to the work undertaken by the Bassetlaw, Newark & Sherwood Community Safety Partnership and which sought to offer Members the opportunity to scrutinise the performance of the partnership.

The report set out the background to the establishment of the partnership the organisations who came together to form it. Paragraph 3 of the report provided the Committee with statistical information as to the partnership's performance and some of the work it was involved with.

AGREED (unanimously) that the report and performance of the Bassetlaw, Newark & Sherwood Community Safety Partnership be noted.

33 NEWARK & SHERWOOD DISTRICT COUNCIL - ANTI-SOCIAL BEHAVIOUR POLICY UPDATE

The Committee considered the report presented by the Business Manager – Community Safety which provided Members with the conclusions of the review of the Council’s existing Anti-Social Behaviour Policy 2015-2018.

It was reported that the previous Policy had dealt with changes brought about by the Anti-Social Behaviour, Crime & Policing Act 2014 which had introduced a process of simplification of existing legal powers. The proposed changes to the Policy had reduced the size of the document by removing the previous appendices which had contained detailed legal information that could now be obtained via the Council’s website. The content of the Policy remained relatively unchanged with some minor areas where some wording had been refreshed where appropriate. Paragraph 3 stated that the core message remained unchanged and was aligned to that of the Home Office guidance that accompanied the legislation.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) that the adoption of the updated Anti-Social Behaviour Policy by the District Council for the period 2018-2021 be approved.

34 HEALTH & SAFETY UPDATE

The Committee considered the report presented by the Business Manager – Community Safety in relation to the corporate health and safety compliance performance within the first six months of 2018. The report also provided Members with the opportunity to scrutinise the work that had been undertaken.

The report set out the Council’s Corporate Health & Safety responsibilities of various posts within the organisation and noted how the decision making of elected Members affected how health and safety was managed. The report also provided Members with information about accidents; violent incidents; significant incidents; and significant works undertaken throughout the first six months of the year.

In considering the report Members queried whether there was any signage in the reception area to indicate that violence towards staff would not be tolerated, suggesting that if there was no such sign this should be rectified.

Members queried whether the reported incidents in Castle House were directed at Council employees or partner organisations and how frequently the figures were produced. The Chairman requested that a further report be brought to the next meeting of the Committee in January 2019 detailing any further incidents reported in order that the Committee could consider whether any trends were developing and what, if any, measures could be taken to reduce the amount of incidents.

AGREED (unanimously) that:

- (a) the report be noted;

- (b) the actions taken to deal with health and safety issues that had arisen across the Council's activities over the past 6 months of the financial year 2018/2019 be considered; and
- (c) a further report be brought to the next meeting of the Committee in January 2019 providing the number and nature of reported incidents.

### 35 HOUSING REVENUE ACCOUNT - DEVELOPMENT PROGRAMME

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the progress being made with the 5 year Housing Revenue Account (HRA) development programme and the proposal to develop an extra care scheme in Boughton.

The report set out that the provision of new affordable housing was a strategic priority for the Council, with the need to develop a mixed provision of affordable homes to meet the requirements of younger people, families with young children and older people across the district's urban and rural communities. Paragraph 3 of the report set out the site progression and budgetary position of phase one of the development programme together with details of phase two being reported in paragraph 3.13. Information in relation to the proposed extra care facility at Boughton was provided together with details of the proposed nomination rights; affordable rent levels; and management of the facility.

The Business Manager – Strategic Housing reported that a grant bid had been submitted to Homes England for the proposed extra care facility at Boughton and that it should be known within 4/6 weeks whether that had been successful. He confirmed that the work being undertaken to develop the project was ongoing and on target and that pre-planning discussions were being held.

AGREED (unanimously) that the progress being made with the Council's five year Housing Revenue Account Development Programme and the proposed Extra Care Scheme in Boughton be noted.

### 36 PERFORMANCE MONITORING: NEWARK AND SHERWOOD HOMES

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the performance of the operations of Newark and Sherwood Homes (NSH) in accordance with the Management Agreement and Annual Delivery Plan.

The report set out the background to the formulation of the Management Agreement with NSH and the determination and scrutiny of the key performance indicators. Appendix A to the report was an overview of NSH performance for the 2017/2018 financial year with Appendix B providing an analysis and commentary of any performance where targets had not been met. Appendix C provided the STAR Survey which covered tenants' and residents' satisfaction for a number of areas with the final Appendix D providing the Tenants' Panel Report and Work Plan.

In considering the report Members noted that the STAR Survey results (Survey of Tenants and Residents) reported at Appendix C were all under target. The Business Manager acknowledged that the results showed a downward trend but that the Company continued to work above a benchmark figure.

It was noted that the Newark and Sherwood Homes Delivery Plan would be reported to the next meeting of the Committee.

AGREED (by 11 votes for with 1 abstention) that the strategic performance information supplied in relation to the activities of Newark and Sherwood Homes be noted.

37 FORWARD PLAN

AGREED (unanimously) that the Forward Plan be noted.

38 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 7 of part 1 of Schedule 12A of the Act.

Meeting closed at 7.34 pm.

Chairman

## HOMES & COMMUNITIES COMMITTEE

14 JANUARY 2019

### GLADSTONE HOUSE - EXTRA CARE SCHEME UPDATE

#### **1.0 Purpose of Report**

- 1.1 To provide the Committee with review of the operation of the Gladstone House Extra Care Scheme since it opened in April 2018.

#### **2.0 Background Information**

- 2.1 Gladstone House in Newark, is a 60 unit (*48 x 1 bed & 12 x 2 bed units*) extra care scheme. Gladstone House provides housing for older people who may need some level of on-site care and support and is specifically designed to help them to remain independent, living in their own homes, for as long as possible.
- 2.2 Many people move into extra care settings because of a crisis situation, such as a health deterioration, emergency, accident, sudden illness or death of a partner, which significantly affects their ability to remain living independently in their current homes. The design and service delivery model provided at Gladstone House combines elements of housing and care provision with actions and facilities that help to manage social isolation, increase personal wellbeing and improve community integration.
- 2.3 The scheme is let on an affordable rent basis, which includes meals at lunchtime, laundry and community facilities, with the intensive housing management service provided by Newark and Sherwood Homes who manage the scheme on behalf of the District Council.
- 2.4 Under a Co-operation Agreement between the District Council and Nottinghamshire County (NCC), the County Council has nomination rights to 40 of the units (*32 extra care & 8 assessment units*) and provides extra care support to eligible residents in these units. The 20 units not under the Co-operation Agreement are allocated through the Council's housing register as general supported housing.
- 2.5 Newark and Sherwood Homes provide the housing management and repairs service to all the units in accordance with the existing Management Agreement.
- 2.6 As mentioned above, the District Council entered into a Co-operation Agreement with the County Council for the 40 nominated units, and this guarantees a rental income to the HRA Business Plan should a unit continue to be void after a prescribed period of time. The County Council made a capital contribution towards the build cost of the scheme of £3.2m.
- 2.7 The current affordable rent and service charge levels for Gladstone House are £264.31 per week for a two bedroom unit and £220.16 for a one bedroom unit. At Gladstone House the affordable rent and a significant proportion of the service charges are housing benefit eligible, with the exception of the elements relating to the midday meal, TV licence and care line facility.
- 2.8 The scheme opened in April 2018, on time and in budget, after a successful implementation and commissioning phase.

### **3.0 Performance**

#### **3.1 Operation**

3.1.1 The Committee will be aware that prior to the opening of Gladstone House, a period of seven weeks was set to enable a thorough commissioning of the building and related services. This included a wide range of aspects:

- I. Staffing Recruitment, Training and Induction
- II. Equipment Installation and Testing
- III. Services/Facilities Testing
- IV. Property Letting
- V. Inter-agency Liaison

3.1.2 The time allowed for implementation reflected the nature of the client group, the building and the complexities of a multi –agency partnership operating from a single site. The period allowed Newark and Sherwood Homes’ staff to undertake a rigorous testing programme of all the facilities and all emergency procedures.

3.1.3 The most significant operational issue has arisen from the initial occupancy make up and the related requirements of multi - agency partnership delivery; specifically the ratio of high care need tenants being higher than anticipated. Operational inter agency mechanisms are utilised to manage and mitigate the impact on service delivery.

3.1.4 On a practical level, officers of the Company have regular operational meetings with NCC staff and representatives of the Care Provider which ensures effective service delivery. This meeting includes a housing assessment panel who determine the suitability of the scheme for potential occupants.

3.1.5 Senior managers have continued to meet to address any practical issues and ensure that learning from the resolution of these issues is used to ensure smooth running for this service and for future schemes in development. Nottinghamshire County Council have fed back that they appreciate the on-going relationship with Newark and Sherwood Homes which enables this to happen.

3.1.6 To date the partnership is working well and feedback from all service providers at the scheme is positive.

3.1.7 There have been no significant building defects. The Company has maintained a robust defects management process with the main contractor and this has minimised the impact of any other issues that have arisen.

3.1.8 Day to day management and occupation of the building has seen the emergence of some repair and operational issues which have been responded to swiftly with appropriate solutions:

- The hot summer highlighted issues with airflow through the building; this has been addressed through the improvement of the passive airflow system and the addition of air conditioning in specific areas.



- A water leak from a first flat into two ground floor flats resulted in redecoration.

3.1.9 The implementation has identified some learning points which have been addressed and incorporated in to the design of the proposed scheme at Ollerton and Boughton, namely:

- I. The original IT infrastructure did not meet the needs of all of the services operating from the building.
- II. The original designs of the catering and storage facilities were not sufficient to meet delivery requirements.

### 3.2 Utilisation

#### 3.2.1 **District Council: 20 units**

To date the total number of District Council Voids equates to 12 weeks (1.43%)  
All apartments are currently fully occupied.

#### 3.2.2 **Nottinghamshire County Council: 40 units (including 8 assessment units)**

To date the total number of voids in the County Council's nominated units equates to 117 weeks (9.44%) 5 units have been vacant since April 18. Rent and Service Charge income for these void properties is paid to NSDC by NCC after four weeks for each property.

3.2.3 The Assessment Units have been fully occupied since the service opened; residents generally stay for eight weeks. It has been agreed by the partnership that on a temporary basis two additional units of the forty NCC units will become assessment units from January 2019. This will be reviewed after 6 months of operation.

3.2.4 Void levels for the County Council have been higher than would be usually anticipated for a housing with care scheme due to the initial time taken to fill the service. However, a year to complete first let is not out of kilter with other schemes of this size and it is anticipated that vacancies will be significantly reduced in 2019. In the majority of the schemes where the County Council has nominations, these units are filled within 4 weeks of any vacancy occurring due to natural turnover.

### 3.3 Community Facilities

3.3.1 The Truly Beauty and Coffee services form an integral part of the Gladstone House offer by providing services which would be otherwise challenging for the tenant population to access either due to location or the nature of the service. The services also introduce local people into the scheme; for example visitors to the leisure centre and both staff and pupils from local schools, which helps to embed the scheme within the community. The combination of these elements provides a holistic service that reduces the burden on more expensive public sector interventions for this client group which often includes health and more comprehensive care packages.

3.3.2 The launch of the services were timed as part of the implementation and commissioning to support maximising the letting of the properties by enhancing the attractiveness of Gladstone House and providing an active frontage to the scheme to showcase the on-site service provision available to residents.

3.3.3 The Truly services are managed by Newark and Sherwood Homes and the costs met by the Company. The Board of Newark and Sherwood Homes will review the services after a year of operation to establish if the delivery model is appropriate to the social value delivered to the residents and local community.

3.3.4 There are two guest rooms at Gladstone House which provide on-site accommodation for family and friends of the residents. Since opening the guest rooms have been occupied for a total of 36 nights. A charge to cover costs is applied which has generated income of £720.00.

#### 3.4 Costs

3.4.1 The budget costs for Gladstone House were formulated based on comprehensive work undertaken by Newark and Sherwood Homes' Assistant Directors' of Housing Management Services and Income and Resources Services and the weekly rent and service charge levels were set to reflect the cost forecasts. The timing of the forecasting was driven by the tight time line to submit the Homes and Communities Agency grant application in May 2015 for capital funding towards the build cost, some three years ahead of the scheme's completion.

3.4.2 The estimated HRA income for 2018/19 is:

Rent income	£220K
Service charge income	£402k
Less void rate 2%	(£12k)
Less Management fee to NSH	(£446K)

Contribution to capital and debt repayment £164k

3.4.3 Income receipted to date is: £292k (Based on let properties and income from NCC).

3.4.4 The Council pays a fee to NSH to provide the landlord service at Gladstone house. The payment is set at the cost of the support services (the service charge) and 20% of the weekly rent for each property. This is an annual charge of £446k. The fee is set at this level because the support service costs and overall property management and maintenance costs are incurred whether properties are occupied or not.

3.4.5 The costs of the services are paid by Newark and Sherwood Homes including all communal facilities. The Board of Newark and Sherwood Homes will review the cost of the services including the provision of the Truly services, taking into account the cost benefit of social value added. To support this agreed parameters have already been set.

3.4.6 A management agreement variation was agreed by the District Council for 2018/19 for Newark and Sherwood Homes to deliver the services.

#### 4.0 Equalities Implications

4.1 No equalities implications have been identified as part of this review.

## **5.0 Financial Implications (FIN18-19/91)**

- 5.1 Based on the current levels of income receipted to date (both rent and service charge income), extrapolating forward, this would give a predicted shortfall to the HRA of £0.050m against the current Management fee to NSH of £0.446m in respect of the management of Gladstone House. The Management fee payable to NSH was based on estimated income and expenditure on services prior to the operation of the building.
- 5.2 It is suggested that once a full year of operation has been completed, that a full review of costs associated with the operation of the building be completed and brought back to this Committee. This will then allow for re-alignment of the Management fee, where appropriate, for the 2019/20 financial year, and also ensure that costs associated with the running of the building are properly scrutinised.

## **6.0 RECOMMENDATION**

**That the information provided as part of the operational review of Gladstone House is noted.**

### **Reason for Recommendation**

**The delivery of the service at Gladstone House is aligned to the Councils strategic housing priorities.**

### **Background Papers**

Nil

For further information please contact Rob Main, Business Manager - Strategic Housing on 01636 655930 or Dave Newmarch, Assistant Director – Housing Management and Responsive Repairs, Newark and Sherwood Homes, on 01636 655455.

Karen White  
Director – Safety

Stephen Feast  
Director – Newark and Sherwood Homes

## HOMES & COMMUNITIES COMMITTEE

14 JANUARY 2019

### HOMES & COMMUNITIES COMMITTEE REVENUE BUDGET 2019/20

#### **1.0 Purpose of Report**

1.1 To inform the Committee of the budget and scales of fees and charges for those areas falling under the remit of the Homes & Communities Committee for 2019/20.

#### **2.0 Background Information**

2.1 Business Managers and Service Budget Officers have been working with Officers from Financial Services to determine a first draft general fund budget and medium term financial plan. The budgets have been prepared in line with the strategy agreed by Policy & Finance Committee on 20 September 2018.

2.2 The budget and Medium Term Financial Plan have been developed to reflect, in financial form, the corporate priorities of the Council. Where further targeted areas of focus have been identified, additional resources have been directed to these business units.

2.3 A summary of the Committee by Service Team is provided at **Appendix A**, together with a summary at subjective level for the whole Committee at **Appendix B**. To aid comparison, capital charges and central support recharges have been omitted from the reports to show just controllable budgets.

#### **3.0 Revenue Budget Proposals**

3.1 The current draft budget shows an increase in 2019/20. Direct service expenditure and income excluding deferred and capital charges, and all central services recharges currently shows an overall increase of £141,680 against 2018/19 budget. This is an increase of 6.68%.

3.2 Staffing costs of £2.127m account for approximately 60% of the gross service budget (excluding housing benefits, capital and central recharges) and significant budget savings cannot be achieved without affecting staffing levels.

3.3 Major variances between 2018/19 and 2019/20 are shown below:

3.3.1 Housing Options: An increase of £0.010m – The increase relates to the regrade of officers within the Business Unit together with the impact of the new pay and grading structure.

3.3.2 Strategic Housing: An increase of £0.012m – The commission of a District wide Housing Needs study, subject to Committee approval, estimated at £0.032m partly funded by contributions from the HRA £0.008m and Planning Policy £0.010m.

3.3.3 ICT: An increase of £0.033m – The increase mainly relates to a temporary 12 month resource being requested due to a number of long term absences within the Business Unit.

- 3.3.4 Payment & Receipts: A decrease of £0.004m – The Council signed a contract with Civica for the provision of an Income Management System for a 7 year period in late 2017. This has reduced the budget required by £0.004m.
- 3.3.5 Customer Services: An increase of £0.014m – Additional 2 days per week increase in staff, together with the impact of the new pay and grading structure.
- 3.3.6 Licensing Admin: A decrease of £0.008m – The increase in various fees and charges (detailed at Appendix C) have contributed to the reduction in required budget.
- 3.3.7 Community Safety, Anti-Social Behaviour, Domestic Violence and Emergency Planning – When the individual variances in these codes are amalgamated there is no overall increase in budget requirement. This is a re-apportionment of staff time over the various functions.
- 3.3.8 CCTV: An increase of £0.037m – The increase in budget relates to the accounting treatment of inter-departmental income. This increase has been offset by a reduction in expenditure in the Business Units that use this service.
- 3.3.9 Energy and Home Support: An increase of £0.041m – The increase in budget relates to the accounting treatment of income. Income has been correctly recognised in the year of receipt rather than being rolled forward as a creditor at year end. This has meant this income has been transferred into reserves, hence this increase has been offset within the financing part of the Councils' budget by a reduction in reserves.
- 3.3.10 Grants & Concessions: An increase of £0.012m – A £0.015m increase in grant to the Town Council in relation to the Devolution arrangements due to the Council Tax base growth being lower than anticipated offset by the expiry of loans to Parish Councils for capital schemes.

#### **4.0 Fees & Charges**

- 4.1 The level of fees and charges has been considered by Officers within the framework set out in the Corporate Charging Policy. Proposals for increases in fees and charges are attached at **Appendix C** for consideration and recommendation to Policy & Finance Committee on 21 February 2019 and Council on 7 March 2019.

#### **5.0 Conclusions**

- 5.1 It is important that the Committee continues to scrutinise and review its budget in order to achieve additional savings in future years at a time when the Council is facing reducing government grants and other financial pressures.

#### **6.0 RECOMMENDATIONS that:**

- (a) the final Committee budget as shown at Appendix A be recommended to Policy & Finance Committee at its meeting on 21 February 2019 for inclusion in the overall council budget; and**
- (b) the scales of fees and charges as shown at Appendix C be recommended to Policy & Finance Committee at its meeting on 21 February 2019 and Council on 7 March 2019.**

**Reason for Recommendations**

**To ensure that the final budget proposals and the level of fees and charges for 2019/20 are recommended to Policy & Finance Committee on 21 February 2019.**

**Background Papers**

None

For further information please contact Nick Wilson.

Nick Wilson  
Business Manager - Financial Services

## APPENDIX A - BUDGET SUMMARY

### HOMES & COMMUNITIES

CODE	DESCRIPTION	2018/19 INITIAL BUDGET	2019/20 BASE BUDGET	MORE/(LESS)
A10204	MISCELLANEOUS HOUSING (GF)	(650)	0	650
A10212	PRIVATE SECTOR SPEECH CALL	(79,000)	(80,610)	(1,610)
A10213	HOUSING OPTIONS	387,660	397,340	9,680
A10215	STRATEGIC HSG (WAS COMMUNITY)	67,790	79,370	11,580
A10802	ICT	492,430	525,510	33,080
A10804	PAYMENTS & RECEIPTS	3,820	(510)	(4,330)
A10809	CUSTOMER SERVICES	420,830	435,170	14,340
A10810	COMMUNICATIONS & CUST SERVICES	124,130	122,380	(1,750)
A10814	LICENSING ADMIN	(51,670)	(60,120)	(8,450)
A10816	COMMUNITY SAFETY	39,300	34,390	(4,910)
A10823	ANTI-SOCIAL BEHAVIOUR	36,990	41,930	4,940
A10826	DOMESTIC VIOLENCE	30,080	33,010	2,930
A10834	SOUTHWELL LIBRARY SERVICE	1,960	1,600	(360)
A11126	CCTV	93,840	131,010	37,170
A11607	ENERGY AND HOME SUPPORT	67,580	108,560	40,980
A11921	GRANTS AND CONCESSIONS	424,870	436,420	11,550
A11923	EMERGENCY PLANNING	60,290	56,480	(3,810)
	<b>TOTAL</b>	<b>2,120,250</b>	<b>2,261,930</b>	<b>141,680</b>

**APPENDIX B - BUDGET SUMMARY  
HOMES & COMMUNITIES SUBJECTIVE SUMMARY**

<b>CODE</b>	<b>DESCRIPTION</b>	<b>2018/19 INITIAL BUDGET</b>	<b>2019/20 BASE BUDGET</b>	<b>More(Less)</b>
111	SALARIES AND WAGES	1,655,060	1,736,400	81,340
113	NATIONAL INSURANCE	166,430	157,540	-8,890
114	SUPERANNUATION	218,670	232,830	14,160
	<b>EMPLOYEE SUB TOTAL</b>	<b>2,040,160</b>	<b>2,126,770</b>	<b>86,610</b>
213	RENT	17,600	20,390	2,790
219	CONTRIBUTION TO FUNDS	16,300	16,300	0
315	CAR ALLOWANCES	13,230	13,530	300
234	WIRELESS MAINTENANCE	0	13,500	13,500
411	EQUIPMENT AND FURNITURE	157,540	175,310	17,770
421	CATERING	100	0	-100
431	CLOTHING AND UNIFORMS	1,130	1,130	0
441	GENERAL OFFICE EXPENSES	29,040	35,780	6,740
451	CONTRACTUAL	5,100	9,100	4,000
452	OTHER SERVICES	66,930	89,040	22,110
461	COMMUNICATIONS AND COMPUTING	209,800	213,750	3,950
471	STAFF	3,940	3,450	-490
481	GRANTS	388,920	400,470	11,550
482	SUBSCRIPTIONS	3,240	2,820	-420
491	INSURANCE	55,370	27,290	-28,080
492	CONTRIBS TO FUNDS AND PROVISNS	184,500	160,500	-24,000
493	OTHER	129,310	129,410	100
612	OTHER TRANSFER PAYMENTS	83,000	87,940	4,940
	<b>RUNNING EXPENSES SUB TOTAL</b>	<b>1,365,050</b>	<b>1,399,710</b>	<b>34,660</b>
	<b>TOTAL EXPENDITURE</b>	<b>3,405,210</b>	<b>3,526,480</b>	<b>121,270</b>
922	Contributions From Other Las	-21,440	-13,720	7,720
928	Recharge Non Gf Accounts	-713,710	-731,900	-18,190
929	Other Grants	-9,670	0	9,670
931	Sales	-119,770	-121,820	-2,050
932	Fees And Charges	-6,500	-36,600	-30,100
933	Rents	-196,600	-199,930	-3,330
938	Fees And Charges	-101,120	-46,210	54,910
939	Other Receipts	-110,500	-114,370	-3,870
941	Interest	-650	0	650
951	Recharges	-5,000	0	5,000
	<b>INCOME SUB TOTAL</b>	<b>-1,284,960</b>	<b>-1,264,550</b>	<b>20,410</b>



