

# Public Document Pack



## Supplementary Agenda

Dear Councillor

### **ENVIRONMENT, ENFORCEMENT & HOUSING COMMITTEE - TUESDAY, 25TH JUNE, 2019**

I am now able to enclose, for consideration at next Tuesday, 25th June, 2019 meeting of the Environment, Enforcement & Housing Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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2. Minutes of the previous meeting (Pages 3 - 22)
3. Committee Terms of Reference (Pages 23 - 28)
4. Chairs Update (Pages 29 - 34)
5. Improving the Council's Waste & Recycling Service (Pages 35 - 68)
6. Co-option of Tenants Talkback Representative (Pages 69 - 72)
7. Housing Asset Investment Programme (Pages 73 - 90)
8. Housing Audit Progress (Pages 91 - 98)

10. **Right To Buy Capital Receipts (Pages 99 - 108)**
11. **Housing Development Programme (Pages 109 - 114)**
12. **Empty Homes (Pages 115 - 128)**

Yours sincerely



Chief Executive

Encs



## Minutes

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### Community, Health and Housing Committee Tuesday, 5th March, 2019

#### Attendance

Cllr McLaren (Chair)	Cllr Mrs Pound
Cllr Bridge	Cllr Ms Sanders
Cllr Clarke	Cllr Tierney
Cllr Mrs Davies	Cllr Wiles

#### Apologies

Cllr Mrs Fulcher

#### Substitute Present

Cllr Naylor (substituting for Cllr Mrs Fulcher)

#### Also Present

Cllr Mrs Hones  
Cllr Hossack  
Cllr McCheyne  
Cllr Ms Rowlands

#### Officers Present

Kim Anderson	- Partnership, Leisure and Funding Manager
Stuart Anderson	- Deputy Operations Manager
Phoebe Barnes	- Interim Financial Controller
David Carter	- Environmental Health Manager
Stuart Morris	- Interim Housing Policy Manager
Angela Abbott	- Housing Manager
Zoey Foakes	- Governance & Member Support Officer
Nicola Marsh	- Housing Manager
Steve Summers	- Chief Operating Officer

In accordance with Rule 20 of the constitution the Leader had nominated Cllr Tom McLaren as Chair for Community, Health and Housing Committee.

It was MOVED that Cllr Thomas Bridge be appointed as Vice-Chair of this Community, Health and Housing Committee meeting.

*(Cllr Wiles declared a non-pecuniary interest as his wife was a council tenant.)*

Cllr Mrs Davies welcomed the new Chair, Cllr McLaren and thanked the work of the previous Chair Cllr Hossack.

#### **344. Apologies for Absence**

Apologies were received from Cllr Fulcher and Cllr Naylor substituted.

#### **345. Minutes of the Previous Meeting**

Following a query on the status of empty homes in the borough, Cllr McLaren agreed that Empty Homes Strategy would be a standing item on future agendas.

The minutes of the previous minutes were approved to be true record.

#### **346. Chairs Update**

Members noted the updates from Officers set out in the Agenda.

#### **347. Asset of Community Value - Shenfield Library**

The Localism Act 2011 introduced the Community Right to Bid, a new right for local people to nominate buildings or pieces of land that they believed contributed to the social interests or wellbeing of their local communities to be listed on a register of Assets of Community Value (ACVs), managed by the local authority. The Right applied to public and private property, although there were a number of exceptions under the legislation, including private residences. Where land was listed as an ACV, if an owner of a listed asset subsequently wished to dispose of it, there would be a period of time during which the asset could not be sold, or a qualifying lease granted or assigned (a qualifying lease was a lease originally granted for a 25 year term). This period was known as a moratorium and would ultimately be for a period of six months. The moratorium was intended to allow community groups the time to develop a proposal and raise the required capital to bid for the asset when it came onto the open market at the end of that period. The owner was under no obligation to accept a bid from the community group and could sell the property to whomever they wished once the six-month moratorium was over.

A nomination had been received to list Shenfield Library as an Asset of Community Value and the report asked the Committee to make a decision on this nomination.

A motion was **MOVED** by Cllr Mrs Pound and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

**That Members agree to list the land as indicated on Appendix B of the report as an Asset of Community Value.**

**Reasons for Recommendation**

The nomination had passed the Council's due diligence tests including the submission of evidence that the group was eligible to nominate. The nomination passed the first statutory test as it clearly furthers the social interests and wellbeing of the local community.

Shenfield Library was within the scope of ECC Libraries Strategy. No decision had therefore been taken about the future of Shenfield Library and the options for the site included an option in which the building was offered to the local community to run as a community library. Both this option and others were currently possible and so there was a realistic chance that the asset would continue to provide the activities for which it had been nominated. The nomination therefore passed the second statutory test.

The Council could decide not to list Shenfield Library as an Asset of Community Value, but this would mean that it was not fulfilling its statutory duty under the Localism Act 2011.

**Variation in the order of the agenda**

The Chair proposed and it was agreed to vary the order of the agenda and consider item 13 – Urgent Business, Asset of Community Value – Ingatstone Library next.