		<b>2,120,250</b>	<b>2,261,930</b>	<b>141,680</b>
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**LICENSING FEES – HOMES & COMMUNITIES COMMITTEE**

Relevant Act or Order*		Duration	2018/19 Charge	2019/20 Charge	
1.	Hypnotism – Grant	Ref 001	Occasional for specific dates	£70	£70
2.	Sex Establishment – Grant/Renewal	Ref 002	Up to 1 year	£3,540	£3,540
3.	Vehicle Licences				
(a)	Hackney Carriage	Ref 003	Annual	£220	£225
(b)	Private Hire Vehicle	Ref 003	Annual	£170	£175
(c)	Ambulance Vehicles	Ref 003	Annual	£100	£105
(d)	Hackney Carriage/Private Hire Drivers	Ref 003	3 years or less depending on circumstances	£125 renewal £190 new applicants	£135 renewal £200 new applicants
(e)	Hackney Carriage/Private Hire Drivers Licence (persons over 65 years)	Ref 003	Per Year	£50	£50
(f)	Ambulance Drivers	Ref 003	3 years or lesser depending on circumstances	£100 renewal £80 new applicants	£105 renewal £85 new applicants
(g)	Ambulance Drivers over 65	Ref 003	Annual	£35	£35
(h)	Private Hire Operators	Ref 003	5 years*		
	(i) Basic			£315	£325
	(ii) plus per vehicle			£30	£30
(i)	Ambulance Operators	Ref 003	5 years*		
	(i) Basic			£300	£310
	(ii) plus per vehicle Plates			£20	£20
(j)	Knowledge Test	Ref 003	One-off	£40	£40
(k)	Drivers Test	Ref 003	One-off	£40	£40
(l)	Replacement Badge	Ref 003	One-off	£20	£25
(m)	Replacement Plate	Ref 003		£40	£45
(n)	Transfer of Plate (No replacement plate to be issued)	Ref 003	One-off	£45	£45
(o)	Temporary Plate/Transfer of Plate (including Plates and magnetic roundals)	Ref 003	One-off	£85	£85
(p)	Temporary Plate/Transfer of Plate (including Plates and stick on roundals)	Ref 003	One-off	£75	£75
(q)	Temporary & Permanent Magnetic Roundels	Ref 003	One-off	£15	£15
(r)	Additional stick on Roundels	Ref 003	One-off	£10	£10

**Fees have been generally increased by approximately 2%. Some fees are unchanged to better reflect the actual costs**

**\*a new 5 year duration licence has been introduced.**

## GAMBLING ACT 2005 – DISCRETIONARY FEES

These fees are set at the discretion of the local Authority within a framework on minimum and maximums set in statutory regulations

**A full review of these fees has been undertaken and bench marked against other authorities. A range of increases are proposed.**

		2018/19 Charge	2019/20 Charge
<b>Bingo</b>	New application	£943	£1,200
	Application for reinstatement of licence	£500	£800
	Application for provisional statement	£943	£1,200
	Application to convert provisional statement	£600	£650
	Application to vary licence	£800	£1,000
	Application to transfer licence	£33	£120
	Notification of change	£50	£50
	Copy of licence	£16	£30
	Annual Fee	£475	£500
<b>Adult Gaming Centre</b>	New application	£943	£950
	Application for reinstatement of licence	£500	£500
	Application for provisional statement	£943	£1,200
	Application to convert provisional statement	£600	£650
	Application to vary licence	£800	£800
	Application to transfer licence	£33	£100
	Notification of change	£50	£50
	Copy of licence	£16	£30
	Annual Fee	£475	£500
<b>Family Entertainment Centre</b>	New application	£943	£950
	Application for reinstatement of licence	£500	£500
	Application for provisional statement	£943	£1,200
	Application to convert provisional statement	£600	£650
	Application to Vary licence	£800	£800
	Application to transfer licence	£33	£80
	Notification of Change	£50	£50
	Copy of Licence	£16	£30
	Annual Fee	£475	£500
<b>Betting Premises (excl. Tracks)</b>	New application	£943	£1,000
	Application for reinstatement of licence	£500	£800
	Application for provisional statement	£943	£1,200
	Application to convert provisional statement	£600	£650
	Application to Vary licence	£1,000	£1,000
	Application to transfer licence	£33	£120
	Notification of Change	£50	£50
	Copy of Licence	£16	£30
	Annual Fee	£475	£500

<b>Betting on Track</b>	New application	<b>£943</b>	<b>£950</b>
	Application for reinstatement of licence	<b>£500</b>	<b>£800</b>
	Application for provisional statement	<b>£943</b>	<b>£1,200</b>
	Application to convert provisional statement	<b>£600</b>	<b>£650</b>
	Application to Vary licence	<b>£1,000</b>	<b>£1,000</b>
	Application to transfer licence	<b>£33</b>	<b>£120</b>
	Notification of Change	<b>£50</b>	<b>£50</b>
	Copy of Licence	<b>£16</b>	<b>£30</b>
Annual Fee	<b>£475</b>	<b>£500</b>	

**GAMBLING ACT 2005 FEES SET BY STATUTE**

Permit		2018/19 Charge	2019/20 Charge
<b>Family Entertainment Centre</b>	Transitional	£100	£100
	New	£300	£300
	Renewal	£300	£300
	Change of Name	£25	£25
	Copy Permit	£15	£15
<b>Prize Gaming Permits</b>	Transitional	£100	£100
	New	£300	£300
	Renewal	£300	£300
	Change of Name	£25	£25
	Copy Permit	£15	£15
<b>Gaming Machines in Alcohol Licensed Premises</b>	Notification of up to 2 machines	£50	£50
	Gaming machine permit for more than 2 – existing operator	£100	£100
	Gaming machine permit for more than 2 – new operator	£150	£150
	Variation (number of category)	£100	£100
	Transfer	£25	£25
	Annual fee	£50	£50
	Change of name	£25	£25
	Copy of permit	£15	£15
<b>Club Gaming and Club Machine Permits</b>	Existing Operators (transition)	£100	£100
	New Application	£200	£200
	Renewal	£200	£200
	Variation	£100	£100
	Annual Fee	£50	£50
	Copy of Permit	£15	£15
<b>Temporary Use Notice</b>		£100	£100
<b>Small Society Lottery</b>	Exempt Lotteries – Registration Fee	£40	£40
	Exempt Lotteries – Annual Fee	£20	£20

**LICENSING ACT 2003 – FEES SET BY STATUTE**

<b>Type of Licence</b>	<b>Comments</b>	<b>2018/19 Charge</b>	<b>2019/20 Charge</b>
Premises Licence Application	The fee payable depends on the rateable value of the premises which are prescribed/set nationally.	Variable	Variable
Premises Licence Annual Fee	The fee payable depends on the rateable value of the premises which are prescribed/set nationally.	Variable	Variable
Premises Licence Additional Fee for Large Events	The fee payable depends on the rateable value of the premises which are prescribed/set nationally.	Variable	Variable
Premises Licence Full Variation	The fee payable depends on the rateable value of the premises which are prescribed/set nationally.	Variable	Variable
Premises Licence Minor Variation		<b>£89</b>	<b>£89</b>
Personal Licence		<b>£37</b>	<b>£37</b>
Temporary Event Notice		<b>£21</b>	<b>£21</b>

**There are currently no proposals by the Government to increase these fees in 2019/20**

**ADVERTISING RATES FOR VOICE MAGAZINE**

**(Charges are inclusive of VAT)**

<b>Size</b>	<b>2018/19 Charge</b>	<b>2019/20 Charge</b>
Full page (210mm wide x 295mm deep)	<b>£1,335.60</b>	<b>£1,335.60</b>
½ page (210mm wide x 147.5mm deep)	<b>£801.60</b>	<b>£801.60</b>
¼ page	<b>£466.80</b>	<b>£466.80</b>
Back (Full page dimensions)	<b>£1,639.20</b>	<b>£1,639.20</b>

## HOMES & COMMUNITIES COMMITTEE

14 JANUARY 2019

### JOINT WORKING AGREEMENT FOR NOTTINGHAMSHIRE HOUSING AUTHORITIES & NOTTINGHAM FIRE & RESCUE SERVICES

#### **1.0 Purpose of Report**

- 1.1 To outline the changes to Fire Safety Regulation and Enforcement as introduced by the Nottinghamshire Housing Authorities & Nottingham Fire and Rescue Services (NFRS) , Joint Working Agreement and to seek approval from members to adopt the enforcement strategy as set out with in the Joint Working Agreement.

#### **2.0 Background Information**

- 2.1 The Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005 (RRO) placed a dual system of statutory enforcement on Fire and Rescue Authorities and Local Housing Authorities. Each has primacy of enforcement for different aspects of fire safety in residential property, depending on the size, type and tenure of property. The private rental market is constantly evolving; recent changes introduced in 2018 include an extension of the regulation of Houses in Multiple Occupation (HMO's) to include all shared property which is home to more than 5 people. The introduction of the "Air B & B" housing rental market has also added a new dynamic by allowing property owners to rent rooms or property on a short term basis outside the normal regulatory system. As a result the housing market for both temporary and permanent accommodation is more diverse and gives rise to complex enforcement issues. Different interventions are available to NFRS than are available to the Local Housing Authorities Newark and Sherwood District Council and in complex cases this can cause confusion over which Authority is best placed to take enforcement action and or give advice on technical fire safety issues.
- 2.2 To explore these issues a joint working group led by NFRS and Nottinghamshire Housing Working Group was established and tasked with exploring opportunities to revise existing working practices including the sharing of information, consistency of enforcement approach and systems of consultation. As a result of this piece of work the Nottinghamshire Joint Working Agreement has been developed to address these issues and to strengthen collaborative working across the County. Its purpose is to deliver Safer Communities by adopting a robust, effective and consistent approach to the regulation of fire safety across Nottinghamshire. A copy of the Joint Agreement is attached as **Appendix 1** to this report.
- 2.3 The joint working Agreement sets out the circumstances where enforcement and regulation falls to the Local Housing Authority rather than to the Fire and Rescue Authority. In general terms properties that are solely residential with no associated business use and are not flats above a business will be regulated by the local authority. Where living accommodation is supported or of a commercial nature such as a B&B or hotel NFRS will be the lead regulator. Houses in Multiple Occupation will be regulated jointly depending on the size and layout of the property.



- 2.4 The Communication and Consultation Strategy contained within the Joint Working Agreement aims to ensure effective communication at both an operational and strategic level. It is appropriate that Newark & Sherwood District Council continues to actively support and develop new areas of collaborative working with NFRS, by engaging fully with the initiative. One new area of work is an innovative trial of the national data sharing case management system ECINS, to manage data sharing for vulnerable people at risk fires within their home.
- 2.5 An in principle data sharing agreement has been drafted and reviewed by the working group in consultation with Nottingham City Councils Data Governance advisor. They have advised that the Data Sharing Agreement within the report is compliant. .

### **3.0 Proposals**

- 3.1 The Joint Agreement is considered useful to assist in the enforcement of fire regulation and therefore it is proposed to adopt the regulatory framework set out in the Joint Working Agreement for Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services.
- 3.2 It is proposed that Newark & Sherwood District Council continues to actively support and develop new areas of collaborative working and develops a trial of the ECINS case management system for cases relating to vulnerable people at risk fires within their home.
- 3.3 It is further proposed that a data sharing agreement is agreed and approved to facilitate the sharing and processing of information in accordance with the General Data Protection Regulations.

### **4.0 Equalities Implications**

- 4.1 In terms of recommendations, there are only positive equalities implications within the proposals made in this report.

### **5.0 Financial Implications**

- 5.1 There are no financial implications for this project, regulation will be made more efficient and effective.
- 5.2 There are no financial implications in using the ECINS database as this is provided under licence from the Police & Crime Commissioner's office.

### **6.0 RECOMMENDATIONS that Members are asked to:**

- (a) agree the adoption of the Joint Working Agreement for Nottinghamshire Housing Authorities & Nottingham Fire and Rescue Services;**
- (b) support the trial of the ECINS database for cases relating to vulnerable people at risk fires within their home; and**
- (c) approve the data sharing agreement to facilitate the sharing and processing of information in accordance with the General Data Protection Regulations.**

### **Reason for Recommendations**

**The adoption and use of the Joint Working Agreement for Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services will improve the effectiveness of local regulation and ensure that all regulators are aware of their responsibilities.**

### **Background Papers**

Nil

For further information please contact Alan Batty - Business Manager – Environmental Health & Licensing on 01636 655467 or Sheridan Stock - Assistant Business Manager 01636 655616.

Karen White  
Director – Safety



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

# JOINT WORKING AGREEMENT

## IMPROVING FIRE SAFETY IN RESIDENTIAL ACCOMMODATION



Version 1 (August 2018)

**Joint Working Principles and Enforcement Protocol  
between the Regulators of the Housing Act 2004 and  
Regulatory Reform (Fire Safety) Order 2005**



## Contents

1	Introduction	3
2	Underlying Principles	5
3	Lead Enforcing Roles	5
4	What will Local Housing Authorities do?	11
5	What will Nottinghamshire Fire & Rescue Service do?	13
6	Consultation	14
7	Communication	15
8	Monitoring & Evaluation	16
9	Data Exchange	16
10	Approval	17
11	Appendix A – Regulatory Reform (Fire Safety) Order 2005 & The Housing Act 2004	18
12	Appendix B - Signatories to Agreement	22
13	Appendix C – LA Team Contacts	24
14	Appendix D – s10 Deemed Consultation	26
15	Appendix E – Consultation Document	27
16	Appendix F– Local Government Act 1972 section 101	29
17	Appendix G – s254 HMO Definition	34
18	Appendix H – s257 HMO Definition	37

## **1. Introduction**

1.1 This agreement establishes the principles and describes the joint working arrangements between the Nottinghamshire Local Housing Authorities (collectively described as the Local Housing Authority or LHA) and Nottinghamshire Fire & Rescue Service (NFRS) to deliver the objective of improved fire safety in residential accommodation. It is a framework which provides the basis for detailed local arrangements whilst encouraging collaboration throughout the County of Nottinghamshire, based upon the 'Protocol between Local Housing Authorities and Fire and Rescue Authorities to improve Fire Safety (2007).

1.2 The introduction of the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005 (RRO) has imposed an analogous duty of two statutory authorities to enforce certain fire safety provisions within such housing. (A summary of the respective legislation is available as Appendix A).

1.3 NFRS has a statutory duty to enforce the provisions of the RRO, which are applicable in the common areas of all residential accommodation not forming a single private dwelling. (The RRO applies to all parts of a House in Multiple Occupation (HMO), specifically if a Prohibition Notice is required to be served, under Article 31 of the RRO for serious fire safety matters immediately effecting life safety). When a prohibition is served, it does not necessarily need to only be served on the parts that relate to the fire service but can be served on the whole building.

1.4 Where reasonably practicable the lead enforcing Authority should serve the appropriate prohibition notice/order. Where notices/orders are served by an Authority that do not have primacy with regard to the legislation, notices/orders must be retracted and replaced by the lead Authority at the earliest available opportunity.

1.5 Conversely, LHA's are responsible for implementing the various licensing requirements of the Housing Act 2004 ('The Act') and utilising the Housing Health & Safety Rating System (HHSRS) to identify and if necessary act upon, significant hazards found within all housing.

1.6 This agreement seeks to provide the efficient use of resources, implement appropriate review and monitoring arrangements, identify the separate areas of inspection and enforcement and provide for urgent or complex requests for assistance from either party. It seeks to provide both parties, as far as is reasonably practical, with a measure of confidence that they are discharging their respective, legislative duties.

1.7 These collaborative working arrangements, which support the Governments broader agenda for partnership working, will enable both authorities to promote fire and certain other safety provisions within a broader range of premises than would have not been possible if they had acted independently or undertaken joint inspections.

1.8 Nothing in this agreement shall be considered as creating a contractual relationship, a contract of employment or a relationship of principal and agent between the parties and shall not add to in any way the existing statutory duties of the parties. No party to this agreement shall hold itself out as being authorised to enter any contract on behalf of any other party or in any other way bind any other party to the performance, variation, release or discharge of any other obligation otherwise than in circumstances expressly or implicitly permitted by this agreement.

1.9 This document does not cover Fire Safety in Mobile Homes and Licensed Park Sites. This is covered by a separate document which is part of ongoing work.

1.10 The signatories to this protocol are shown in Appendix B.

## **2. Underlying Principles**

2.1 The underlying principles of this agreement are as follows;

- To provide clarity relating to the enforcement role of each Authority, thereby preventing duplication of effort and ensuring a more effective approach.
- To ensure that specialist skills, advice and support mechanisms are available to each Authority.
- To ensure that the current national guidance, on the appropriate standards of fire and other safety provisions are provided and maintained in residential accommodation.
- To develop data sharing arrangements through established paths.
- To encourage closer working arrangements between the Authorities.
- To assist landlords and other providers with the appropriate level of support and guidance.
- To ensure that only one lead Authority exists for each relevant section of a premises.

## **3. Lead Enforcing Roles**

3.1 The lead enforcing roles table below provides a general guide; discussions and consultation between the Authorities may need to take place to ensure compliance with appropriate legislation is attained whilst offering clarity to the 'responsible person'. The lead authorities table reflects the local housing stock within Nottinghamshire.

3.2 Enforcing authorities may wish to consider the opportunities afforded by The Local Government Act 1972 Section 101 in appropriate cases. This is detailed in Appendix D

3.3 Whilst it is appreciated that the legislative position and the provision and management of Supported Housing is complex, this category of premises does fall within the scope of this agreement and joint collaboration will take place as appropriate. Supported Housing is deemed to be classed as housing where there is 24 hours of care provided on site by a live-in carer.

3.4 There will also be special circumstances in which Local Authorities refer 'vulnerable persons' to a range of commercial premises. This will particularly include Hotel type accommodation and Local Authorities will inform the NFRS of these lists of premises. This will further help to inform the NFRS risk based inspection programme.

3.5 NFRS undertake planned inspections as determined by their risk based inspection programme in any identified type of premises or in a particular locality as they deem necessary. Prior to starting any such series of inspection programmes, consultation should take place to ensure that duplication of inspection and enforcement does not occur. Any such programmes may, subject to local agreement take place individually, collaboratively or jointly and should complement the inspection programme of the Local Housing Authority and should have cognisance of the Regulators Code.

3.6 Where necessary emergency action will be taken by either Authority to reduce any immediate risk. However, further remedial enforcement will only be undertaken following consultation with the designated lead Authority. Nothing in this protocol will prevent either Authority undertaking specific individual monitoring or enforcement action if appropriate.

3.7 The table below lists the Authority that will normally take the appropriate actions as it relates to inspection, enforcement and prosecution in different types



of property; this table provides a general guide and cannot cover every possible situation and certain premises may fall under more than one category.

i.	Single family dwellings (whether or not subject to selective licensing)	LHA
ii.	Houses in Multiple Occupation as defined in s254 Housing Act 2004 (for definition see Appendix E) whether or not subject to licensing under Part 2 of the Housing Act.	LHA
iii.	Houses in Multiple Occupation as defined in s257 Housing Act 2004 (for definition see Appendix E) 1 – 5 storeys (whether licensable or not)	LHA
iv.	Houses in Multiple Occupation as defined in s257 Housing Act 2004 6 or above storeys (whether licensable or not). If below 6 storeys but a complex layout consult with NFRS where appropriate.	LHA lead with mandatory consultation with NFRS
v.	<p>Purpose built blocks of self-contained flats 6 storeys or above and/or where the means of escape to the final exit extends over 45 metres to an ultimate place of safety.</p> <p>If below 6 storeys but a complex layout consult with NFRS where appropriate.</p> <p>Where this property is regulated by ANUK this must be referred back to ANUK for an initial investigation but where necessary LHA enforce as appropriate.</p>	LHA lead with a joint inspection and mandatory consultation with NFRS
vi.	Individual commercial premises with 60 minutes' fire separation between that and residential accommodation above and there are other 'relevant persons' living within the accommodation.	NFRS lead with consultation to LHA in instances of non-compliance
vii.	<p>Commercial Premises with residential above where there is shared means of escape</p> <p>NB: The door leading from the commercial unit to the</p>	Commercial NFRS Residential LHA

	<p>shared means of escape forms part of the commercial unit and enforcement falls to NFRS.</p> <p>If there is a commercial element located on first (or above) floors then consult NFRS.</p>	
viii	<p>Commercial premises with persons sleeping within the commercial element of the property utilising it as a dwelling.</p> <p>NB: Once works have been completed to make safe NFRS will hand over the residential premises to LHA</p>	NFRS
ix	Sheltered Housing	NFRS
x	Supported Living – premises where 24 hour care is provided to the occupant by an employee who is on site at all times.	NFRS
xi	<p>Hotels – premises used solely as a hotel and the following criteria are met:</p> <ul style="list-style-type: none"> <li>▪ Guests can book online</li> <li>▪ Booked in and out using a booking system which can be inspected by the enforcing Authority</li> <li>▪ Guests staying on a short term basis i.e. less than 3 months on a continuous basis;</li> <li>▪ Cooking facilities are not provided within the rooms apart from occasional facilities such as tea and coffee making facilities</li> <li>▪ Housing Benefit or other consideration is NOT paid for the person in relation to the premises</li> </ul>	NFRS
xii	Hotels – dual usage as a hotel and permanent (3 months plus) accommodation with clearly defined separation between hotel and private dwellings. The use of the premises brings it within the definition of a s254 HMO (see points 3.10 and 3.11 below).	LHA

	If there is not clear separation the refer to point xi above.	
xiii	Hostel used for temporary accommodation (1 – 3 months)	NFRS
ix	Hostel used for 'permanent accommodation' and significant used is determined to be a HMO see 3.10 and 3.11 below.	LHA
xv	Refuge (unless occupied as a shared house) <ul style="list-style-type: none"> <li>▪ Booked in and out using a register system which can be inspected by the enforcing Authority</li> <li>▪ Residents staying on a short term basis i.e. less than 3 months on a continuous basis;</li> </ul>	NFRS
xvi	B&B used solely as bed and breakfast accommodation and the following criteria are met: <ul style="list-style-type: none"> <li>▪ Guests can book online</li> <li>▪ Booked in and out using a booking system which can be inspected by the enforcing Authority</li> <li>▪ Guests staying on a short term basis i.e. less than 3 months on a continuous basis;</li> <li>▪ Cooking facilities are not provided within the rooms apart from occasional facilities such as tea and coffee making facilities</li> <li>▪ Housing Benefit or other consideration is NOT paid for the person in relation to the premises</li> </ul>	NFRS
xvii	B&B type accommodation such as AirBNB, rent a room or similar set up that is used as permanent accommodation i.e. 3 months on a continuous basis and significant used is determined to be a HMO see 3.10 and 3.11 below.	LHA
xvii	Multi-occupied residential accommodation that is owned or managed by; <ul style="list-style-type: none"> <li>• The LHA</li> <li>• Registered Social Landlords</li> </ul>	NFRS

xviii	Registered Social Landlords	NFRS to do Fire Safety LHA Part 1 of the Act
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3.8 Consultation should also take place to ensure that duplication of inspection and enforcement does not occur. Where practicable this would be conducted in a face to face meeting however, where resources do not permit this then this may be conducted via skype, email or telephone.

3.9 Where there is doubt over who is the lead enforcing Authority is, it may be necessary to have case management meeting between NFRS and LHA and/or seek legal clarity. Following this decision there must be a formal handover of the property to the lead Authority and decision-making document signed off by manager(s).

3.10 Where it becomes apparent that a property may have a dual usage (commercial and residential including Airbnb; rent-a-room and similar style accommodation) then it will be necessary for the LHA to undertake investigations in order to ascertain the significant usage of that property. Where the LHA is satisfied that there is significant usage of that property is as an s254 HMO they must consult with NFRS on this before taking enforcement action. Following this consultation, a Housing Act 2004 s255 Declaration will be served which will formalise the LHA’s opinion of this fact. In this instance, the lead Authority will be the LHA, however, consultation over fire safety standards will be sought with NFRS and it is likely that a higher level of fire safety requirements will be required depending on the needs of the building and level of risk posed.

3.11 Where the property has dual usage, but is not declared to be an HMO using provisions of s255 of the Act then the enforcement will remain with NFRS and H&S. However, where there are private dwelling(s) contained within the hotel which are used for permanent accommodation then provisions of Part 1 of the Act apply to that room and LHA will enforce using HHSRS as is

appropriate. NFRS will enforce RRO for the whole building including the room(s) used as a private dwelling.

3.12 For purpose built blocks of flats where building elements such as entrance doors are inadequate for fire safety, work should be undertaken by NFRS and LHA to establish the terms of the lease between the landlord and tenant/leaseholder. Appropriate intervention should be undertaken to ensure that the protection of escape routes is maintained by the responsible person. Where access is required to the private dwelling to inspect the door, NFRS will liaise with LHA to arrange access.

#### **4. What will Local Housing Authorities do?**

4.1 Undertake, in line with their statutory requirements, monitoring and inspection of premises identified in Section 3 of this agreement.

4.2 Enforce fire safety standards in accordance with the provisions of the Act, having regard to relevant published documents including the statutory operating and enforcement guidance on the Housing Health and Safety Rating System and in accordance with any guidance jointly agreed with the Fire & Rescue Authority for example the National Fire Safety Guidance 2008, LACORS Housing Fire Safety Guidance on Fire Safety provisions for certain types of existing housing (2008).

4.3 LHA will, when taking enforcement action under the Act, have regard to the principles and requirements of the Fire Safety Order.

4.4 Although LHA may offer a suitable alternative means of complying with fire safety requirements in residential accommodation they will also:

- Ensure that guidance is provided for landlords of relevant multi occupied properties on undertaking their own fire risk assessments in accordance with the Fire Safety Order.

- Ensure that the owner/landlord is given in writing the opportunity to propose alternative means of complying with the fire safety requirements in accordance with their own fire risk assessment. In most cases, it is expected that this will be discussed with the owner/landlord prior to the service of any relevant housing notice.
- Where such alternatives are brought forward by the owner/landlord in respect of HMO's and buildings converted to flats, consult with the NFRS.

4.5 Undertake consultation with NFRS in line with the criteria detailed in section 6 of this agreement.

4.6 Provide NFRS with relevant, timely and comprehensive data in an agreed format to enable those authorities to maintain adequate property and risk based data sets.

4.7 Use the full range of powers under the Act, including Emergency Prohibition Orders, where appropriate.

4.8 Provide NFRS with suitable out of hours contact details, for their homelessness unit, so that where appropriate consideration is given to ensure vulnerable persons are not left homeless as a result of emergency enforcement action.

4.9 Where NFRS serves a Prohibition Notice on a premises the LHA housing/emergency planning department may be able to assist with the rehousing of the displaced persons if there is a statutory duty to do so.

**5. What will Nottinghamshire Fire & Rescue Service do?**

5.1 Undertake, in line with their risk inspection programme, monitoring and auditing of premises identified in Section 3 of this agreement which fall under the scope of the RRO.

5.2 Enforce fire safety standards in accordance with the RRO, having regard to relevant published documents and in accordance with any guidance, jointly agreed with the LHA.

5.3 Undertake consultation with LHA and will provide them with relevant, timely and comprehensive data to enable those authorities to maintain adequate property and risk-based data sets.

5.4 Provide LHA with relevant information that should assist matters to be addressed by those authorities. (This may include such information as apparent overcrowding, poor management or unsafe practices by tenants).

5.5 Undertake to inform the LHA of any relevant fire incident in premises covered by the agreement that are privately rented and require an NFRS Level 2 fire investigation. Joint investigations between the partners may be undertaken as appropriate.

5.6 NFRS is an emergency organisation which provides twenty-four-hour cover. Information about dangerous fire safety conditions may come via complaints or post incident and may occur outside normal working hours. NFRS are under an obligation to take action in such situations. Where possible, and especially outside of normal office hours, efforts will be made to mitigate the dangerous conditions and LHA will be informed as soon as practicably possible.

5.7 Provide LHA with relevant contact details and detail relating to other specialism's that are held within the service that may assist partners. This will

particularly include detail and awareness relating to the Arson Reduction and Investigation Team and other Fire Prevention and/or Protection facilities.

5.8 NFRS have no duty to re-house occupants following the serving of a Prohibition Notice under the RRO.

## **6. Consultation**

6.1 All Authorities are committed to work together to ensure safer premises and regular consultation is seen to be an essential part of those processes, as follows:

### **6.2 Strategic Level Consultation**

6.2.1 The principal meeting for discussion will be the Chief Officers Housing Working Group, hosted by the Local Authorities. NFRS will attend 3 meetings (every other meeting) and a specific agenda item relating to fire safety will form a part of those meetings.

6.2.2 Further meetings may be arranged, as deemed appropriate by both partners.

### **6.3 Tactical Level Consultation**

6.3.1 As required, consultation between Local Housing Standards Officer and the Fire Protection Inspecting Officer, should take place to discuss and resolve emergency issues and more complex situations.

### **6.4 Individual Consultation**

6.4.1 If a scheme of works for an individual property is in compliance with legislative requirements and any jointly agreed guidance such as the LACORS Guidance (2008); then consultation is deemed to have taken place under section 10 of the Act. A document will be signed by the LHA to state the property is in



compliance with the agreed guidance and therefore consultation is not required (see Appendix D).

6.4.2 Where alternatives to schemes are offered that are seen to be outside national guidance or problematic/non-standard premises are involved (complex layout; 6 storeys or above, the travel distance to an ultimate place of safety extends beyond 45 meters), full consultation should take place. Each Authority will aim to respond to consultation requests within 7 days, this will take place via a formal consultation form (see Appendix E)

6.4.3 Where practicable it will be considered best practice for face to face consultation to occur. However due to resources this may not be feasible in all circumstances and therefore this may be undertaken via virtual means such as email, skype, telephone etc.

6.4.4 Where necessary, in complex premises, joint inspections may be undertaken to agree a suitable standard prior to the taking of enforcement action by the most appropriate Authority.

## **7. Communication**

7.1 Local communication channels will be established between NFRS and the respective LHA.

7.2 Each Authority undertakes, so far as they are able, to provide the other with assistance and information about their respective legislation to promote mutual understanding and efficient working.

7.3 Each partner is committed to encourage opportunities for offering joint training and awareness raising toward each other and between partners and landlords.

## **8. Monitoring and Evaluation**

8.1 Any changes to this agreement, other than minor administrative changes, will be subject to approval at strategic level and the signatories to the agreement.

8.2 This agreement will commence on the 1<sup>st</sup> September 2018.

8.3 An annual review of this agreement will be undertaken jointly by the parties and in September 2019 this will be facilitated by NFRS.

## **9. Data Exchange**

9.1 Each LHA and NFRS will establish a local Information Sharing Agreement in order to share information lawfully and in compliance with the General Data Protection Regulations 2018. This may include the provision of information (as detailed in Appendix D & E) to NFRS, enabling them to populate their premises databases and should particularly include;

- Premises that comprise commercial premises, with associated residential accommodation (For example Public Houses where there is accommodation associated with the employment conditions) and sheltered housing.
- Hostels/ B&B/ Hotels
- Multi-occupied residential accommodation that is owned or managed by;
  - The LHA
  - Registered Social Landlords
- Those commercial type premises to which Local Authorities refer 'vulnerable persons'.

9.2 LHA and NFRS will provide six monthly updates of this data.

9.3 Both authorities will ensure that the information is marked as confidential and will not disclose it to other organisations without consent. Authorities will not use or disclose information supplied pursuant to this agreement without consulting the originating Authority. All information whether held on paper, files or computer/digital media will be disposed of as confidential waste.

## **10. Approval**

10.1 The agreement will be approved and endorsed at a suitable strategic management level by both the LHA and NFRS.

## **11. Appendix A: Summary of Relevant Legislation**

### **Regulatory Reform (Fire Safety) Order 2005**

The Regulatory Reform (Fire Safety) Order 2005 (Fire Safety Order) requires responsible persons to undertake a fire risk assessment to identify the general fire precautions they need to take to ensure as far as is reasonably practicable, the safety of relevant persons from fire. This does not apply in single residential accommodation.

Having identified the general fire precautions necessary, the responsible person must implement them. Where five or more persons are employed or any form of license or certification or an Article 29 Alterations Notice has been issued to the premises, the significant findings of the fire risk assessment must be recorded.

The responsible person is identified as the employer, the occupier, or the owner as far as their control extends. In premises covered by this agreement which are not workplaces, the landlord or managing agent is likely to be the responsible person. Tenants must cooperate with the person responsible.

In most cases, NFRS is charged with a duty to enforce the RRO and have a range of enforcement options, from education and advice, through to formal enforcement notices and prohibition notices. Failure to comply with the RRO may constitute a criminal offence.

In general, the RRO applies to all areas of premises except those areas occupied as private domestic dwellings. Where there are areas used in common by the occupants of more than one such dwelling, the RRO applies.

## **The Housing Act 2004**

The Housing Act 2004 includes the requirement for the local authorities to review housing conditions within their area with a view to identifying any action that may need to be taken about those conditions under the provisions contained within the Act.

In relation to this, Part 1 of the Housing Act 2004 replaces existing housing fitness standard with an evidence based risk assessment procedure called the Housing Health and Safety Rating System.

The Housing Health and Rating System is used to assess twenty nine categories of housing hazard and to provide a rating for each hazard. A hazard rating is indicated by a numerical score which is placed within one of ten bands from A to J. Numerical scores within bands A to Care Category 1 hazards and scores in bands D to J are Category 2 hazards.

The rating and category of hazard are used to inform decisions about what type of enforcement action a Local Authority may need to take in relation to the hazard. The types of enforcement action which are available to local authorities are outlined in the Act and include improvement notices, prohibition orders, hazard awareness notices, emergency remedial action, emergency prohibition orders and demolition orders, and slum clearance declarations.

'Fire' is one of the categories of hazard which is assessed under the system. It includes threats from exposure to uncontrolled fire and associated smoke at a dwelling.

Where a LHA has identified a prescribed "Category 1 or 2" fire hazard in a House in Multiple Occupation or in many common parts of a building continuing one or more flats and intend to take enforcement action, section 10 of the Act requires the local Authority to consult the Fire and Rescue Authority for the area in which the House in Multiple Occupation or building is situated, unless it has already deemed to have consulted. In the event of the Authority proposing to carry out emergency measures the need to consult the NFRS is a duty so far as it is practicable before carrying out those emergency measures:

## S 10: Consultation with fire and rescue authorities in certain cases

(1) This section applies where a Local Housing Authority—

(a) Are satisfied that a prescribed fire hazard exists in an HMO or in any common parts of a building containing one or more flats, and

(b) Intend to take in relation to the hazard one of the kinds of enforcement action mentioned in section 5(2) or section 7(2).

(2) Before taking the enforcement action in question, the Authority must consult the Fire and Rescue Authority for the area in which the HMO or building is situated.

(3) In the case of any proposed emergency measures, the Authority's duty under subsection (2) is a duty to consult that Fire and Rescue Authority so far as it is practicable to do so before taking those measures.

(4) In this section—

- “emergency measures” means emergency remedial action under section 40 or an emergency prohibition order under section 43;
- “Fire and Rescue Authority” means a fire and rescue Authority under the Fire and Rescue Services Act 2004 (c. 21);
- “Prescribed fire hazard” means a category 1 or 2 hazard which is prescribed as a fire hazard for the purposes of this section by regulations under section 2.

Part 2 of the Housing Act 2004 introduces a licensing scheme for Houses in Multiple Occupation. The Act introduces three types of licensing scheme which local authorities can use. These are mandatory licensing, additional licensing of properties not covered by the mandatory scheme and, under certain circumstances, selective licensing of all private rented property within a neighbourhood.

The Act outlines the conditions for the granting or refusal of licenses by a Local Authority and this includes the suitability of a property for multiple occupations.

With regard to the fire safety, this is further elaborated in the Licensing and Management of Houses in Multiple occupation and other Houses (Miscellaneous Provisions) (England) Regulations 2006 No.373, schedule 3 which states that appropriate fire precaution facilities and equipment must be provided of such type

number and location as is considered necessary' and also in the Management of HMO (England) Regulations 2006 No.272, "the duty of the manager to the safety measures within the premises".

## 12. Appendix B: Signatories to Agreement

Authority	Title	Name	Signature & Date
<b>Nottinghamshire Fire &amp; Rescue Service</b> Bestwood Lodge Drive Arnold Nottingham NG5 8PD 0115 9670880	Chief Fire Officer	John Buckley	
<b>Bassetlaw District Council</b> 17b The Square Retford Nottinghamshire DN22 6DB 01777 706741			
<b>Newark &amp; Sherwood District Council</b> Newark and Sherwood District Council Castle House Great North Road Newark Nottinghamshire NG24 1BY			
<b>Mansfield District Council</b> Civic Centre Chesterfield Road South Mansfield Nottinghamshire NG19 7BH 01623 463463			
<b>Ashfield District Council</b> Urban Road Kirkby-In-Ashfield Nottinghamshire NG17 8DA 01623 450000			
<b>Rushcliffe Borough Council</b> Rectory Road West Bridgford Nottingham NG2 6BU			
<b>Gedling Borough Council</b> Civic Centre Arnot Hill Park Arnold Nottingham NG5 6LU 0115 901 3901			
<b>Broxtowe Borough Council</b> Council Offices Foster Avenue Beeston Nottingham NG9 1AB			



0115 917 3438			
<b>Nottingham City Council</b> Loxley House Station Street NG2 2NG 0115 915 555			

## 12. Appendix C: Local Authority Team Contacts

Authority	Team Name	Team Email	Telephone Number
Bassetlaw District Council			
Newark & Sherwood District Council			
Ashfield District Council			
Rushcliffe Borough Council			
Gedling Borough Council			
Broxtowe Borough Council			
Nottingham City Council	Safer Housing Team	<a href="mailto:saferhousing@nottinghamcity.gov.uk">saferhousing@nottinghamcity.gov.uk</a>	
Mansfield District Council			
Nottinghamshire Fire and Rescue	Persons at Risk Team	<a href="mailto:personsatrisk@notts-fire.gov.uk">personsatrisk@notts-fire.gov.uk</a>	01158388222
	District Prevention (City and South)	<a href="mailto:communitysafetycityandsouth@notts-fire.gov.uk">communitysafetycityandsouth@notts-fire.gov.uk</a>	
	District Prevention (North)	<a href="mailto:Communitysafetynorth@notts-fire.gov.uk">Communitysafetynorth@notts-fire.gov.uk</a>	
	Education Team	<a href="mailto:Education.team@notts-fire.gov.uk">Education.team@notts-fire.gov.uk</a>	
	Fire Investigation	<a href="mailto:FireInvestigationTeam2@notts-fire.gov.uk">FireInvestigationTeam2@notts-fire.gov.uk</a>	0115 8388228

	Fire Protection Team North	<a href="mailto:fireprotectionnorth@notts-fire.gov.uk">fireprotectionnorth@notts-fire.gov.uk</a>	0115 8388207
	Fire Protection Team South	<a href="mailto:fireprotectionsouth@notts-fire.gov.uk">fireprotectionsouth@notts-fire.gov.uk</a>	0115 9575257

#### **14. Appendix D: S10 Housing Act 2004 Deemed Consultation**

Address of Property:

I can confirm that this property meets one of the standard layouts contained within the Case Studies (D1 to D15 on pages 37 to 51) of the the LACORS Fire Safety document. Therefore it is deemed that consultation with NFRS as required by section 10 of the Housing Act 2004 has taken place.

The case study D.... on page(s) .... ss relevant to this property

Name:

Signature:

Designation:

Date:

## 15. Appendix E: Consultation Document

Ref: «no\_off\_c»/Flare/«no\_ref»

LA Ref: «no\_laref»

<b>CONSULTATION</b>	
Address:	
Consultee(s):	
Date of Consultation:	
Licensed Property:	
Number of Storeys:	
Layout:	
DETAIL OF CONSULTATION	
INSPECTION DETAILS	
Date:	
Met with:	
Findings:	
RECOMMENDATION(S)	

I «Ac\_off\_name\_full» confirm that I have considered the consultation in relation to «no\_prem\_addr\_all»

Officer Signature:

Dated:

## 16. Appendix F: The Local Government Act 1972 Section 101

101 Arrangements for discharge of functions by local authorities

(1) Subject to any express provision contained in this Act or any Act passed after this Act, a local Authority may arrange for the discharge of any of their functions—

- (a) By a committee, a sub-committee or an officer of the Authority; or
- (b) By any other local Authority.

**[F1(1A)**A local Authority may not under subsection (1)(b) above arrange for the discharge of any of their functions by another local Authority if, or to the extent that, that function is also a function of the other local Authority and is the responsibility of the other Authority's executive.

(1B) Arrangements made under subsection (1)(b) above by a local Authority ("the first Authority") with respect to the discharge of any of their functions shall cease to have effect with respect to that function if, or to the extent that,—

- (a) The first Authority are operating or begin to operate executive arrangements, and that function becomes the responsibility of the executive of that Authority; or
- (b) The Authority with whom the arrangements are made ("the second Authority") are operating or begin to operate executive arrangements, that function is also a function of the second Authority and that function becomes the responsibility of the second Authority's executive.

(1C) Subsections (1A) and (1B) above do not affect arrangements made by virtue of section 19 of the Local Government Act 2000 (discharge of functions of and by another Authority).]

(2) Where by virtue of this section any functions of a local Authority may be discharged by a committee of theirs, then, unless the local Authority otherwise direct, the committee may arrange for the discharge of any of those functions by a sub-committee or an officer of the Authority and where by virtue of this section any functions of a local Authority may be discharged by a sub-committee of the Authority, then, unless the local Authority or the committee otherwise direct, the sub-committee may arrange for the discharge of any of those functions by an officer of the Authority.

(3) Where arrangements are in force under this section for the discharge of any functions of a local Authority by another local Authority, then, subject to the terms of the arrangements, that other Authority may arrange for the discharge of those functions by a committee, sub-committee or officer of theirs and subsection (2) above shall apply in relation to those functions as it applies in relation to the functions of that other Authority.

(4) Any arrangements made by a local Authority or committee under this section for the discharge of any functions by a committee, sub-committee, officer or local Authority shall not prevent the Authority or committee by whom the arrangements are made from exercising those functions.

(5) Two or more local authorities may discharge any of their functions jointly and, where arrangements are in force for them to do so,—

(a) they may also arrange for the discharge of those functions by a joint committee of theirs or by an officer of one of them and subsection (2) above shall apply in relation to those functions as it applies in relation to the functions of the individual authorities; and

(b) any enactment relating to those functions or the authorities by whom or the areas in respect of which they are to be discharged shall have effect subject to all necessary modifications in its application in relation to those functions and the authorities by whom and the areas in respect of which (whether in pursuance of the arrangements or otherwise) they are to be discharged.

**[F2** (5A) Arrangements made under subsection (5) above by two or more local authorities with respect to the discharge of any of their functions shall cease to have effect with respect to that function if, or to the extent that, the function becomes the responsibility of an executive of any of the authorities.

(5B) Subsection (5A) above does not affect arrangements made by virtue of section 20 of the Local Government Act 2000 (joint exercise of functions).]

(6) A local Authority's functions with respect to levying, or issuing a precept for, a rate **F3** . . shall be discharged only by the Authority.

**[F4** (6A) Community Infrastructure Levy under Part 11 of the Planning Act 2008 is not a rate for the purposes of subsection (6).]

(7) **F5** . . . . .

(7A) **F6** . . . . .

(8) Any enactment, except one mentioned in subsection (9) below, which contains any provision—

(a) Which empowers or requires local authorities or any class of local authorities to establish committees (including joint committees) for any purpose or enables a Minister to make an instrument establishing committees of local authorities for any purpose or empowering or requiring a local Authority or any class of local authorities to establish committees for any purpose; or

(b) Which empowers or requires local authorities or any class of local authorities to arrange or to join with other authorities in arranging for the exercise by committees so established or by officers of theirs of any of their functions, or provides that any specified functions of theirs shall be discharged by such committees or officers, or enables any Minister to make an instrument conferring such a power, imposing such a requirement or containing such a provision;

shall, to the extent that it makes any such provision, cease to have effect.

(9)The following enactments, that is to say—

**F7**(a). . . . .

**F8**(b). . . . .

**F9**(c). . . . .

(d)**F10**. . . . .

**F11**(e). . . . .

(f)**F12**. . . . .

**F13**(g). . . . .

**F14**(h). . . . .

are exempted from subsection (8) above.

(10) This section shall not authorise a local Authority to arrange for the discharge by any committee, sub-committee or local Authority of any functions which by any enactment mentioned in subsection (9) above are required or authorised to be discharged by a specified committee, but the foregoing provision shall not prevent a local Authority who are required by or under any such enactment to establish, or delegate functions to, a committee established by or under any such enactment from arranging under this section for the discharge of their functions by an officer of the local Authority or committee, as the case may be.

**[F15** (10A) In determining what arrangements to make for the discharge of any functions, a principal council in Wales may act as if paragraph (f) were omitted from subsection (9) above.]

**F16** (11). . . . .

(12)References in this section and section 102 below to the discharge of any of the functions of a local Authority include references to the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of those functions.



(13) In this Part of this Act “local Authority” includes the Common Council, the Sub-Treasurer of the Inner Temple, the Under Treasurer of the Middle Temple, **[F17]** the London Fire and Emergency Planning Authority, **[F18]** any joint Authority except a police Authority, **[F19]** an economic prosperity board, a combined Authority, **[F20]** a joint waste Authority, **[F21]** . . .] a joint board on which a local Authority within the meaning of this Act or any of the foregoing authorities are represented and, without prejudice to the foregoing, any port health Authority.

(14) Nothing in this section affects the operation of section 5 of the 1963 Act or the **M1** Local Authorities (Goods and Services) Act 1970.

**[F22]** (15) Nothing in this section applies in relation to any function under the Licensing Act 2003 of a licensing Authority (within the meaning of that Act).]

## **17. Appendix G Definition of a section 254 House in Multiple Occupation as contained within the Housing Act 2004**

### 254 Meaning of “house in multiple occupation”

(1) For the purposes of this Act a building or a part of a building is a “house in multiple occupation” if—

- (a) it meets the conditions in subsection (2) (“the standard test”);
- (b) it meets the conditions in subsection (3) (“the self-contained flat test”);
- (c) it meets the conditions in subsection (4) (“the converted building test”);
- (d) an HMO declaration is in force in respect of it under section 255; or
- (e) it is a converted block of flats to which section 257 applies.

(2) A building or a part of a building meets the standard test if—

- (a) it consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
- (b) the living accommodation is occupied by persons who do not form a single household (see section 258);
- (c) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259);
- (d) their occupation of the living accommodation constitutes the only use of that accommodation;
- (e) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
- (f) two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

(3) A part of a building meets the self-contained flat test if—

- (a) it consists of a self-contained flat; and
- (b) paragraphs (b) to (f) of subsection (2) apply (reading references to the living accommodation concerned as references to the flat).

(4) A building or a part of a building meets the converted building test if—

- (a) it is a converted building;

(b) it contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether or not it also contains any such flat or flats);

(c) the living accommodation is occupied by persons who do not form a single household (see section 258);

(d) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (see section 259);

(e) their occupation of the living accommodation constitutes the only use of that accommodation; and

(f) rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

(5) But for any purposes of this Act (other than those of Part 1) a building or part of a building within subsection (1) is not a house in multiple occupation if it is listed in Schedule 14.

(6) The appropriate national Authority may by regulations—

(a) make such amendments of this section and sections 255 to 259 as the Authority considers appropriate with a view to securing that any building or part of a building of a description specified in the regulations is or is not to be a house in multiple occupation for any specified purposes of this Act;

(b) provide for such amendments to have effect also for the purposes of definitions in other enactments that operate by reference to this Act;

(c) make such consequential amendments of any provision of this Act, or any other enactment, as the Authority considers appropriate.

(7) Regulations under subsection (6) may frame any description by reference to any matters or circumstances whatever.

(8) In this section—

- “basic amenities” means—

(a)

a toilet,

(b)

personal washing facilities, or

(c)

cooking facilities;

- “converted building” means a building or part of a building consisting of living accommodation in which one or more units of such accommodation have been created since the building or part was constructed;
- “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30));
- “self-contained flat” means a separate set of premises (whether or not on the same floor)—
  - (a)  
which forms part of a building;
  - (b)  
either the whole or a material part of which lies above or below some other part of the building; and
  - (c)  
in which all three basic amenities are available for the exclusive use of its occupants.

**18. Appendix H Definition of a section 257 House in Multiple Occupation as contained within the Housing Act 2004**

257HMOs: certain converted blocks of flats

(1) For the purposes of this section a “converted block of flats” means a building or part of a building which—

(a) has been converted into, and

(b) consists of,

self-contained flats.

(2) This section applies to a converted block of flats if—

(a) building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and

(b) less than two-thirds of the self-contained flats are owner-occupied.

(3) In subsection (2) “appropriate building standards” means—

(a) in the case of a converted block of flats—

(i) on which building work was completed before 1st June 1992 or which is dealt with by regulation 20 of the Building Regulations 1991 (S.I. 1991/2768), and

(ii) which would not have been exempt under those Regulations,

building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and

(b) in the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984 (c. 55).

(4) For the purposes of subsection (2) a flat is “owner-occupied” if it is occupied—

(a) by a person who has a lease of the flat which has been granted for a term of more than 21 years,

(b) by a person who has the freehold estate in the converted block of flats, or

(c) by a member of the household of a person within paragraph (a) or (b).

(5) The fact that this section applies to a converted block of flats (with the result that it is a house in multiple occupation under section 254(1)(e)), does not affect the status of any flat in the block as a house in multiple occupation.

(6) In this section “self-contained flat” has the same meaning as in section 254.



## **HOMES & COMMUNITIES COMMITTEE**

**14 JANUARY 2018**

### **NEWARK AND SHERWOOD HOMES – ANNUAL DELIVERY PLAN**

#### **1.0 Purpose of Report**

- 1.1 To seek approval from the Committee for the adoption of the Annual Delivery Plan with Newark and Sherwood Homes for the financial year covering 2019/20.
- 1.2 The report also provides Members with an update on progress with the 5 year Housing Revenue Account (HRA) Development Programme.

#### **2.0 Background Information**

- 2.1 The Management Agreement is the overarching legal agreement between the Council and Newark and Sherwood Homes for the delivery of housing management and other services, with one of its requirements being that an Annual Delivery Plan is formulated and agreed.
- 2.2 The purpose of the Delivery Plan is to set and direct the main activities, standards or targets of the Company's operations for each financial year, set in the context of the Council's strategic priorities, its housing vision and outcomes and the need to sustain a viable Housing Revenue Account Business Plan (HRA BP). It states in Schedule 6 of the Management Agreement that:

*The Annual Delivery Plan will dovetail with the HRA Business Plan and will cover:*

- *Housing Vision and Outcomes*
- *Company Governance*
- *Service delivery*
- *Procurement and Capital programme*
- *Finance*
- *Resources*
- *Performance Management and regulation*

- 2.3 The Delivery Plan is underpinned by Newark and Sherwood Homes own Business Plan. This sets out the Company's strategic vision, objectives and core values and outlines the tasks, targets and resources which ensure delivery. The Company's Business Plan identifies priorities for action and expected outcomes, being used as a live document to stretch the Company to deliver its vision.
- 2.4 The current Delivery Plan covering the financial year 2018/19 expires on 31 March 2018.

#### **3.0 Annual Delivery Plan 2019/20**

- 3.1 The proposed draft Delivery Plan from the Company for 2019/20 is attached to the report at **Appendix A**.

- 3.2 For ease of Members' reference the key actions (including both continuing and new actions) for the Company going forward into 2019/20 have been extrapolated from the draft Delivery Plan and are set out in **Appendix B**.
- 3.3 Officers of the Council and the Company have worked together to ensure that the draft Delivery Plan for 2019/20, in setting out the Company's key activities for that year, reflects the Council's strategic priorities, work streams and national housing agenda, such as:
- a) A focus on core housing services – cleanliness improvement, reduction in crime and anti-social behaviour, and an expectation that front line services become more responsive;
  - b) Emerging legislation or recommendations following the enquiry into the Grenfell tragedy, with an increased spotlight on safety, consumer standards, tenure, stigma, regulation and tenant involvement;
  - c) Ensuring the sustainability of the HRA 30 year business plan;
  - d) The implementation and first year's operation of Gladstone House;
  - e) Ongoing involvement in neighbourhood studies and estate regeneration programmes;
  - f) Delivery of the HRA development programme and a new Extra Care facility at Ollerton;
  - g) Consideration of parking solutions across the district linked to the delivery of the 5 year HRA Development Programme;
  - h) Managing the impact of implementation of Universal Credit that took place within the district in May 2018.
- 3.4 All the above matters are in addition to the Company continuing to deliver the core housing services required under the Management Agreement and measured against the agreed key performance indicators, which are monitored by this Committee.
- 3.5 The Company has presented the final draft Delivery Plan for 2019/20, as set out in **Appendix A**, following approval by its Board.
- 3.6 Members are requested to consider the draft Delivery Plan and specifically whether there are any items that they would wish to see amended or deleted, or additional ones included. For example, under the paragraph headed "Procurement" the Committee may wish to add a requirement within the Plan for the Company to explore joint procurement opportunities, where possible and appropriate, with the Council. Members' attention is also drawn to the Committee's Forward Plan and the fact that the Committee will be considering a report at its next meeting in March reviewing the Council's temporary accommodation for homeless persons. An additional activity could usefully be added to the Delivery Plan for the Company to assist the Council in delivering the outcomes from this review.

#### **4.0 Equalities Implications**

- 4.1 Equalities implications are involved in all of the continuing and new activities detailed in the Delivery Plan, and these are fully considered and taken into account as an integral part of each of the specific projects relating to these, including equality impact assessment being undertaken where appropriate and reported accordingly before decisions are taken or policies altered.



**5.0 Impact on Budget/Policy Framework**

5.1 The formulation of the Annual Delivery Plan is an integral document to ensure the effective delivery of the obligations under the Management Agreement and to sustain a viable HRA Business Plan, influencing the HRA's capital and revenue budgets.

**6.0 RECOMMENDATION**

**That the 2019/20 draft Annual Delivery Plan for the Council's housing company, Newark and Sherwood Homes, be considered (together with any amendments, deletions, or additions) and approved for implementation.**

**Reason for Recommendation**

**To approve the delivery plan and key activities for Newark and Sherwood Homes for the year 2019/20.**

**Background Papers**

Management Agreement between the Council and Newark & Sherwood Homes (2013)  
Appendices to the Draft Delivery Plan

For further information please contact Karen White on Ext 5240 or Rob Main on Ext 5930

Karen White  
Director – Safety



Our vision is  
"Delivering excellent Housing Services"

**DRAFT ANNUAL DELIVERY PLAN  
2019/20**

**Newark and Sherwood Homes Limited**

## Introduction

The Annual Delivery Plan is a requirement within the Management Agreement between the company and its shareholder, Newark and Sherwood District Council.

The Annual Plan is required to dovetail with the Housing Revenue Account Business Plan (HRABP) and to cover:

- a) Vision and Outcomes
- b) Governance
- c) Service Delivery
- d) Procurement and Capital Programme
- e) Finance
- f) Resources
- g) Performance Management and Regulation

Whilst the scope of services delegated to the company is laid out within the Management Agreement, this plan sets out the main activities, targets and standards which the Company will deliver in the 2019/20 financial year.

The review of this plan for the 2019/20 period has been undertaken at a time when housing is high in the public conscious and political arena. In the last 18 months the sector has made headlines following the tragedy at Grenfell Tower – with increased spotlight on safety, consumer standards, tenure, stigma, regulation and tenant engagement. The sector has also had three Housing Ministers, a Housing Green Paper and White Paper all within the same period.

At a local level, the plan has been written under new Council Leadership, with a new Leader and Chief Executive within the last six months and a new Chair of Newark and Sherwood Homes' Board due in November 2018. Universal Credit has been rolled out within the district in May 2018 and the Council has advised, in September 2018, of a change in direction of travel with focus moving forward on core services, whilst maintaining regional and national influence:

- Cleaner - cleanliness improvement
- Safer – reducing crime and Anti-Social Behaviour
- Greener – protecting and enhancing parks and open spaces

And with an expectation that front line service becomes more responsive:

- Easy access, quality, quicker, slicker and more effective
- More enforcement including fixed penalty notices
- More visible presence – to provide reassurance
- Re-instilling pride in local neighbourhoods – including responsibility of individuals, tenants, owners and other organisations

This focus sits alongside the ongoing ambitious plans for Yorke Drive regeneration, delivery of the HRA Development Programme and a new Extra Care facility at Ollerton.

This plan therefore reflects changing national and local priorities and recognises that our strength as a company lies, both in our core vision: 'Delivering excellent Housing Services', with tenants at the core of service delivery and with the agility, resilience and foresight to embrace future circumstance and opportunity.

### Vision and outcomes

The council's Corporate Plan 2016-2020 set its vision and priorities for Newark and Sherwood:

Vision:

*'We want Newark and Sherwood's urban and rural communities to take pride in being vibrant, sustainable and having a high quality of life. To achieve this we want to deliver excellent, appropriate services and value for money.'*

Strategic priorities:

The Council has four strategic priorities; **Homes; Economy; Safety and Cleanliness;** and **Healthiness** which are framed through the themes of **People, Prosperity, Place** and **Public Service**.

The company's vision, mission and service delivery, support the council vision for Newark and Sherwood, particularly delivery within the priorities of Homes, Economy, Safety and Cleanliness.

The company's vision is 'Delivering Excellent Housing Services' and this will be delivered through our mission:

- Managing and maintaining homes to agreed standards and offering services to support vulnerable people in the community and their own homes
- Engaging with our customers, tenants, residents, the public, and staff to get the best possible service for every pound spent
- Building homes for local people and providing opportunities for people to access the housing they need
- Encouraging tenant involvement in the management of their homes

### Vision and outcomes

#### Key activity in 2019/20

The company's vision and mission in 2019/20 remain the same, with an increased focus on delivering to the councils 'Safety and Cleanliness' priority aligned with the 'Cleaner, Safer and Greener' Campaign

## Governance

The company has a robust governance framework in place headed by a Board with equal representation from tenants, council nominees and independent members.

During 2017/18 the Board opted to reduce its number from 12 to nine (to be enacted in November 2018) and to provide remuneration for Board Members. As the company evolves and grows, it is important that governance remains effective and meets the advancing requirements of the company. Changes in 2017/18, along with the recruitment of a new Chair in November 2018, support the Board to have the skills, experience and commitment to effectively govern, shape and lead the company.

The governance guide sets out the standards of operation of the Board as whole and for individual Board members. The Board's role is defined as:

*'...to determine strategic direction, deliver the terms of the management agreement, and approve overall expenditure and policies.*

*The Board should:*

- *Set the Vision and Mission – where does the organisation want to operate or what does the organisation want to do.*
- *Define the strategy – the details of how the organisation will deliver its Vision and Mission.*
- *Define the Core Values – how should the organisation act and behave.*
- *Management, that is the implementation, of the above, should be delegated to paid staff.'*

The governance structure is supported by relevant training, induction and appraisal of Board Members. The Board has adopted Langland's Good Governance in Public Services Standard and during 2018 undertook an additional self-assessment against the HCA Governance Standard to provide further assurance.

## Governance - Key activity in 2019/20

Key for governance in 2019/20 will be the consolidation of Board following the new Chair being appointed in November 2018

## Service Delivery

Core service delivery is measured against nine service standards which have been designed and agreed in partnership with tenants. These are:

- Repairing Your Home
- Your Rent and Other Charges
- Getting Involved
- Finding a Home
- Customer Care
- Helping You to Live Independently
- Making Your £ Go Further
- Looking After Your Local Area
- Involving Everyone

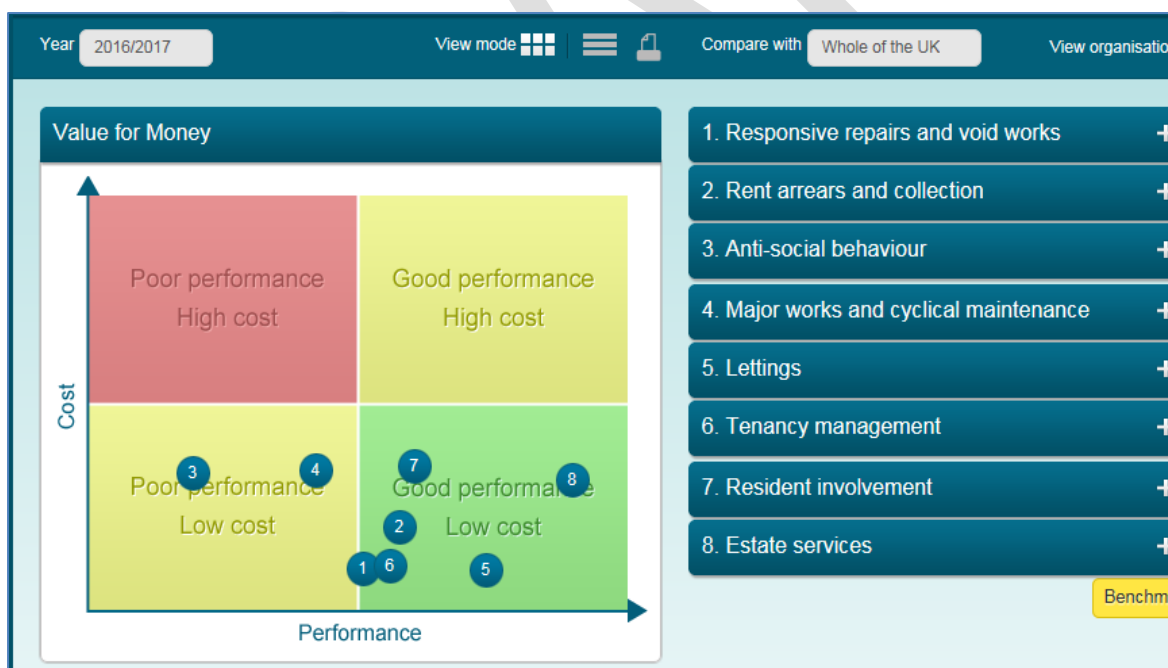
### Quality and Value for Money

The company is proud of its service delivery, with tenant satisfaction and value for money acting as key drivers.

Overall tenant satisfaction with services is 90% (STAR report July 2018) and annual benchmarking (below) shows that services currently provided are provided at low cost when compared with other housing providers, with the majority also performing well.

The areas identified as ‘Low Cost/ Poor Performance’ below are: Anti-Social Behaviour (ASB) and Major Works and Cyclical Maintenance. This performance is resultant from satisfaction with the outcome and handling of ASB cases. Enhanced resource and focus is planned in 2019/20 and the commensurate service amendments and resources are identified as adjustments within the overall fee proposals (increasing resource to deliver tenancy and estate enforcement and support and releasing resource temporarily aligned to local offices).

Detailed investigation into the performance of ‘Major Works and Cyclical Maintenance’ identified that our reporting mechanisms for two key indicators ‘% Gas safe certificates and ‘Average SAP’ led to performance in these areas falling into ‘poor’. In line with industry practice we will now report our ‘% Gas safe certificates’ as at the end of the rolling programme (our performance being 100% for all properties through the rolling programme). We expect our SAP ratings to reflect improvement as our Asset Management System, Keystone, is updated with data on property improvements. It is anticipated that both these areas will move into ‘good’ performance within the next 12 months.



### Accessibility

We ensure that all services to tenants are accessible. The company offer includes: face to face delivery at one of three offices (Hawtonville, Ollerton and Castle House); phone; web chat; email; and self-service through a ‘MyAccount’ feature. Our aim is to provide services that are accessible to everyone and we tailor our services as necessary to meet the individual needs of tenants.

## Service Delivery

The company and council work together to ensure service delivery reflects emerging local and national priorities. In 2019/20 the following additional activity will be undertaken:

### Key activity in 2019/20

- i. Alignment of tenancy sustainment and income collection activities to synergise support for tenants and address the anticipated impacts of Universal Credit.
- ii. Review the approach to tenancy audits, to maximise the impact of tenancy management interventions of support and enforcement
- iii. Increase our presence in our neighbourhoods and on estates; increasing the quantum of visible presence to deliver cleaner, safer, greener communities with refreshed service delivery vehicle branding.
- iv. Scrutinise the increased level of tenancy turnover to identify required actions that ensure the ongoing viability of the asset.
- v. Support the delivery of the Yorke Drive Regeneration project through effective engagement with tenants and the provision of asset management and financial planning advice.
- vi. Review the effectiveness of the tenancy agreement to ensure it is fit for purpose in supporting the delivery of the Company's tenancy management and the Councils broader community focussed Cleaner, Safer, Greener campaign
- vii. Project Manage delivery, implementation and ongoing operation of the Councils Extra Care facility – Ollerton and Boughton
- viii. Undertake a review of the first year of operation at Gladstone House
- ix. Support the Council in delivery of Councils Housing Needs Study
- x. Monitor and analyse the impact of Universal Credit upon rent recovery to enable effective resourcing of core service delivery – protecting the Councils income and maximising support for individuals to ensure tenancy sustainment.
- xi. Implement and embed the Company's wider affordable housing offer, supporting the overall Council priorities.

- xii. Review the current delivery of services at local offices to ensure the most efficient and effective model continues to be adopted.
- xiii. Work with the Council to meet the expectations of the National Housing Agenda.
- xiv. Work within the company's performance framework to drive continuous improvement, in particular driving improvement in any areas found to be underperforming.

## Procurement and Capital Programme

### Procurement

The company adopts the principles of fairness, transparency and accountability in all procurement processes, with a clear policy and procedure framework to guide and ensure consistency and control across all procurement activity.

Driving value for money, quality, social value, equality and supporting local suppliers are integral parts of our approach.

The company utilises procurement frameworks where appropriate to maximise buying power and drive efficiency.

### Capital Programme

The Company delivers a Capital Programme for the Council to maintain its housing stock:

- to the agreed Newark and Sherwood Standard
- to maintain an asset base to support a viable Housing Revenue Account Business Plan (HRABP).

The Capital Programme is set in accordance with the Council's approved Asset Management Strategy. The elements of investment required to be delivered annually are detailed in the Asset Management Programme which is reviewed annually to maintain a five year rolling programme.

Effective Asset Management also includes proactive reviewing of land, communal and general sites as well as individual properties to determine viability and support the strength of the overall HRABP.

## Procurement and Capital Programme

### Key activity in 2019/20

- i. Support the Council in delivering the Yorke Drive estate regeneration project.
- ii. Consider options for and implement parking solution at key sites across the district.



- iii. Review the approach to asset viability with relation to the districting aging demographic, the requirement for income generation and best management of void levels.

## Finance

The company's approach to financial management is guided by transparency, assurance and fiscal control.

We have clear controls and procedures in place which are supported and tested by internal and external audit programmes.

The company has a shared responsibility in the management of the Housing Revenue Account, ensuring the ongoing viability of the financial business plan.

The company works hard to ensure that every pound spent is spent wisely; value for money is one of the core company values instilled in every service, process and member of staff.

The company will deliver a 3% efficiency on its management fee in 2018/19 and a further 3% in 2019/20.

Historic efficiencies have been generated through: agile working (reducing desk numbers, travel costs and printing); investment in technology; process redesign; upskilling and income generation.

The company is seeking to increase its income generation through delivery of 3<sup>rd</sup> party services, in accordance with the Management Agreement, in support of the viability of the HRABP and to further the joint company and council ambition to deliver additional homes for those who need them.

## Finance

### Key activity in 2019/20

- i. Work in partnership with the Council to support delivery of the Council's housing growth strategy, set against maintaining a viable HRA BP and specifically in the delivery of the HRA Development Programme.
- ii. Respond to the shareholder appetite for innovation in liaison with and through support from the council to realise opportunities.
- iii. Responding to the Councils commercialism agenda, enhance the company's contribution to income generation through delivery of 3<sup>rd</sup> party work and services

## Resources

### Our Staff

The company staff base is varied, from front line repairs operatives to accountants, housing professionals, customer service advisors, performance and risk officers, to name a few.

We invest in our staff, recognising they are our most important resource. Our investment is reflected in the achievement of the 'Investors in People Gold' Accreditation and 'One to Watch' in the Best Companies Annual Survey.

We have a professional, trained and experienced staff group and work to build capacity through professional qualifications, Post Entry Training, job shadowing, mentoring and coaching.

As a lean, low cost company we are conscious of the risk of limited resource, particularly at a strategic level and work to upskill existing staff, align resource and recruit as necessary to manage this risk.

### Technology

Effective technology is a critical resource for the company and contributes directly to:

- i. Maximising productivity
- ii. Improved reliability of ICT infrastructure – resultant from investment in modern IT hardware and equipment
- iii. Reduced transaction costs
- iv. Effective information and data management and security
- v. Improved access for customers through self-service options
- vi. Increased ICT capacity of staff and customers

The company will continue to invest in technology to deliver the best possible and most cost effective services to tenants and customers

## Resources

### Key activity in 2019/20

The company will continue its approach to resource management through effective monitoring and control of risks and opportunities associated with staff and technology.

### Performance management and regulation

The company's approach to Performance Management focuses on responsibility and accountability at every level, ensuring that individual members of staff recognise their contribution to the overall success of the company.

Our performance and delivery has been independently accredited through a range of standards and accreditations which we use as a tool for service improvement. These include:

- Investors in People
- ROSPA
- ISO9001 Quality Management Standard
- Customer Service Excellence,
- Investors in Excellence

Service Performance is measured through:

- Performance indicators
- Tenant satisfaction
- Number of complains and compliments

Performance is benchmarked using 'Housemark' to allow comparison with similar organisations and identify opportunities for improvement.

Within the company, performance is monitored at individual, service and Board Level.

Performance is formally reported to the shareholder annually and is reported to tenants via Home from Homes (our tenant magazine), online through our website and through our Annual Tenant Report.

### Regulation

The company has a robust approach to regulation with different aspects of the business coming under different regulations e.g. Gas Safe, Financial Services Authority and Homes England.

Further to the governments Green Paper "a new deal for Social Housing" published August 2018 and following from the Grenfell Tower tragedy, it is expected that regulation in the sector will increase – specifically within safety and consumer standards and tenant engagement.

### Performance management and regulations

#### Key Impacts on Service Delivery for 2019/20

Ensure compliance with emerging regulation and legislation post Grenfell Enquiry and progression of the Social Housing Green Paper

## Newark and Sherwood Homes – Annual Delivery Plan 2019/20

### Key Activities:

#### Service Delivery

- i. Alignment of tenancy sustainment and income collection activities to synergise support for tenants and address the anticipated impacts of Universal Credit.
- ii. Review the approach to tenancy audits, to maximise the impact of tenancy management interventions of support and enforcement
- iii. Increase our presence in our neighbourhoods and on estates; increasing the quantum of visible presence to deliver cleaner, safer, greener communities with refreshed service delivery vehicle branding.
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- xi. Implement and embed the Company's wider affordable housing offer, supporting the overall Council priorities.
- xii. Review the current delivery of services at local offices to ensure the most efficient and effective model continues to be adopted.
- xiii. Work with the Council to meet the expectations of the National Housing Agenda.

- xiv. Work within the company's performance framework to drive continuous improvement, in particular driving improvement in any areas found to be underperforming.

### **Procurement and Capital Programme**

- i. Support the Council in delivering the Yorke Drive estate regeneration project.
- ii. Consider options for and implement parking solution at key sites across the district.
- iii. Review the approach to asset viability with relation to the districting aging demographic, the requirement for income generation and best management of void levels.

### **Finance**

- i. Work in partnership with the Council to support delivery of the Council's housing growth strategy, set against maintaining a viable HRA BP and specifically in the delivery of the HRA Development Programme.
- ii. Respond to the shareholder appetite for innovation in liaison with and through support from the council to realise opportunities.
- iii. Responding to the Council's commercialism agenda, enhance the company's contribution to income generation through delivery of 3<sup>rd</sup> party work and services

### **Resources**

The company will continue its approach to resource management through effective monitoring and control of risks and opportunities associated with staff and technology.

### **Performance Management and Regulations**

Ensure compliance with emerging regulation and legislation post Grenfell Enquiry and progression of the Social Housing Green Paper

## HOMES & COMMUNITIES COMMITTEE

14 JANUARY 2018

### PUBLIC SPACE CCTV UPDATE

#### **1.0 Purpose of Report**

- 1.1 This report provides Members with an update on the current and future issues facing the public space CCTV system within Newark & Sherwood. The report sets out the governance, assets held, stakeholders involvement, performance, finances, and finally the future risks and opportunities.
- 1.2 In addition the report also asks for a steer from Members on the requests that have been received for additional CCTV from some parts of the district.

#### **2.0 Background Information**

2.1 Public space CCTV was first introduced into the district in 1999. Its primary objectives are to:

- Reduce the fear of crime and Anti-Social Behaviour (ASB);
- Assist in the detection of crimes and ASB (often through the identification of offenders);
- Deter people from committing a crime or participating in ASB, and;
- Disrupt criminal activity.

When the system achieves these primary objectives it will assist in protecting vulnerable persons and increase public confidence when accessing public spaces.

- 2.2 **Legislation** - The provision of public space CCTV is governed by various legislative acts including the Regulation of Investigatory Powers Act 2000, the Protection of Freedoms Act 2012, and the Data Protection Act 2018 and is subject to statutory audit by the Office of the Information Commissioner. The Council must also have regard to the 'Surveillance Camera Code of Practice' issued by the Surveillance Camera Commissioner under section 30 of the Protection of Freedoms Act 2012.
- 2.3 **Governance** - The Council's CCTV system is currently managed by the Community Safety Business Unit which reports to the Director - Safety and also to the Homes & Communities Committee in accordance with the constitution of the Council. The service is subject to regular internal audit with the most recent audit being completed in August 2018 which gave the service a rating of substantial assurance.
- 2.4 **Stakeholders and Partners** - The Council has a partnership arrangement with Broxtowe Borough Council and Ashfield District Council to share the costs and responsibilities of the provision and staffing of a shared control room facility, sited at Nottinghamshire Police Headquarters, Sherwood Lodge. This partnership also jointly commissions and allocates the maintenance and servicing contract.
- 2.5 In addition to the formal partners at 2.4 above there are numerous other stakeholders involved in the CCTV system, namely:

- Nottinghamshire Police;
- Newark, Ollerton, Southwell, Clipstone, and Balderton Town and Parish Councils;
- Newark and Sherwood Homes;
- Southwell Leisure Centre
- Internal Business Units e.g. Asset Management, Parks and Open Spaces, and;
- A small number of commercial contracts.

2.6 Current key suppliers are:

- Profile Security Limited - provide CCTV Operators within the control room.
- Quadrant Security Group Limited - designed and installed the wireless network in Newark and Southwell and also relocated the control room to Sherwood Lodge.
- Baydale Control Systems Limited – maintain the system of cameras and data transmission network.

2.7 **Assets** - There are several assets associated with the system such as the Control Room itself which is supplied rent free by Nottinghamshire Police, although we incur some overhead costs. Monitoring, viewing, and communication equipment is contained within the control room including the data recording system, storage servers, and data retrieval system. Nottinghamshire Police has access to remote viewing stations at Newark Police Station, Broxtowe Community Safety Hub (Beeston), Hucknall Police Station and the Kirkby in Ashfield hub. There is also a viewing facility in the Control Room and live images are also fed directly into the Police control room on three separate screens (one for each district).

2.8 **Cameras** – There are currently seventy four (74) cameras within Newark and Sherwood district which are located mainly in Newark (57 cameras), Southwell (7 cameras), Clipstone (6 cameras) and Ollerton (4 cameras). The location of cameras around the district is shown at **Appendix One**. The Council also has four re-deployable cameras that can be fixed onto a suitable column or lamppost for a limited period of time to monitor an area that may have emerged as an ASB hot spot. These cameras are between five and ten years old and would benefit from upgrading. Replacement costs are higher for these units (approx. £5k/unit) and this would be factored in to any renewal programme that is developed. These cameras store data onto an integral hard drive (as opposed to transmitting data to the hard drive servers at Sherwood Lodge) and therefore require ongoing data packages (akin to a mobile phone) to allow the data to be downloaded. There are therefore annual running costs associated with these cameras of £1,680 per camera.

2.9 The Council's fixed camera network is a mixture of models and ages which is a reflection of the piecemeal manner in which the system has been set up over the years. Some cameras have been running since the conception of the system in 1999 and are long overdue for replacement, however, whilst they have continued to function they are now unsupported and it is not possible to get spare parts to repair them. Nineteen (19) of our cameras fall into this category and a replacement programme is being developed so that funding can be considered for their scheduled replacement. Advancements in technology have meant that cameras are now of a far better picture quality than before and with increased demand for cameras, purchase prices have also reduced.

- 2.10 **Monitoring and Staffing** – The cameras are currently monitored through a shift pattern on a 24/7 basis as agreed by the partnership and the contract is currently delivered by Profile Security Ltd. At times of high demand there are two operators on duty and this reduces to a single operator during quieter periods.
- 2.11 The total number of cameras to monitor across three districts is 167 and at times this can become very challenging, especially if a single operator is dealing with a live incident or an incoming call from the public. The new operating system that was purchased during the relocation to Sherwood Lodge has assisted operators to access individual cameras more efficiently which has helped, however, staffing levels and shift patterns are kept under review through the partnership and is balanced against the cost of the contract.
- 2.12 The contract with Profile Security is currently managed on behalf of the partnership by Broxtowe BC and reported to the partnership. Our Emergency Planning and CCTV Officer deals with day to day issues that arise, supported by the CCTV Support Officer (part time). The Community Safety Business Manager also allocates some of his time to managing the service and maintaining an effective partnership whilst reporting into the Director of Safety.
- 2.13 **Finance** – The monitoring costs (i.e. CCTV control room) are shared across the Partnership and are calculated proportionately based upon the number of cameras that are monitored for each authority with the arrangement being reviewed on an annual basis. The breakdown is currently;
- Newark and Sherwood DC            44% (74 cameras)
  - Broxtowe BC                            39% (65 cameras)
  - Ashfield DC                            17% (29 cameras)

Monitoring to the current specification costs the Council £72,000 per year (2018/19 forecast) and our monitoring costs have reduced year on year since 2014/15, partly as a result of investment in new technology and partly due to the partnership arrangements, as shown below;

Financial Year	Monitoring Costs
2014/15	£118,000
2015/16	£106,000
2016/17	£89,000
2017/18	£71,000

- 2.14 Maintenance of our cameras is subject to a contract with Baydale Control Systems Limited that is shared with Broxtowe BC. The existing contract must be retendered by March 2020 at which point we aim to harmonise it to include Ashfield DC when it will need to cover other elements such as electrical column testing, and maintenance of the new wireless network. Currently the maintenance contract costs the Council £14,228 each year and we will attempt to negotiate a reduction in this amount during the retender.
- 2.15 A capital replacement programme has now been developed and will be presented to the Senior Leadership Team (SLT) for inclusion in the Council’s capital programme for consideration by Policy & Finance Committee. This programme, if agreed, will upgrade and replace our network of cameras in a planned and staged manner. This would improve



upon the current ad-hoc replacement programme which by its nature is unpredictable and consequently difficult to accurately predict a budget for.

2.16 Income into the CCTV budget comes from the internal contributions of benefiting Business Units e.g. parks, Lorry Park, car parks, and a small number of private contracts.

2.17 The table below shows the cost of the CCTV service from 2014/15 to forecast 2018/19:

<b>CCTV Budget</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
Expenditure	253,130	248,725	226,220	222,763	201,742
Income	(176,600)	(162,126)	(125,487)	(119,754)	(100,896)
<b>Net Budget</b>	<b>76,530</b>	<b>86,599</b>	<b>97,732</b>	<b>103,008</b>	<b>100,846</b>

From the table you can see that expenditure has reduced over the five year period and this is due to the partnership with Broxtowe and Ashfield during 2016/17 and a further reduction in 18/19 due to the relocation of the Control Room. There has also been a reduction in income over the same period due to a reduction in the number of internal customers (resulting in a nil effect to the Council) and external customers (a loss of real income) in 2016/17. Further reduction in income up to 2018/19 is a result of further loss of internal and external customers.

2.18 **Performance** - whilst the primary aim is to prevent crime and disorder it is accepted nationally that it is extremely difficult to attribute changes in recorded crime to the presence, or not, of CCTV. However studies have shown that public confidence and feelings of safety can be increased by the presence of CCTV in public spaces and additionally it can act as a deterrent in some situations. The Home Office paper, issued in 2005, into the impact of CCTV systems is referenced as a relevant background paper to this report.

2.19 The Council captures data concerning the use of its CCTV, which includes the number of incidents per month observed and reported by our CCTV operators, number of calls for access to images from the police or other agencies, and where possible the number of arrests that can be attributed to the use of CCTV.

2.20 Over the twelve month period between 1 September 2017 and 31 August 2018 the Council's cameras were used 3730 times dealing with 1160 incidents. This shows on average that we used 3.21 cameras to deal with each incident during this period. An 'incident' is any activity that is logged on the operating system by the CCTV Operator and the most common example is a request from the Police to respond to a live incident.

2.21 During the financial year 2017/18 we logged 945 incidents in our area and these were generated from the following sources;

- Police 66%
- CCTV Control Room 20%
- Shop and Pub Watch 13%
- Other 1%

The incidents resulted in 81 arrests being made which equates to 9% of incidents CCTV was involved with in Newark and Sherwood during 17/18 resulting in an arrest being made. There may have been multiple arrests made at some incidents so this figure has to be taken in that context. These figures show that the main user of the system is the Police

with two thirds of all requests coming from them. This is to be expected considering the responsive nature of their job.

2.22 In addition to the 'incidents' we also dealt with 312 'viewing requests' from the Police which resulted in 102 occasions where evidence was produced (33%). Police Officers are now able to request footage from the system using the remote viewing facilities mentioned at 2.7 above and download the images they require. This has done away with the need for our control room staff to burn evidence to discs for the Police, saving time and resource. The detailed data for 2017/18 is contained at **Appendix Two**.

2.23 Members may wish to note that from April to November 2018 we have logged 1025 incidents showing a significant increase in use of the system across our district. The same period in 2017 logged 614 incidents and this equates to a 67% increase in incidents and we are seeing a similar pattern with viewing requests. The cause of this may be;

- Relocation to Police HQ, Sherwood Lodge
- Provision of remote viewing facilities
- Streaming of images direct to the Police Control Room
- Increased numbers of proactive incidents generated by the CCTV operators

The physical move of the Control Room from Kelham Hall to Sherwood Lodge took place in the summer of 2017 and although there was little down time, it inevitably caused some disruption to the service provided. This has now bedded down and seems to be having the desired effect of increased use and access to the system.

2.24 The Community Safety Team has also increased its proactive presence with Shopwatch and we have experienced an increase of incidents referred by members of the scheme as a result of this.

### **3.0 Proposals**

3.1 **Edwinstowe** – at the October 2018 meeting of the Full Council a petition of over 600 signatures was presented to the Council requesting the installation of a fixed public space camera on Edwinstowe High Street. The petition was worded as follows;

*"We the undersigned believe Edwinstowe High Street needs to have CCTV installed, following recent crimes, such as break-ins to shop premises and the resulting thefts, vandalism to shop fronts and general anti-social behaviour that has occurred and been increasing intensity on our local High Street.*

*We also believe going forward that if CCTV were to be installed that this would prove a significant deterrent to these crimes happening, as well as a reassurance to residents and visitors; that they can shop safely.*

*We the undersigned agree to copies of this petition being sent to the following individuals and public bodies as a demonstration of public opinion on this matter, and we hope they can get behind this proposal, and aid a positive outcome.*

*Nottinghamshire Police and crime Commissioner, Paddy Tipping. Member of Parliament for Sherwood, Mark Spencer. Newark and Sherwood District Council, and Edwinstowe Parish Council.*

3.2 An initial analytical report of recorded crime data affecting Edwinstowe High Street was requested from the Community Safety Partnership's Analyst for the period 1<sup>st</sup> September 2016 and 31<sup>st</sup> August 2018. This report showed that between September 2016 and August 2017 (16/17), twenty crimes were recorded whereas between September 2017 and August 2018 (17/18) this had increased to fifty five. During the same period anti-social behaviour had dropped from ten recorded incidents to nine and the report concluded that ASB was not a problem in the area.

3.3 The 17/18 figures were mainly a result of;

<b>Category</b>	<b>16/17</b>	<b>17/18</b>
Theft	6	22
Violence Against Person	6	10
Arson & Criminal Damage	4	9
Burglary	4	7
<b>Total</b>	<b>20</b>	<b>48</b>

The figures do show that during the 17/18 monitoring period there was a significant increase in recorded crimes and although recorded crime also rose in other comparable areas it was not as marked as in Edwinstowe High Street.

3.4 A large proportion of the increase was accounted for by shoplifting at the Co-Op, a property already protected with private CCTV. Ten additional cases were recorded in 17/18, a 167% increase. As for Violence Against Persons (VAP), the highest category was Actual Bodily Harm (ABH), but this had not increased on the previous year. Three incidents were recorded in both 16/17 and 17/18. Of the three incidents one was domestic abuse and occurred in a public area covered by private CCTV, the second occurred at a bus stop between two acquaintances and the final offence occurred in a domestic premise and was of questionable validity. In seven of the ten VAP cases an individual was identified and in six of these seven identifications the same male was involved.

3.5 Burglaries and attempted burglaries took place at some of the retail premises during the monitored periods and many of the stores either had their own CCTV or were partially covered by CCTV from neighbouring stores.

3.6 Whilst the first part of the petition clearly has some basis in fact given the increase in incidents and has sparked the request for public space CCTV, consideration needs to be given as to whether a single fixed camera would improve the situation and be a cost efficient crime prevention measure. The analytical report, in summary, suggests that the rise in crimes is mainly down to shop theft at the Co-Op and the activity of a known individual within the community and this might best be dealt with in a different manner.

3.7 Identified options to consider are:

- a) Installation of a fixed CCTV camera that is viewed directly from the Control Room. This is likely to be the most expensive option (approx. £10K) with ongoing maintenance and

monitoring costs. It would require the purchase of a new camera, installation of a column and associated ground works. It would also require the transmission of data by cable (as opposed to wireless) which will add to the annual running costs.

- b) Installation of a re-deployable CCTV camera that can be viewed from the Control Room. This will require the presence of a suitable column for mounting e.g. a lighting column, and is likely to require the purchase of a new camera unit with 4G data cards. These units are more reliable than the 3G units we currently have at our disposal. A new unit costs approximately £5,000 to purchase and there would also be annual running costs associated with the data package and warranty to cover any repairs (£1,680). If a re-deployable camera was to be installed and proved to be successful it would need to be reviewed on a regular basis to comply with the requirements of the relevant code of practice.
- c) Carry out a review with the local beat team (Ollerton, Clipstone, and the villages) to identify if the specific problem can be policed differently to improve the situation. It may be necessary to target the individual who was identified in a significant number of the incidents. If correctly implemented this may well improve the situation however it would not meet the request for CCTV coverage.

3.8 **Winthorpe Road** – an online petition has been launched to improve CCTV coverage in the Winthorpe Road area of Newark. The petition currently has 125 signatures and is possibly linked to the removal of a camera from Meering Avenue. This camera was removed in May 2017 after an instruction was received from Newark and Sherwood Homes (NSH) in 2016 that they would no longer be contributing to the cost of the camera and they withdrew funding of £2,813/yr. The Meering Avenue camera was then reviewed along with another camera that had its funding contribution withdrawn by NSH at the same time (Mead Way, Balderton). A review of the camera's value was then conducted and this revealed that the camera was used infrequently with only seven incidents being recorded in the previous twelve months. In comparison our cameras, on average, are involved in approximately fifty incidents each per year.

3.9 With the relative low use combined with the removal of funding, a decision was made to remove the camera, however the column remains in place. Covering the Winthorpe Road estate with an expanded camera network would be a significant piece of work and require substantial investment that may be difficult to justify when compared to the needs in other areas of the district. It may be prudent to await the development and outcome of the petition and then review the situation further.

3.10 Alternatively work could be done to explore the costs associated with reinstating the Meering Avenue camera to provide some reassurance to the community, although in practical terms it is unlikely to detect criminal activity it may contribute to feelings of safety in and around the area that it covers.

#### **4.0 Equalities Implications**

4.1 The CCTV network provides reassurance to members of the public that their safety is important and removal of cameras may have a disproportionate impact on the more vulnerable members of society. Protected characteristics such as 'age' and 'disability' may be affected by changes to the system in either a positive or negative manner. The removal

of cameras from an area may mean that people are less likely to visit an area, particularly vulnerable members of society. Equally the addition or improvement of cameras in an area may mean that people are more likely to visit as feelings of safety increase. This impact is not possible to quantify.

## **5.0 Financial Implications (FIN18-19/3434)**

5.1 As stated in paragraph 2.15 a camera replacement schedule is a work in progress and needs to be presented to SLT prior to Policy & Finance Committee for inclusion in the Capital Programme. As this stage, the capital budget required each year is unknown.

5.2 The two options for installation of a CCTV camera as per paragraph 3.7 will incur costs of either:

- a) c£10,000 one off costs of installing the camera would need to be found from reserves and the annual running costs could be contained within the current revenue budget in 2018/19 and 2019/20 then if required, added to the budget during the 2020/21 budget process;
- b) £5,000 one off costs would need to be found from reserves, and annual costs of £1,680 could be contained within the current CCTV revenue budget for 2018/19 and 2019/20 and if required increased during the next budget process for 2020/21;
- c) No additional costs.

5.3 There are currently no financial implications for Winthorpe Road, but once the petition is submitted and reported to this committee, any financial implications will be considered.

## **6.0 RECOMMENDATIONS that:**

- a) **the current situation with CCTV provision in the District as set out in the report be noted;**
- b) **Members consider a preferred option or combination of options to respond to the Edwinstowe petition as set out in para 3.7 (a) to (c) of the report; and**
- c) **Members await the completion and submission of the Winthorpe Road petition before determining a response on a preferred approach to CCTV provision in that area.**

### **Reason for Recommendations**

**To update members on current issues around CCTV provision across the District and to consider the issues presented by the Edwinstowe and Winthorpe Road petitions and decide on an appropriate response.**

### **Background Papers**

The Impact of CCTV: Fourteen Case Studies. The Home Office 2005. ISBN 1 84473 572 9 [Click Here](#)

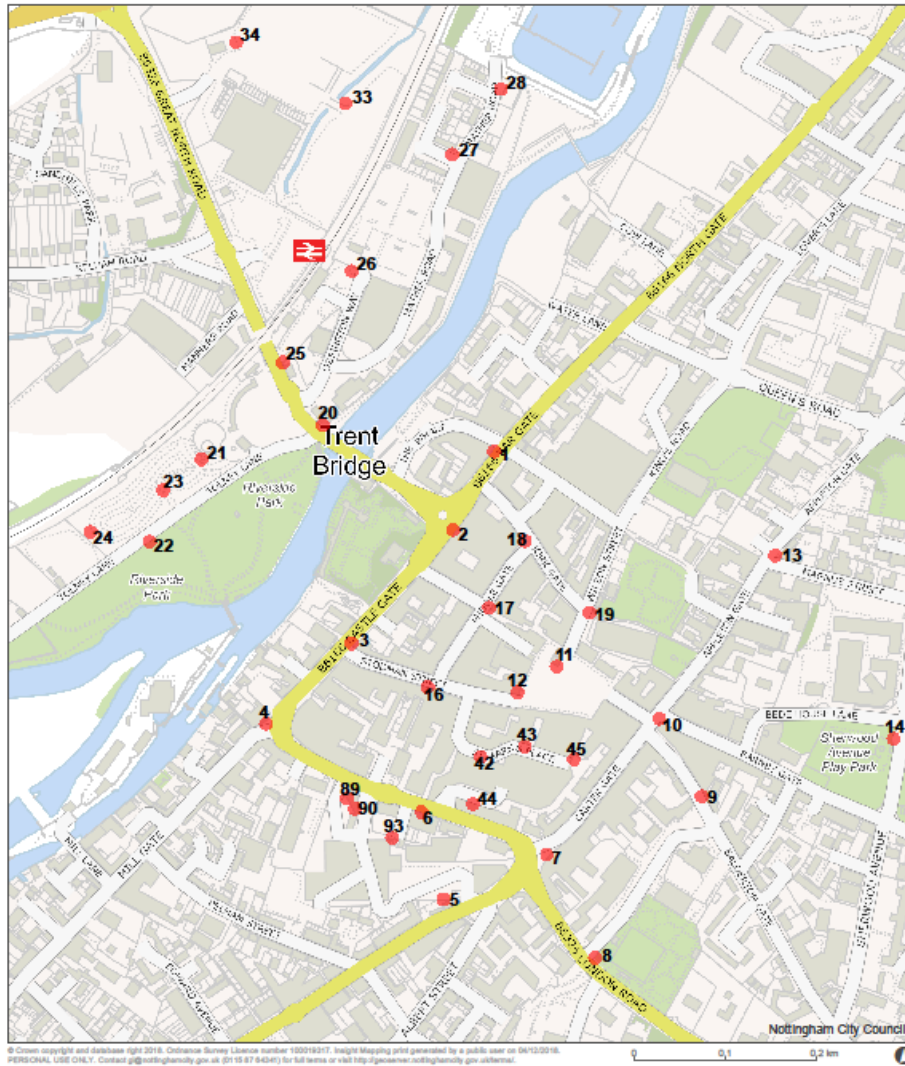
For further information please contact Ben Adams on Ext 5232

Karen White  
Director - Safety

# Appendix One – Camera Locations

## Newark Town Centre

Insight Mapping printed map



Key  
□ Districts

Description  
No description provided

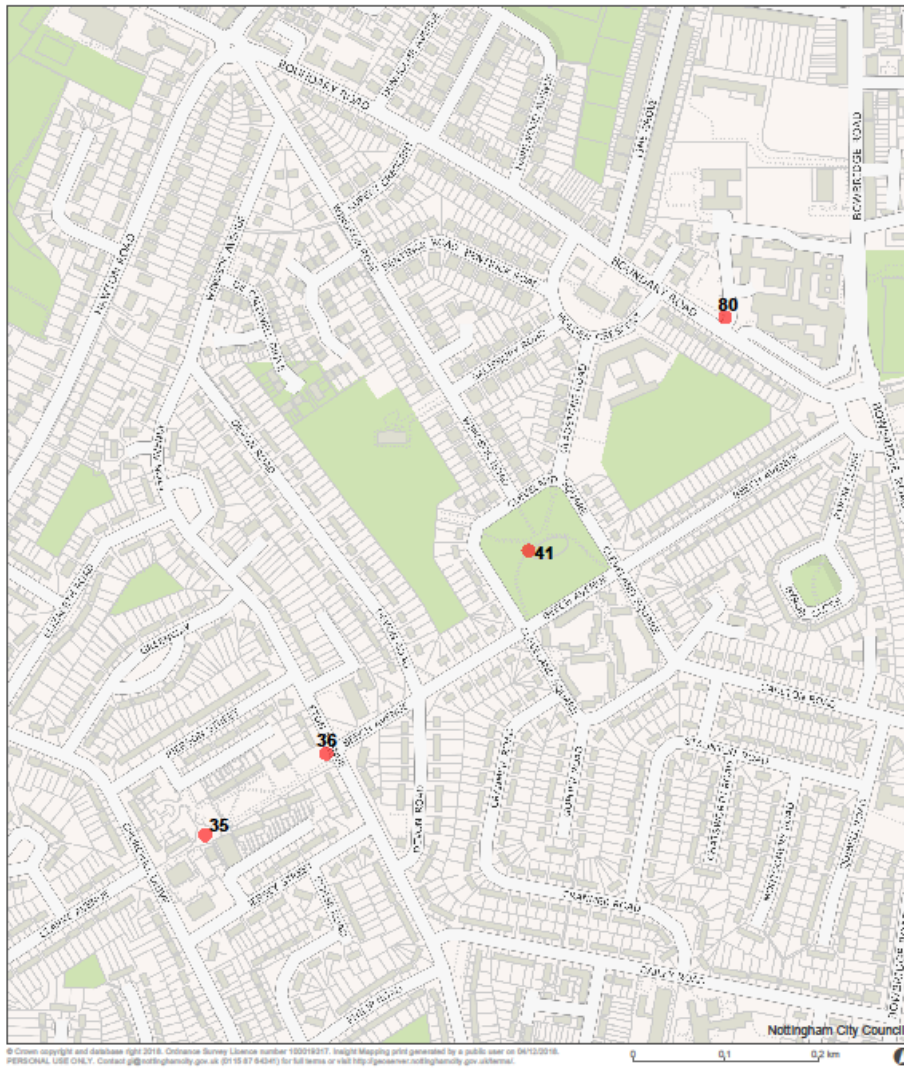






Hawtonville

Insight Mapping printed map



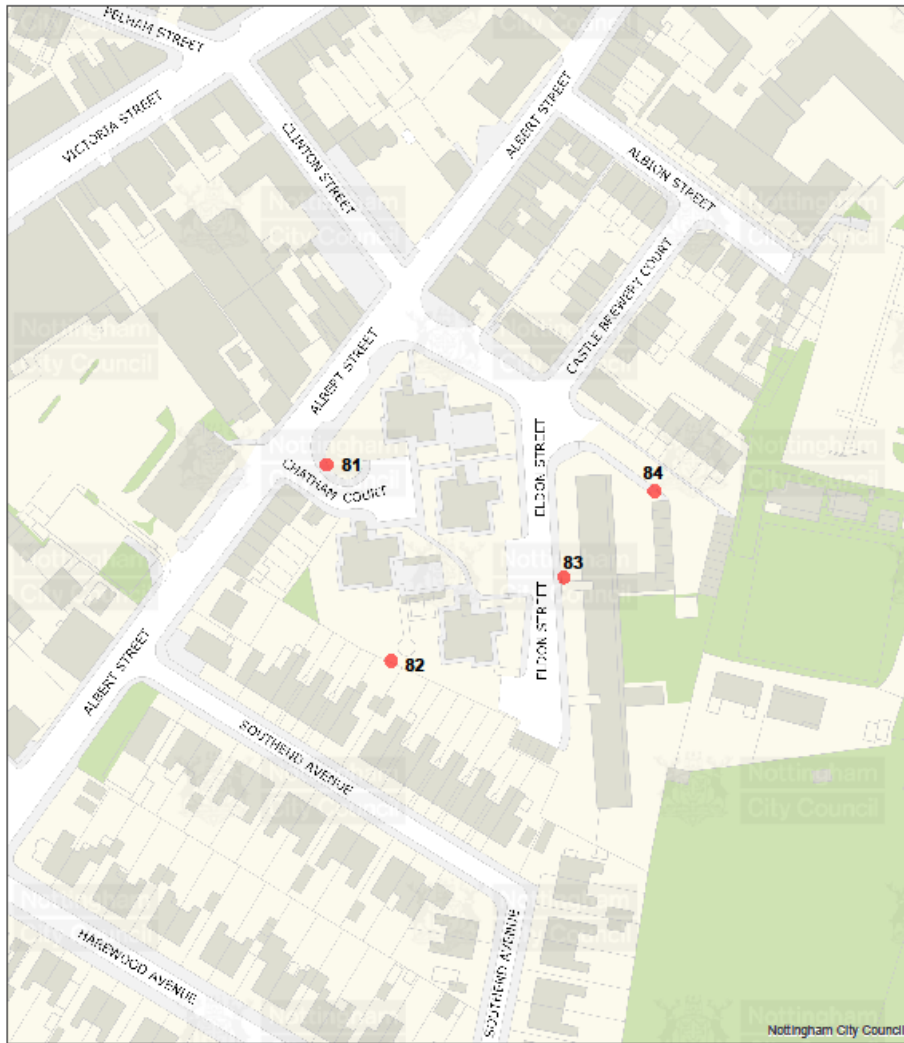
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□ Districts

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# Chatham Court

## Insight Mapping printed map



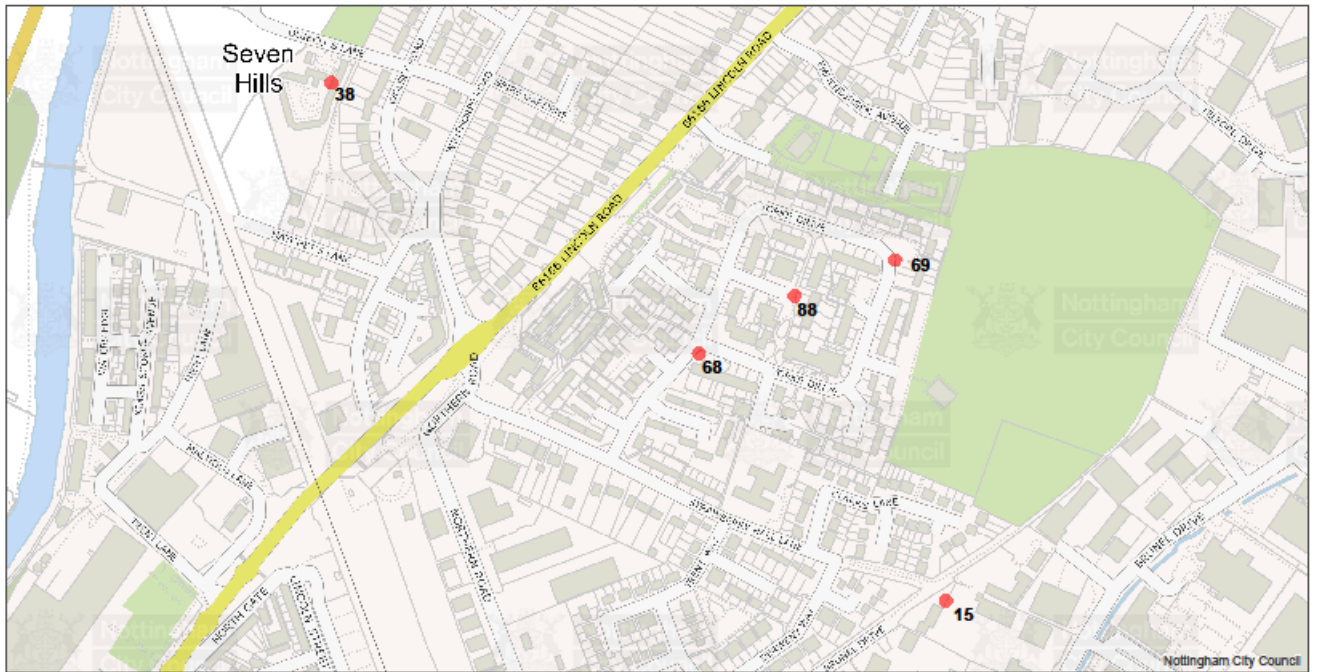
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Key  
□ Districts

Description  
No description provided



### Insight Mapping printed map



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0 0.1 0.2 km

Key

Districts

Description

No description provided



# Sconce Park

## Insight Mapping printed map



Key  
□ Districts

Description  
No description provided

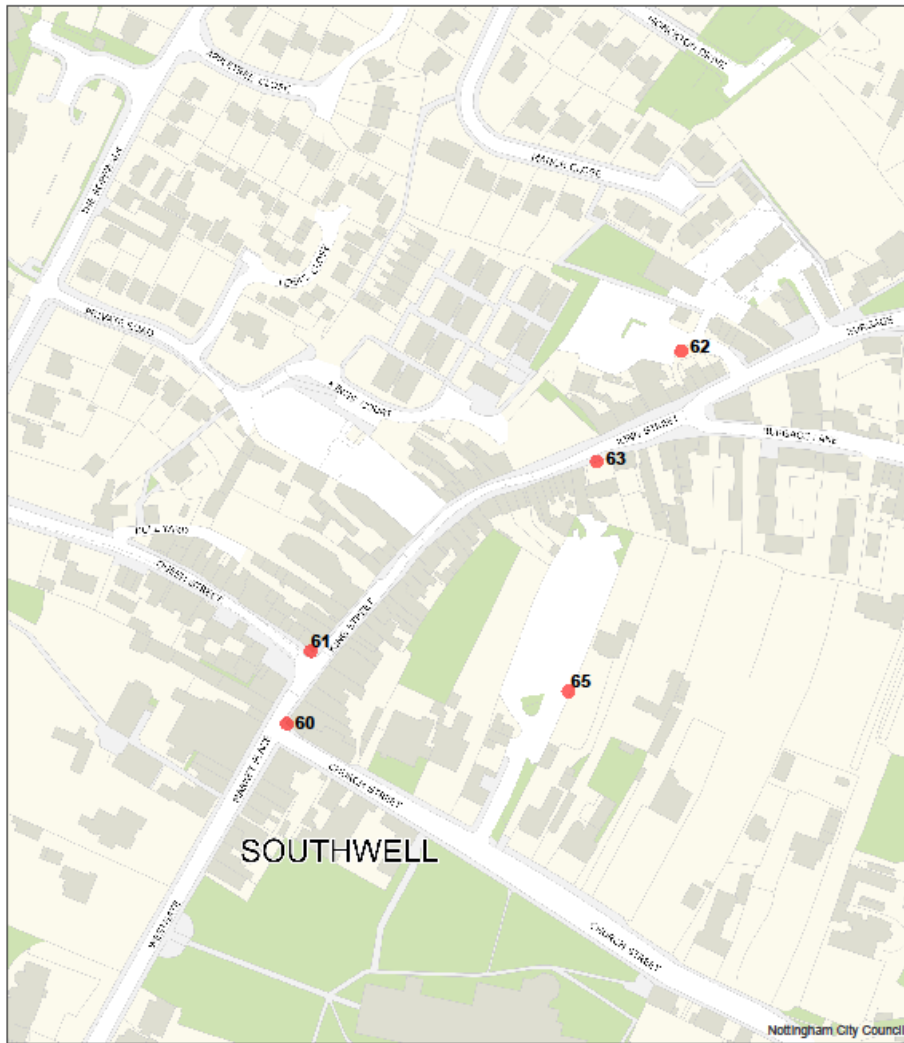






Southwell (1)

Insight Mapping printed map



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Key Description  
No description provided

Districts



Southwell (2)

Insight Mapping printed map



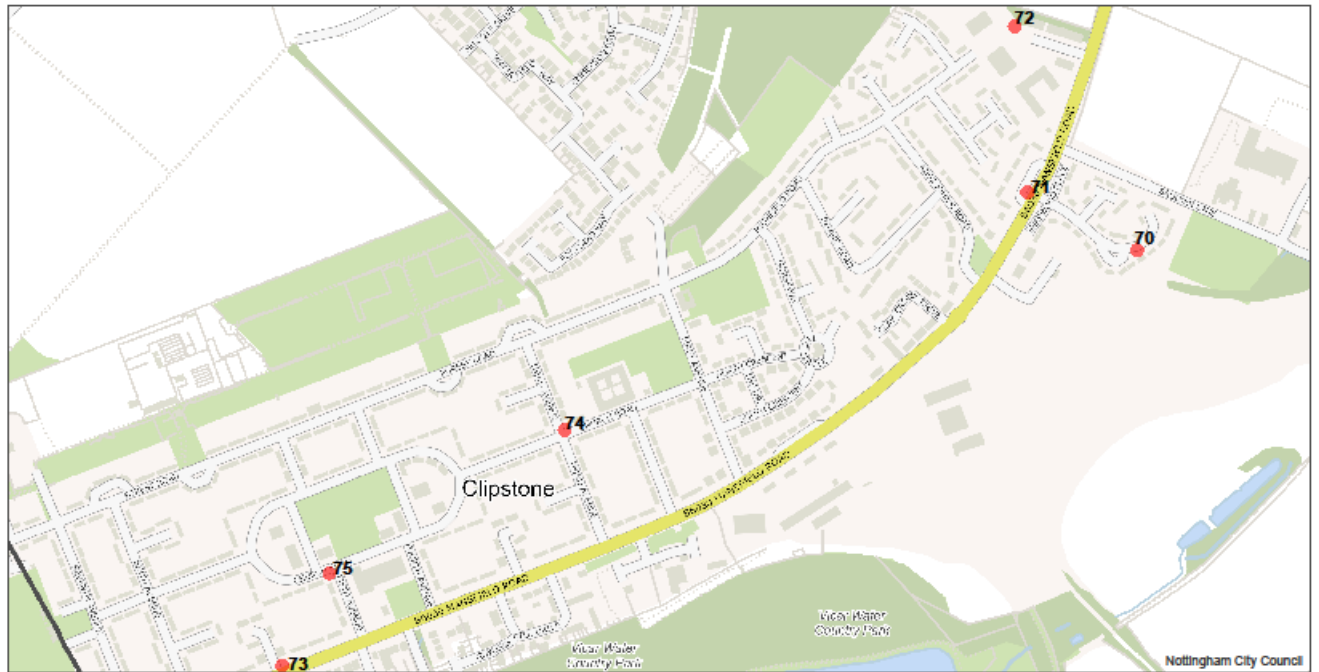
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Key	Description
 Districts	No description provided



# Clipstone

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Key  
 Districts

Description  
No description provided





## Appendix Two – Performance Data 2017/18

<b>NEWARK AND SHERWOOD</b>	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Monthly Total	Yearly Total
Alarms	2	0	1	5	2	1	3	2	2	1	2	1		22
Animal Welfare	1	1	0	0	0	0	0	0	0	0	0	0		2
Anti Social Behaviour	16	6	9	7	12	9	15	10	5	8	12	13		122
Arson / Fire	0	1	0	1	0	1	1	0	1	0	2	2		9
Assault	5	2	1	1	6	3	6	0	3	3	4	6		40
Collapsed Person	2	2	0	4	0	0	0	2	2	1	1	1		15
Criminal Damage	1	1	0	2	3	0	0	1	1	4	2	1		16
Domestic	1	1	1	0	0	0	2	1	2	7	1	4		20
Drugs	5	0	1	0	4	4	1	1	0	2	0	1		19
Drunk and Disorderly	4	1	0	3	1	4	2	1	0	0	1	0		17
Emergency Services	1	0	0	0	0	0	0	1	2	0	0	1		5
Fly Posting	0	0	0	0	0	0	0	0	0	0	0	0		0
Mispr	12	4	4	8	4	3	3	4	8	6	8	3		67
Murder	0	0	0	0	0	0	0	0	0	0	0	0		0
Public Order	28	7	14	21	16	9	18	7	16	12	5	1		154
RTC	0	0	1	4	0	1	0	3	2	3	14	10		38
Robbery / Theft / Burglary	7	4	1	3	5	1	7	4	4	6	6	2		50
Shop Theft	8	11	3	5	7	4	6	6	9	7	4	2		72
Self Harm	1	1	2	0	2	0	0	0	0	2	1	1		10
Sexual Assault	0	0	0	0	1	0	0	0	1	1	0	0		3
Shop / Pub Watch	0	0	1	1	0	0	1	0	0	0	0	0		3
Suspicious	4	6	8	8	12	10	13	9	12	15	9	8		114
Traffic Offences	10	5	11	2	4	0	4	4	1	2	6	11		60
Underage Drinking	0	0	0	0	0	0	1	0	0	0	3	4		8
Vehicle Crime	1	0	1	0	0	1	0	0	0	1	0	0		4
Wanted Person	1	7	5	4	1	0	6	2	7	3	0	0		36
Other	1	1	1	5	1	5	8	1	6	5	3	2		39
<b>Total</b>	<b>111</b>	<b>61</b>	<b>65</b>	<b>84</b>	<b>81</b>	<b>56</b>	<b>97</b>	<b>59</b>	<b>84</b>	<b>89</b>	<b>84</b>	<b>74</b>		<b>945</b>
CCTV (Proactive)	29	11	10	11	15	11	23	12	18	13	16	18		187
Proactive Percentage	26.13%	18.03%	15.38%	13.10%	18.52%	19.64%	23.71%	20.34%	21.43%	14.61%	19.05%	24.32%		19.79%
Police	64	40	47	56	50	38	64	39	58	64	56	45		621
Shop / Pub Watch	15	9	7	16	16	7	10	8	8	12	11	10		129
Other	3	1	1	1	0	0	0	0	0	0	0	0		6
Arrests	2	5	7	9	10	5	6	6	8	10	10	3		81
Viewing Requests Submitted	35	31	8	27	12	5	15	10	40	63	30	36		312
Times Evidence Produced	18	12	3	10	5	0	0	0	11	20	8	15		102

# CCTV ON OUR HIGH STREET

Mark Spencer MP (left) with Scott Carlton (right). Both are working extremely hard for the people of Edwinstowe on this issue.

 Conservatives



*Dear Resident,*

My name is Scott Carlton, I'm a local trader on Edwinstowe High Street, and I have started the public petition for the installation of CCTV on our High Street, with support from our local MP Mark Spencer.

The installation of CCTV on our High Street is a priority for traders after the recent anti-social behaviour and crimes committed.

Traders and I believe the installation of CCTV would act as a significant deterrent, and in the event of any crimes committed, the police would have an additional tool at their disposal to gather evidence to further their investigations. We want to keep the High Street as a safe place to do business for local residents and visitors. We need the peace of mind that we can shop and sell safely, and that the High Street will remain as a vibrant shopping and recreational centre for the village.

Mark has already contacted Nottinghamshire Police and Newark and Sherwood District Council on the matter, saying 'This is something I've been working towards with local shopkeepers, NSDC and Nottinghamshire Police for a long time. I'm really pleased at the support we got from Inspector Louise Clarke at Notts Police, and the helpful information with how to proceed from Kirstin Cole at NSDC, both of whom have been very supportive'.

The public petition that I started has gathered well over 500 signatures and still grows every day. Mark and I call on Newark and Sherwood District Council and others to support this campaign for much needed public CCTV coverage and make it a reality. Mark and I are really going to push ahead with our campaign alongside local shopkeepers and residents to get this done to make everyone in Edwinstowe feel safer – and I'll be encouraging my Conservative colleagues at NSDC to keep up the pressure and make it happen.

*Scott Carlton*



Promoted by Stephen Powell, on behalf of Sherwood Conservative Association, both of 99 Main Street, Calverton, Nottingham, NG14 6FG.  
Printed by Instantprint, Unit A Brookfields Park, Manvers Way, Manvers, Rotherham, S63 5DJ.

**If you have any issues please contact us at:**

☎ 0115 9654867

@ admin@sherwoodconservatives.com

✉ 99 Main Street, Calverton, Nottinghamshire, NG14 6FG



**Conservatives**

## **HOMES & COMMUNITIES COMMITTEE**

**14 JANUARY 2019**

### **ENERGY COMPANY OBLIGATION FLEXIBLE ELIGIBILITY FUNDING OPPORTUNITY**

#### **1.0 Purpose of Report**

1.1 To inform the Committee of a feasibility study currently being undertaken to determine the viability of a programme of works to attract funding from Cadent's Affordable Warmth Solutions programme and Energy Company Obligation (ECO) grant funding to support new gas connections and first time central heating systems to approximately 100 fuel poor private sector dwellings within the district.

#### **2.0 Background Information**

2.1 Affordable Warmth Solutions is an independent Community Interest Company (CIC) that works in partnership with Cadent (Gas Network Operator) to meet the challenges of fuel poverty and energy efficient homes. Working with Local Authorities and Energy Companies they are committed to funding new gas connections to some of the most deprived communities in England.

2.2 The Energy Company Obligation (ECO) is a Government energy efficiency scheme in England that aims to help tackle fuel poverty and reduce carbon emissions and is delivered through energy suppliers and their agents. The current phase (ECO 3) runs from 2018-2022.

2.3 The ECO3 Amendment Order allows local authorities (LA's) to help households living in fuel poverty, or living on a low income and vulnerable to the effects of living in a cold home, by matching them with energy suppliers using the new 'flexible eligibility' mechanism.

2.4 There are two main categories of private tenure household intended to be eligible through flexible eligibility:

- Fuel poor households, especially those that are not in receipt of eligible benefits and the estimated 20% of fuel poor households that are not in receipt of any benefits; and
- Low income households that are vulnerable to the effects of living in a cold home.

2.5 Local authorities, through their social, housing and health responsibilities, are well placed to identify households in fuel poverty, or vulnerable, including householders who are elderly and those with a health condition that can be exacerbated by living in a cold home.

2.6 Under flexible eligibility, LAs are able to make declarations determining these households to be eligible for a measure under Affordable Warmth (also known as "HHCRO").

2.7 Energy suppliers are able to achieve up to 25% of their Affordable Warmth obligation in premises identified by local authorities in their declarations.

- 2.8 In July 2017, Newark & Sherwood District Council published a SOI aimed at attracting ECO funding to supplement the capital grant received from the Better Care Fund for energy improvement measures delivered under the Warm Homes on Prescription project. Publishing the SOI put NSDC in a select group of LA's nationally, which came with the offer from the Department of Business and Industrial Strategy (BAIS) to join a small number of LA's to help shape future policy.
- 2.9 In February 2018, a second SOI was published with the aim of attracting ECO grants into the district under a local pilot scheme to help owner occupiers to insulate their Park Homes.
- 2.10 A third SOI (see Appendix A) has recently been published with the aim of attracting funding to install new gas connections and first time gas central heating to private tenure properties at no cost to the home owner or the Council. A pilot site has been identified/is being considered on Vera Crescent and Bevan Close, Rainworth and local Ward Members have been made aware of this.

### **3.0 Proposal**

- 3.1 NSDC will play a pivotal role in ensuring that residents are made aware of this offer as the scheme will only be viable if a high percentage of the 100 households agree to the prospect of a new gas connection and the installation of first time gas central heating. (The vast majority of these homes are currently electrically heated via old storage/panel heaters which are notoriously inflexible and expensive to run when compared to gas central heating.)
- 3.2 This proposed project directly targets private sector owner occupiers and tenants who live in Vera Crescent or Bevan Close (Rainworth) and could benefit significantly from being connected to the gas grid/receiving first time gas central heating. Properties heated by electric are renowned for being difficult and costly to heat, with the occupants very likely to be in/at risk of fuel poverty and so particularly vulnerable to the negative health effects of living in a cold, damp home.
- 3.3 Publishing Statements of Intent give Local Authorities the chance to explore the funding opportunities available through the flexible eligibility element of ECO3 to support some of the most vulnerable in society. If after the feasibility study this scheme looks viable and enough households commit to works this could provide inward investment of approximately £400,000.

### **4.0 Implications For NSDC**

- 4.1 Under these proposals, and as outlined in the Flexible Eligibility Process Map at Appendix B, the Council will have responsibility for determining a household to be ECO Flex eligible, and suppliers are not required to undertake a supplementary assessment to determine eligibility. However, it is the responsibility of suppliers to provide evidence supporting the notification (i.e. the LA declarations and the Statement of Intent) to Ofgem on request. If information is missing or incomplete, Ofgem will approach the supplier to obtain this, not the LA.

- 4.2 Newark & Sherwood District Council is not entering into any contractual relationship with Cadent or any energy suppliers, their agents or the householders who ultimately benefit from these energy saving improvement measures. As the SOI is advertised on NSDC's website, with free access to all suppliers, NSDC's Procurement Manager has advised there are no procurement implications.
- 4.3 In terms of NSDC staff time, these proposals aim to utilise the existing human resources employed within the Council's Energy & Home Support Team.
- 4.4 A data sharing/confidentiality agreement will be put in place with Cadent/the supplier, taking due regard of the Government's published data sharing guidance for ECO Flex schemes and utilising support and advice provided by NSDC's Information Governance Officer. The Council will always obtain the resident's written consent before sharing their personal data with Cadent/the supplier.

## **5.0 Risks**

- 5.1 As this is a feasibility study, there is a risk that insufficient households will engage with the process and confirm their willingness to convert from electric storage/panel heaters to gas central heating which means the proposal will not be financial viable for Cadent and the offer will be withdrawn. A communications plan will be agreed and implemented with support from the Council's Communications Team.
- 5.2 A low impact exit strategy can be implemented should this be necessary due to unforeseen circumstances. (The SOI can be withdrawn at any time so long as we inform the supplier. The supplier/their agent, not the Council, will be responsible for liaising with residents and site installation staff.)

## **6.0 Equalities Implications**

- 6.1 The scheme outlined in this report targets residents living in, or at risk of, fuel poverty. An Equalities Impact Assessment will be carried out for this scheme, should it go beyond the feasibility study stage, in order to consider the relevant protected characteristics.

## **7.0 Financial Services Business Manager Comments – FIN18-19/4209**

- 7.1 The proposed services outlined in this report will be delivered within existing budgets, subject to a successful bid to the Warm Homes Fund in February 2019 depending on the outcome of the feasibility study, which should be known by April 2019.

## **8.0 RECOMMENDATION**

**That the Homes & Communities Committee note the contents of this report and should the feasibility study prove viable, support the Council's involvement in this scheme and support our intention to submit a Warm Homes Fund bid.**

Background Papers

Nil

For further information please contact Leanne Monger on Ext 5545 or Helen Richmond on Ext 5418

Karen White  
Director – Safety



# Local Authority Energy Company Obligation Flexible Eligibility – third Statement of Intent

## Newark & Sherwood District Council

1. Name of the local authority: Newark & Sherwood District Council
2. Date of publication 15/10/2018
3. Published at <http://www.newark-sherwooddc.gov.uk/housing/energycompanyobligationflexibleeligibility/>

### 1) Introduction

This third Statement of Intent (SOI), together with SOIs published on 13<sup>th</sup> February 2018 and 20<sup>th</sup> July 2017, sets out how households in the District of Newark & Sherwood will be declared to be eligible for assistance under Energy Company Obligation Flexible Eligibility funding.

The focus of this SOI is to install gas connections and first time gas central heating systems in dwellings that are currently heated by electricity and occupied by those deemed to be either fuel poor or living on a low income with high heating costs; making them vulnerable to the effects of living in a cold home.

This SOI aims to directly target properties on Bevan Close and Vera Crescent in Rainworth, Nottinghamshire that do not currently have gas central heating systems installed but, instead, use traditional electric storage/panel heaters as their main means of heating; these systems are renowned for being inflexible (storage heaters operating on Economy 7 often run out of heat later in the day/evening) and are typically more expensive to run than homes heated by gas central heating.

In all areas, the final decision on whether any individual household can benefit from energy saving improvements will be made by the obligated suppliers (Energy Companies) or their agents/contractors. The signing off of a Declaration by Newark & Sherwood District Council for a supplier will not guarantee installation of measures or fully funded works, as the final decision will depend on the following:

- i) Cadent confirming the new gas connections for this scheme will be free of charge;
- ii) A survey carried out by the ECO agent/contractor and installation costs calculated;
- iii) The energy savings that can be achieved for a property;
- iv) Whether suppliers have achieved their targets or require further measures to meet their obligated ECO targets.

### 2) How Newark & Sherwood District Council intends to identify eligible households

The LSOA in which Vera Crescent and Bevan Close sit is more deprived than average for both the Ward and Newark & Sherwood District. In addition, homes not connected to the gas grid and using electricity as the main heating fuel are renowned for being costly to heat, with their occupants more likely to be in fuel poverty or living on a low income. The Council intends to support a pilot project which enables the installation of free gas connections and first



time gas central heating systems in up to 100 homes not currently connected to the gas grid, targeting Vera Crescent and Bevan Close and, in so doing, improving the living conditions and well-being of these vulnerable residents.

These criteria will be kept under review in relation to level of referrals made, delivery of installed measures and the practices of other authorities.

### **3) Governance**

The Declaration of households meeting the Council's flexible eligibility criteria under this SOI will be signed off on behalf of Newark & Sherwood District Council by Helen Richmond, Energy and Home Support Officer.

Before any declaration can be signed off, the contractor must self-certify that they are accredited to the standards required by Ofgem to undertake ECO-funded energy efficiency improvement works.

### **4) Marketing & Referrals**

Newark & Sherwood District Council will work with a nominated partner to identify eligible homes which must be either privately owner occupied or privately rented (this scheme excludes social housing). If a tenant is privately renting, written permission will be required from the landlord prior to the commencement of any works.

Referrals made direct to the Council will be administered by the Energy & Home Support Team and can be contacted at **winterwarmth@nsdc.info**

### **5) Evidence, monitoring and reporting**

Newark & Sherwood District Council will use its discretion to decide whether any auditing is required to confirm eligibility under this Statement of Intent. If auditing is undertaken, eligibility of claimants will be assessed by a random sample of households on a post-installation basis.

### **6) Signature**

Name: Sanjiv Kohli

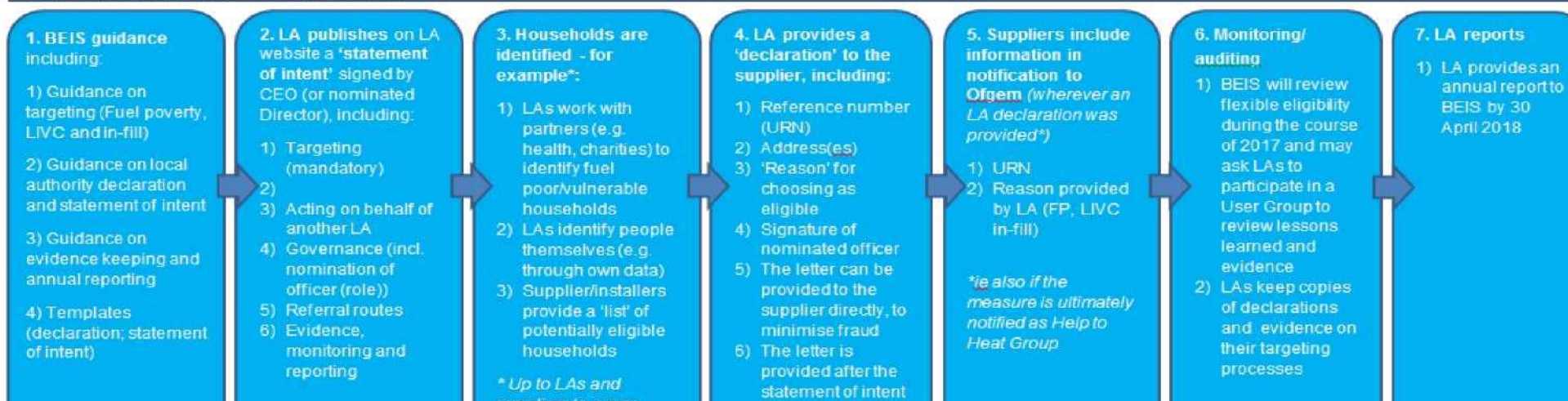
Position: Director - Resources and Section 151 Officer

Signed:

Date:

## Appendix B: Flexible Eligibility Process Map

**Description:** Under flexible eligibility, local authorities (LAs) provide a 'declaration' to suppliers which can be used to demonstrate that a household (or a number of households) is eligible for Affordable Warmth (AW). Energy suppliers can count measures installed in those households towards their AW obligation, subject to the limits imposed by the scheme. LAs will have to ensure that they target households in private domestic premises living: 1) in fuel poverty or 2) on a low income and vulnerable to the effects of living in a cold home (LIVC). In addition some non-fuel poor homes will be allowed for solid wall insulation (SWI) projects, as long as a proportion of the households in the project are in fuel poverty or LIVC (i.e. 66% in blocks of flats, terraces, adjacent properties) or 50% (in semi-detached houses or bungalows and buildings with two premises). This 'flexibility' only covers eligibility - all other rules of the scheme will apply normally to ECO: Help to Heat measures. The key steps in the process are illustrated below.



Requirements on energy suppliers for flexible eligibility (see Ofgem's guidance for suppliers on flexible eligibility)

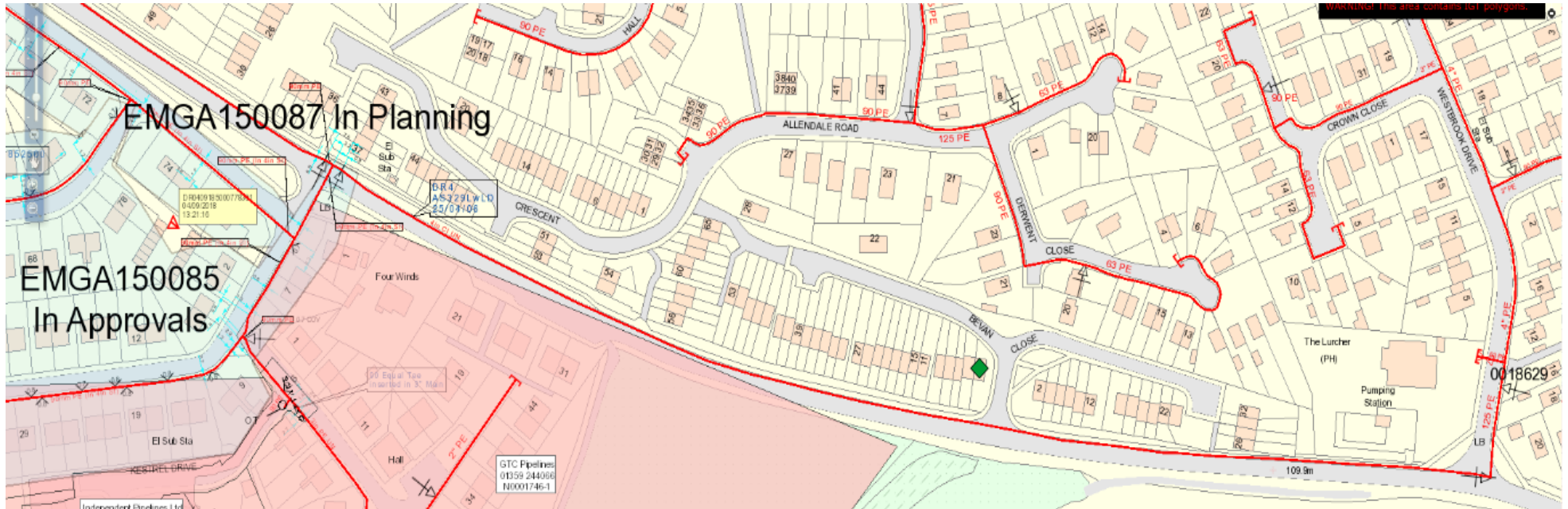
### 1) Statement of intent

- Ofgem may audit suppliers to check that a statement of intent was published by an LA on or before it issued any declarations.
- Ofgem may audit a statement of intent to ensure that it includes a section relating to how an LA intends to identify relevant households.
- Should Ofgem receive/find evidence that a statement of intent does not meet either of the two criteria above, it may reject measures identified as eligible by that LA in its declarations.

### 2) Declarations

- Ofgem may audit suppliers to check that a declaration exists and contains the relevant addresses of the measures notified.
- Ofgem may also check that the declaration is dated on or after the SOI was published
- Ofgem may also audit declarations to ensure that the percentage requirements for SWI in-fill are met on the declaration.
- Should Ofgem find or receive any evidence that an LA is targeting households that do not meet the policy intent they will pass this information to BEIS for action as appropriate.

# Location of current gas main



## **HOMES & COMMUNITIES COMMITTEE**

**14 JANUARY 2019**

### **ROUGH SLEEPER ESTIMATE 2018**

#### **1.0 Purpose of Report**

1.1 To inform Members of the 2018 Annual Rough Sleeper Estimate requested by the Ministry for Housing Communities & Local Government (MHCLG) for Newark & Sherwood and to update on the current funding opportunities linked to the Government's Rough Sleeper Strategy published in August 2018.

#### **2.0 Background Information**

2.1 Since autumn 2010, all local authorities have been required to submit an annual figure to MHCLG to indicate the number of people sleeping rough in their area on a typical night. MHCLG produces a national statistical release based on the data each year.

2.2 Local authorities can arrive at this figure by means of an evidence-based estimate, a count of visible rough sleeping, or an estimate including a spotlight count. A count or estimate is a one-off snapshot of the numbers of people sleeping rough in an area and takes place between 1 October and 30 November each year.

2.3 When estimating or counting, it is essential that those included in the count figure fall into the following definition:

- People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments).
- People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or "bashes").

2.4 There is currently no national mechanism for recording every person who sleeps rough in England, however, the snapshot methodology aims to get as accurate a representation of the number of people sleeping rough as possible, while acknowledging that each process has its limitations.

2.5 Since 2015, the counts and estimates statistics have included additional demographic data on the numbers of women, men, under-18s, under-25s, support needs and British, EU and non-EU nationals represented among people sleeping rough.

2.6 Newark & Sherwood DC chose to carry out an evidence-based estimate on 12 November 2018 which was informed by an additional spotlight count supported by Framework's Street Outreach Team. This methodology was deemed to be the most appropriate for Newark & Sherwood due to:

- there being a mix of visible/accessible and hidden/inaccessible locations in the local authority area;
- the individuals sleeping rough or overall numbers of people sleeping rough in visible/accessible sites change frequently;

- there is regular intelligence gathering in place by a number of agencies;
- numbers of people sleeping rough are consistently low and they are already in touch with services;
- the local authority can gather sufficient intelligence on people sleeping rough via partner agencies.

### 3.0 **Outcome**

- 3.1 Local intelligence from various partner agencies including Nottinghamshire Police, the local rough sleeper drop in service facilitated by Newark Churches Together and the spotlight count by Framework’s Street Outreach Team concluded that five rough sleepers spent the night on the street in Newark & Sherwood on Monday, 12 November 2018. This is in keeping with similar figures submitted in previous years.
- 3.2 Verification by Homeless Link has taken place to ensure the correct process was followed and that an appropriate mechanism was used with a range of local agencies involved to reach the single estimate figure.
- 3.3 Following verification, the final estimate figure was submitted to MHCLG for inclusion in the national figure of rough sleepers. However, the figure will not be included or recognised as an official government statistic until MHCLG publish the final figures, expected early 2019.
- 3.4 Newark & Sherwood have submitted similar figures in previous years (2017 – 4 rough sleepers, 2016 – 5 rough sleepers) evidencing local interventions are keeping figures consistent and low, unlike the national picture. The rough sleeper estimate also presents an opportunity for local authorities to look at the extent of rough sleeping and the needs and journeys of individuals to ensure that the right services are available to tackle and prevent rough sleeping in the future.

### 4.0 **Government Rough Sleeper Strategy 2018**

- 4.1 The new Rough Sleeper Strategy 2018 outlines how the Government intends to halve rough sleeping by 2022 and end rough sleeping by 2027. It is backed by £100m of funding investment and takes a three-pronged approach to ending rough sleeping through prevention, intervention, and recovery.
- 4.2 The funding streams linked to the strategy are outlined below and an update is provided regarding considerations/actions taken by Newark & Sherwood DC and our county partners:

<b>Funding Stream</b>	<b>Overview</b>	<b>Newark &amp; Sherwood response/additional notes</b>
Rough Sleeping Initiative	The Rough Sleeping Initiative (RSI) was announced 27 March 2018. The RSI is backed by £75m over two years (£30m 2018/19 and £45m for 2019/20) and supported by a multi-disciplinary expert team who are working closely with local authorities.	Local cities allocated in 2017/18: Nottingham - £420,416 Lincoln - £376,747 Derby - £303,500  Similar amounts allocated in 2018/19

	<p>The initial RSI funding was targeted at those Local Authorities with the highest numbers of rough sleepers and funds interventions to prevent and relieve rough sleeping, and support people off the street.</p> <p>This funding is ring-fenced and carefully tailored to each Local Authority through MHCLG's RSI advisers.</p>	
Rough Sleeping Initiative (£11M for 2019/20)	<p>£11m of the RSI's 2019/20 fund will be distributed amongst Local Authorities that are not currently receiving RSI funding (known as the non 83).</p> <p>The fund will be focused on those areas which are developing partnerships, plans and effective interventions to achieve the goal of reducing the numbers of people sleeping on the streets of their city, town or rural area.</p>	<p>A single countywide bid is proposed to:</p> <p>Commission a Street Outreach Service post April 2019 across Nottinghamshire but with additional outcomes on the current Street Outreach Service which ends on 31.03.19.</p> <p>It is proposed that all district/borough authorities contribute between 5-10K per annum to any successful project.</p>
Rapid Rehousing Pathway	<p>As set out in the Rough Sleeping Strategy, the Rapid Rehousing Pathway is a response to rough sleeping that focuses on quickly supporting rough sleepers into homes. It looks to fill in gaps to settled accommodation in current local pathways.</p>	<p>An expression of interest, followed by a full bid has been submitted in Nov 2018 (led by Ashfield DC) on behalf of all 7 authorities to fund 4 navigators (Approx. £40k pa each Inc. on costs) plus a personal budget fund to be used by the navigators with their clients of £10,000.</p> <p>Total bid proposal: £200k pa</p>
Private Rented Sector (PRS) Access Fund	<p>The purpose of the £20m PRS fund is to support private rented sector access schemes in a local area, or boost the support offered by existing schemes to support homeless people into sustainable private rented sector accommodation. Schemes can include any type of intervention which is designed to increase access to, or sustain, private rented sector tenancies for those who are, or at risk of becoming, homeless.</p>	<p>Countywide bid submitted in Nov 2018 (led by Gedling BC) for a total of £231,000.</p> <p>Seeking to more effectively bolster services and create a more holistic provision for both landlord and tenants to assist single people who are or are at risk of becoming homeless.</p>

	This could include, for example, support with paying deposits, rents, tenancy training, or mediation services.	
Move on Fund	The Move on Fund is a grant of £100m delivered by Homes England and, in London, the GLA. Provision is for the construction, purchase, conversion, leasing or renovation, and reinstatement of properties. These are to be used exclusively as rented 'second stage' ("move-on") accommodation.	Two possible opportunities being explored are:  1. A joint bid for DA services between Newark and Sherwood and Bassetlaw; 2. A bid in collaboration with Newark and Sherwood Homes to enhance move on – linked to the TA review proposals
Cold Weather Fund	To enable local authorities and their partners to provide swift, bespoke interventions to rough sleepers in their area, as well as enhancement of existing services.	Currently being considered locally, no countywide discussions taking place regarding this funding opportunity.

## 5.0 **Equalities Implications**

5.1 There are only positive equality implications in relation to rough sleeping estimates, as all rough sleepers will be included and assisted to prevent them from sleeping rough. Equality implications matters will be carefully considered as part of the bid process and development of new services, if successful and reported on.

## 6.0 **Financial Implications – FIN18-19/7507**

6.1 As detailed within the Rough Sleepers Strategy overview there are opportunities for additional funding from MHCLG to assist rough sleepers countywide which the Council are exploring. Only one bid requires a Council contribution of between £5-10K per annum, which is intended to be funded from the Homelessness Reserve and is affordable should the bid be successful.

## 7.0 **RECOMMENDATION**

**That Members consider the contents of this report, make any necessary comments and support the Council's proactive approach of bidding for funds announced through the various funding streams linked to the Government's Rough Sleepers Strategy, with financial contributions being made from the Council's Homelessness Prevention Fund Reserve.**

Background Papers - Nil

For further information please contact Leanne Monger, Business Manager – Housing & Safeguarding on 5545 or Cheska Asman, Homelessness Strategy Officer on 5643.

Karen White  
Director – Safety



## HOMES & COMMUNITIES COMMITTEE

14 JANUARY 2019

### CUSTOMER COMMENTS UPDATE REPORT

#### **1.0 Purpose of Report**

1.1 The purpose of this report is to appraise the Committee on the type of customer comments received.

#### **2.0 Background Information**

2.1 The Council encourages and welcomes all feedback, complaints and compliments. These are dealt with as part of the customer feedback procedure. It is important for the Council to receive feedback as it assists in providing the quality service our citizens deserve.

2.2 Customer feedback can be submitted by letter, verbally, email, or online. [Customer Feedback | Newark and Sherwood District Council](#). The customer feedback policy is not intended to cover issues where there is an alternative process to report a matter to or have a statutory right of appeal. These include:

- Requests for a service e.g. reporting a missed bin collection
- Reporting anti-social behaviour e.g. a noise or a nuisance neighbour
- Requests for information or an explanation of council policy or practice
- An objection to a planning application or a planning enforcement issue
- Complaints about formal decisions taken by a committee for which there is an existing right of appeal (either within the council itself or to an independent tribunal)
- The outcome of an application for benefit or the council tax banding of a property.
- Complaints regarding councillors.
- Safeguarding.

#### **3.0 Customer Comments**

3.1 There are three stages to the complaints procedure:

- Stage 1 – the complaint is investigated by the relevant business manager within 10 working days.
- Stage 2 – if the customer is not satisfied with the response to the stage 1 complaint then it can progress to stage 2. The review is carried out by a director and a response provided within 10 working days.
- Stage 3 - Ombudsman - in the majority of cases the Local Ombudsman will usually only investigate complaints that have been through the council's complaints system first, in order that the council has had a fair chance to investigate first.

3.2 Customers are encouraged to submit their complaint via the customer feedback system. These complaints are received by customer services and logged onto the corporate system. Inevitably some complaints are sent directly to Business Units and CMT and these are not always registered onto the corporate system.



3.3 During the period 1 April 2018 – 30 November 2018, 43 stage 1 complaints were submitted via the customer feedback system. 96% of the complaints received were responded to within the 10 working day timescale. During 2017/18 the total number of complaints received was 110. The table below summarises the number of complaints received for each area for 2018/19.

Asset Management	1
Revenues & Benefits	9
Car Parks	2
Development Control	1
Environmental Health	6
Licensing	1
Palace Theatre	2
Waste Management	21
<b>Total</b>	<b>43</b>

3.4 Only 2 complaints have progressed to stage 2 – 1 for Council Tax/Benefits and 1 for Environmental Health. The Environmental Health complaint progressed to the Ombudsman which, following initial enquiries, was dismissed by the Ombudsman as they found insufficient evidence of fault by the Council.

3.5 The number of Ombudsman complaints received is reported to Policy & Finance Committee each autumn following the Ombudsman publishing its annual review letter.

3.6 As previously mentioned the customer feedback policy is not intended to cover issues where there is an alternative process to report a matter to or have a statutory right of appeal. This explains why the number of complaints is relatively low. For example, if a customer reports a missed waste collection it is classed as a service request. Likewise complaints regarding planning or enforcement decisions tend to be captured as part of the planning process.

3.7 All complaints are analysed to identify any trends and performance issues. For example, if information provided to customers is not clear and requires amending.

3.8 The analysis of the complaints received shows that very few complaints are upheld.

#### **4.0 Equalities Implications**

4.1 All complaints received are reviewed to identify any potential equality issues. Should any complaint relate to a potential equality issue these are then reported to the Equalities Working Group.

#### **5.0 Impact on Budget/Policy Framework**

5.1 As this report is for information only there is no impact on the budget.

#### **6.0 RECOMMENDATION**

**That the content of the report be noted.**

**Reason for Recommendations**

**This report is to appraise Members on the volume and nature of complaints received.**

**Background Papers**

Nil

For further information please contact Jill Baker, Business Manager - Customer Services & External Communications on ext. 5810.

Matthew Finch  
Director – Customers

## HOMES & COMMUNITIES COMMITTEE

14 JANUARY 2018

### HEALTH & SAFETY - VIOLENT INCIDENTS UPDATE

#### **1.0 Purpose of Report**

1.1 To update Members on violent and potentially violent incidents affecting the Council and its partners staff.

#### **2.0 Background Information**

2.1 At the previous meeting held on 5 November 2018 a health & safety update report highlighted an increase in the number of violent incidents that have been recorded since moving into Castle House. Members expressed concerned at the number of incidents since relocating and requested more detail on the nature of the incidents.

#### **3.0 Proposals**

3.1 The table below shows a breakdown of the incidents recorded at Castle House since February 2018 to November 2018. February was the first month when the Customer Care Officers (Security Guards) reported all incidents for central recording.

<b>Ref</b>	<b>Incident Details</b>	<b>Action Taken</b>	<b>Organisations Involved</b>
1	VERBAL ABUSE A verbally abusive customer became irritated waiting for a probation appointment. Had to be physically restrained from attempting to gain access to the secure area upstairs.	Customer Care Officers (CCO's) intervened. Customer written to and added to the Council's Risk Register.	Probation. NSDC CCO's intervened.
2	POLICE INCIDENT This was an incident where the Police attended to collect a DWP customer.	Police returned to examine a litter bin looking for an object left by the customer.	Department of Work and Pensions (DWP).
3	VERBAL ABUSE A verbally abusive customer became irate with reception staff.	CCO's intervened and monitored the situation.	NSDC Reception NSDC CCO's
4	VERBAL ABUSE A probation customer became very irate whilst in a meeting with Probation officer. Shouted at CCO's.	CCO's intervened. Customer written to and added to the NSDC risk register.	Probation NSDC CCO's
5	VERBAL ABUSE Newark and Sherwood Homes (NSH's) customer became irate with reception staff and started swearing at NSDC reception staff.	CCO intervened and instructed him to refrain from swearing	NSH NSDC CCO's

6	DRUGS INCIDENT Needle and drugs paraphernalia found within Castle House public toilets.	Items disposed of. CCO's closely monitor toilets.	NSDC CCO's
7	VERBAL ABUSE DWP customer became very irate.	CCO's monitored	DWP NSDC CCO's
8	DRUGS/DRINK INCIDENT DWP customer attended whilst being highly intoxicated. Was also seen by NSDC housing team.	CCO's closely monitored	DWP NSDC housing staff NSDC CCO's
9	DRUGS INCIDENT Rough sleeper found underneath storm porch of main Castle House entrance.	Dealt with initially by NSDC CCO's then handed over to Ambulance Service	NSDC CCO's
10	VERBAL ABUSE Customer became aggressive and demanded action.	Housing Options staff called to monitor.	NSDC Housing Options
11	VERBAL ABUSE NSH client became verbally abusive with reception staff. Verbally threatened CCO's when they intervened.	NSDC CCO's intervened and asked to customer to leave.	NSDC Reception NSDC CCO's
12	DRUGS INCIDENT Change, Grow, Live (CGL)/DWP visitor attended whilst under the influence of an unknown substance.	CCOs monitored the situation	CGL DWP CCO's
13	VERBAL ABUSE Individual (adult) entered Castle House on a child's scooter. Claimed it was his mobility scooter. Became verbally abusive when asked to leave the scooter outside	Intervention by CCO's	NSDC CCO's
14	DRUGS INCIDENT Probation client attended site whilst under the influence of either drink or drugs.	CCOs monitored situation	Probation CCO's
15	DRUGS INCIDENT DWP client attended whilst believing to have taken mamba or spice. Number of staff became ill from exposure to the fumes. Suspect substance found deposited within toilet waste bin.	CCO intervention Individual written to by NSDC	DWP NSDC CCO's

16	INAPPROPRIATE/THREATENING BEHAVIOUR DWP client made member of DWP staff feel unsafe during interview.	CCO's escorted member of DWP to their car	DWP CCO's
17	VERBALLY ABUSIVE Customer became aggressive to NSDC reception staff. Individual turned on CCO's when they intervened.		NSDC Reception Staff NSDC CCO's
18	VERBALLY ABUSIVE DWP client became aggressive whilst being interviewed	CCO's intervened and monitored	DWP NSDC CCO's
19	INAPPROPRIATE BEHAVIOUR Customer attended Castle House. On arriving he approached the CCO's and said that he had an axe in his pocket and could they look after it whilst he attended CGL. Suspected individual was under the influence of substances.	CCO's removed axe and refused to return it.  Informed Police who supported the action taken.	NSDC CCO's
20	INAPPROPRIATE BEHAVIOUR Member of public walked into Castle House with baseball bat.	CCO's intervened and removed whilst customer undertook his business.	NSDC CCO's
21	INTIMIDATING BEHAVIOUR Probation customer was intimidating to NSDC reception staff.	CCO intervened.	NSDC reception staff NSDC CCO's
22	VERBALLY ABUSIVE Member of public became verbally abusive on a number of occasions. His concern related to Housing Benefits and NSH issues.	CCO intervened. Written to and added to the NSDC risk register.	NSDC staff NSDC CCO's
23	VERBALLY ABUSIVE Elderly man visited reception a number of times and became verbally abusive when unable to resolve his request for a bus pass.	CCO intervened.	CCO's
24	VERBALLY ABUSIVE DWP client became aggressive after waiting to be seen.	CCO intervened.	DWP NSDC CCO's
25	DRUGS INCIDENT Used drugs paraphernalia found within Castle House public toilets	CCO's dealt with removal and are monitoring the toilets.	CCO's

- 3.2 The incidents are mainly verbal abuse (52%) or substance abuse (28%) and generally involve customers accessing services provided by our partners (64%). The table below gives a breakdown of the incidents.

Service Being Accessed		Officers Affected		Category of Incident	
DWP	36%	CCO's	88%	Verbal Abuse	52%
NSDC	36%	DWP	28%	Substance Misuse	28%
Probation	16%	Reception	24%	Inappropriate Behaviour	12%
NSH	12%	Probation	12%	Intimidating Behaviour	4%
CGL	8%	NSDC Housing	12%	Police Incident	4%
		CGL	4%		
		Police	4%		
		Ambulance	4%		

- 3.3 The intervention of the Customer Care Officers has been required in the vast number of cases (88%) and this shows a proactive response on behalf of the Council to preventing verbal incidents escalating into worse cases and considering the impact that such outbursts may have on other service users accessing the building.
- 3.4 Members also requested the displaying of a sign in the reception area and this has been actioned (see **Appendix One**). This poster appears at the reception desk in plain sight of those coming into Castle House.
- 3.5 Members may also wish to note that the reception area of Castle House is comprehensively covered by an internal and external CCTV system which has been helpful in establishing the actual circumstances after allegations have been disputed by those accused of acting in a violent or aggressive manner. This has provided our officers with increased confidence and support that matters can be addressed if disputed.
- 3.6 To support members of staff dealing with those affected by substance misuse a training session was arranged with 'Change, Grow, Live' (the current commissioned service for substance misuse services across Nottinghamshire) and was delivered on 11 December 2018. A short briefing session was held for front line reception staff whilst a more in depth half day session was held for those officers who may deal with individuals in more depth. A range of services were in attendance for this longer session with officers from Benefits, Environmental Health, Community Safety, Customer Services, and Housing Options in attendance.

#### **4.0 Equalities Implications**

- 4.1 This report looks at incidents that have occurred and no individual detail of protected characteristics under the Equalities Act 2010 is recorded. Members of staff dealing with customers have been trained and made aware of the need to identify and be aware of individual's needs, including whether or not a relevant protected characteristic has an influence on the matter being dealt with e.g. a mental health disability or language barrier.
- 4.2 If a protected characteristic was identified when dealing with a violent incident this would be taken account of in our response e.g. warning letters may be sent out in a different language, or letters may be hand delivered and communicated verbally.

**5.0 Financial Implications (FIN18-19/6717)**

5.1 There are no direct financial implications arising from this report.

**6.0 RECOMMENDATION**

**That Members note the content of the report and take the opportunity to ask questions of Officers present.**

**Reason for Recommendation**

**To give Members the opportunity to ask questions and seek reassurance that violent and aggressive incidents are being dealt with appropriately and members of staff are being given adequate protection from harm.**

**Background Papers**

Nil

For further information please contact Ben Adams on Ext 5232

Karen White  
Director - Safety

Health and Safety Poster





## **HOMES & COMMUNITIES COMMITTEE**

**14 JANUARY 2019**

### **HOMELESSNESS REVIEW FINDINGS**

#### **1.0 Purpose of Report**

- 1.1 To update Members on the current review of homelessness in Newark & Sherwood and outline the initial themes emerging from the review that will shape the new Homelessness Strategy 2019-23.

#### **2.0 Background Information**

- 2.1 The Homelessness Act 2002 requires local authorities to conduct a review of homelessness and to produce a Homelessness Strategy, setting out how homelessness will be tackled in each area.
- 2.2 Newark & Sherwood District Council produced its first Homelessness Strategy in 2003 and subsequent strategies in 2008 and 2013. The partnership strategies have been used to drive forward a whole range of service improvements.
- 2.3 Mansfield and Newark & Sherwood District Councils successfully jointly commissioned a homelessness review and individual strategies in 2013 and therefore agreed to jointly commission a review and strategy covering the period 2019 – 2023. This will now cover Mid Notts and include Ashfield, because Ashfield and Mansfield District Councils became a shared service in 2015.
- 2.4 Historically, strategies have been based on comprehensive reviews of homelessness, in line with the Homelessness Act 2002 and associated guidance and best practice. This is still the case for this review and strategy but it will also need to consider the requirements of the Homelessness Reduction Act 2017.
- 2.5 The review is required to set out the current and likely future levels of homelessness through the collation of available data, information and evidence; to measure the extent and nature of homelessness across the three areas and to highlight the potential response to homelessness individually, collectively and countywide where appropriate.
- 2.6 Through the Council's procurement process, Homeless Link was awarded the contract in June 2018 and has since been engaging a wide range of stakeholders, service providers and service users.
- 2.7 The homelessness review report will be available in January 2019, informing the strategy for which a launch event is planned to take place in March 2019. An additional review is also planned in another 12-18 months' time to consider gaps in provision and to take account of the new Homelessness Reduction Act 2017 and the resulting implications this may bring, following its commencement on 3 April 2018.

#### **3.0 Homelessness Review Methodology and Emerging Themes**

- 3.1 The methodology for the homelessness review includes:

- A literature review and desk top study;
- Intelligence from local providers, local authority officers and commissioners, across the housing, welfare benefits, social care, criminal justice, health and community safety sectors, through semi-structured interviews;
- Quantitative analysis to estimate future levels of need - and for modelling of the housing and support solutions required by people who are homeless or at risk of homelessness;
- Mapping of the current supply of commissioned and non-commissioned services, in comparison to the estimation of need as a result of the quantitative analysis;
- A survey of support needs, completed by providers, covering an extensive sample of accommodation based services, in order to gain a deeper understanding of service users' characteristics, pathways, support needs, engagement with services and move-on requirements;
- Service user engagement through interview, focus groups and surveys.

3.2 A Project Steering group comprising representatives from the three councils and wider key partners has been overseeing the review. In addition, regular discussion and presentations have been made to the joint homelessness interagency Forum during the course of the project.

#### Key Themes

3.3 A number of key themes are starting to emerge and will become the basis for the action plan linked to the strategy as detailed below:

<b>Theme</b>	<b>Factors to consider</b>
Reducing the Impact of Poverty on Homelessness	Financial Resilience (e.g. membership of Credit Unions) Support – budgeting and debt Discretionary Housing Payments Housing Benefit and Universal Credit Employment & Education
Responding to the Shortage of Social Housing	Working with partner RPs Working with other RPs Lettings/Allocation Policy HRA Housing Development
Responding to the Shortage of Supported Housing and Housing Related Support	Housing Benefit and Supported Housing “Floating Support” Working with NCC to influence the future of “commissioning” at county & local level Coherent “pathways”
Working with the Private Rented Sector	DHPs, bond schemes, deposits, rent in advance, utilities, CU client accounts – what is the best delivery mechanism? Sourcing property, moving in, sustainability/prevention Incentives for landlords and agents Social lettings partnerships Early intervention in/understanding the causes of evictions

Addressing the Causes and Consequences of Homelessness	Deprivation Adverse events such as trauma, relationship breakdown, violence (including DV) poverty, offending, bereavement Vulnerabilities including mental ill health, learning disability, substance misuse, poor physical health/disability, youth/care background, armed forces background Lack of support – families, care, networks etc
Reducing the Negative Impact of Homelessness on the Community (inc. Rough Sleeping)	Tackling issues such as Rough Sleeping, ASB, Street activity, Crime, Town centres & neighbourhoods Role of voluntary sector
Improving Customer Services for people who are homeless or at risk of homelessness	Encourage and support new duty on public authorities, such as hospitals and prisons, requiring them to make a referral to the local housing authority if someone they're working with appears to be homeless or threatened with homelessness.
Improving the data available to all relevant agencies	Better data is needed to inform planning at all levels  A wide range of agencies hold data (e.g. on care leavers, substance misuse, Hospital discharge, supported housing, temporary accommodation) and could report it into a central point to monitor/track performance

#### **4.0 Equalities Implications**

4.1 No equality implications have been identified; however, a full Equalities Impact Assessment will be carried out when the five year strategy is produced.

#### **5.0 Financial Implications – FIN18-19/248**

5.1 The total cost of the homelessness review and subsequent strategy is £53,075 and is split equally for payment between the three authorities. The total cost to Newark & Sherwood District Council is £17,692 which will be funded from the Homelessness Reserve.

#### **6.0 RECOMMENDATION**

**That Members note the contents of the report and comment of the emerging themes from the Homelessness Review which will shape the new Homelessness Strategy 2019-2023.**

#### Background Papers

Nil

For further information please contact Leanne Monger, Business Manager – Housing & Safeguarding on ext 5545 or Cheska Asman, Homelessness Strategy Officer on 5643

Karen White  
Director - Safety

**Forward Plan of Homes & Communities Committee Decisions from 1 February 2019 to 30 January 2020**

This document records some of the items that will be submitted to the Homes & Communities Committee over the course of the next twelve months.

These committee meetings are open to the press and public.

Agenda papers for Homes & Communities Committee meetings are published on the Council's website 5 days before the meeting <http://www.newark-sherwooddc.gov.uk/agendas/>. Any items marked confidential or exempt will not be available for public inspection.

<b>Meeting Date</b>	<b>Subject for Decision and Brief Description</b>	<b>Contact Officer Details</b>
11 March 2019	Temporary Accommodation Proposals – Hostel Provision at Seven Hills and Wellow Green	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a>
11 March 2019	Disabled Facilities Grants National Review Findings – Impact on NSDC	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a> / <a href="mailto:alan.batty@newark-sherwood.dc.gov.uk">alan.batty@newark-sherwood.dc.gov.uk</a>
11 March 2019	New District Homelessness Strategy 2018-2023	<a href="mailto:cheska.asman@newark-sherwooddc.gov.uk">cheska.asman@newark-sherwooddc.gov.uk</a> / <a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a>
11 March 2019	Local Offer for Care Leavers – Accommodation Theme	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a> <a href="mailto:cheska.asman@newark-sherwooddc.gov.uk">cheska.asman@newark-sherwooddc.gov.uk</a>
11 March 2019	Attendance by Andy Rooke, Police – Community Safety & Policing in District	<a href="mailto:ben.adams@newark-sherwooddc.gov.uk">ben.adams@newark-sherwooddc.gov.uk</a>
30 June 2019	Syrian Resettlement Update & Post 2020	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a>
30 June 2019	Refresh of the District Wide Housing Need Study	<a href="mailto:rob.main@newark-sherwooddc.gov.uk">rob.main@newark-sherwooddc.gov.uk</a>
30 June 2019	CCTV Annual Update	<a href="mailto:ben.adams@newarksherwooddc.gov.uk">ben.adams@newarksherwooddc.gov.uk</a>
30 June 2019	Housing Allocations Scheme – Annual Review	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a>
30 June 2019	Safeguarding – Annual Update	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a>
30 June 2019	Better Care Fund (Disabled Facilities Grant) – Annual Update	<a href="mailto:alan.batty@newark-sherwooddc.gov.uk">alan.batty@newark-sherwooddc.gov.uk</a>
30 June 2019	Home Energy Conservation Report Bi-Annual Report	<a href="mailto:leanne.monger@newark-sherwooddc.gov.uk">leanne.monger@newark-sherwooddc.gov.uk</a> <a href="mailto:helen.richmond@newark-sherwooddc.gov.uk">helen.richmond@newark-sherwooddc.gov.uk</a>
10 June 2019	Annual Affordable Housing Delivery and HRA 5 Year Build Programme – Update	<a href="mailto:rob.main@newark-sherwooddc.gov.uk">rob.main@newark-sherwooddc.gov.uk</a>