**348. Urgent Business**

**Asset of Community Value – Ingatstone Library**

The Localism Act 2011 introduced the Community Right to Bid, a new right for local people to nominate buildings or pieces of land that they believe contribute to the social interests or wellbeing of their local communities to be listed on a register of Assets of Community Value (ACVs), managed by the local authority. The Right applied to public and private property, although there were a number of exceptions under the legislation, including private residences. Where land was listed as an ACV, if an owner of a listed asset subsequently wished to dispose of it, there would be a period of time during which the asset could not be sold, or a qualifying lease granted or assigned (a qualifying lease was a lease originally granted for a 25year term). This period was known as a moratorium and would ultimately be for a period of six months. The moratorium was intended to allow community groups the time to develop a proposal and raise the required capital to bid for the asset when it came onto the open market at the end of that period. The owner was under no obligation to accept a bid from the community group and could sell the property to whomever they wished once the six-month moratorium is over.

A nomination had been received to list Ingatestone Library as an Asset of Community Value and the report asked the Committee to make a decision on this nomination.

A motion was **MOVED** by Cllr Bridge and **SECONDED** by Cllr McLaren to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

**That Members agree to list the land as indicated on Appendix 2 of the report as an Asset of Community Value.**

#### **Reasons for Recommendation**

The nomination had passed the Council's due diligence tests including the submission of evidence that the group was eligible to nominate. The nomination passed the first statutory test as it clearly furthers the social interests and wellbeing of the local community.

Ingatestone Library was within the scope of ECC Libraries Strategy. No decision had therefore been taken about the future of Shenfield Library and the options for the site included an option in which the building was offered to the local community to run as a community library. Both this option and others were currently possible and so there was a realistic chance that the asset would continue to provide the activities for which it had been nominated. The nomination therefore passed the second statutory test.

The Council could decide not to list Shenfield Library as an Asset of Community Value, but this would mean that it was not fulfilling its statutory duty under the Localism Act 2011.

#### **349. Housing Audit Update**

The report was intended to update the Community, Health & Housing Committee of the progress of the 2016/17 and 2017/18 Audit reviews for Housing Services. Those Audits were included in the Council's approved Audit plans for 2016/17.

The outcome of the 2016/17 internal audit review was originally reported to the Audit Committee on the 27th September 2017 ("Audit Report 1 – May 2017").

The outcome of the 2017/18 internal audit review was originally reported to the Audit Committee on the 14th December 2017 ("Audit Report 2 – November 2017").

The full Audit reports with updates were reported to the Community, Health & Housing Committees in the first part of 2018 with subsequent reports providing updates and details of 'outstanding' recommendations reported to the later committees in 2018.

Both Audit reports would enable the Housing Service to concentrate on specific areas highlighted by the Audit recommendations to implement essential service improvements as part of the ongoing transformation programme.

Mr Summers gave a presentation to support members understanding of the two agenda items: Housing Audit Update and Progress Update on Housing Asset Management, Investment Programme and Compliance items as the items were linked. The presentation included the outcome of the Audit reports including compliance recommendations, the Gap Analysis that had been completed and the policies that had been approved by the committee in 2018.

In addition, Mr Summers advised of the planned programmes to be developed during mobilisation during the Repairs and Maintenance contract which were as follows

- All Fire Risk assessment remedial to be completed
- Electrical surveys and remedial works to be carried out for communal areas and individual dwellings
- Asbestos removal in communal areas and individual dwellings

He also identified the 26 key elements of the mobilisation contract that was due to go live on the 4<sup>th</sup> June 2019. The presentation included the governance arrangements for this work and completion details for each of the 8 compliancy areas which was also set out in the report before members.

The Chair asked members to consider these two agenda items together with the discussion although recommendations would be taken separately.

Mr Summers referred to amendments in the report, page 85 of the agenda item 3.28 should refer to Appendices C and D, and page 89 of the report item 3.60 should refer to Appendix E.

Following from Mr Summers presentation, Cllr Mrs Davies raised a question regarding the status of the Stock Condition Survey. Mr Summers responded that when the information from the survey had been entered into Basildon District Councils Keystone software system, there was a concern regarding the validity of the data which did not provide Brentwood Borough Council with confidence. The Chair requested that Members were updated if or when a decision takes place to take legal action with regard to the Stock Condition Survey this was reported back to members.

Members had concerns on the asbestos report and the Chair requested a separate asbestos report to be presented back to the committee with the outline of what steps had been taken.

Cllr Clarke questioned the current update on rent arrears and Mrs Marsh advised that she would be able to provide the latest information to all members following the meeting including the trends from the past 2 years. Cllr Wiles requested the information to include former and current tenants debts.

Referring to Item 5 Appendix A, Cllr Ms Saunders requested that the Update column have more detail and evidence on the reasoning when there was a change of rating. Mr Summers explained that it was identified as not applicable in the appendix because the recommendations were completed and if further evidence was required it would be reported back.

Following from member comments, the Chair recommended that moving forward, communication timescales with members on significant issues were improved.

Cllr Wiles recommended that planned maintenance updates were standing item within the Chairs update to be reported back at every Community, Health and Housing committee meeting.

Mr Summers suggested that in the future briefings could be provided for committee members ,outside of the committee meetings structure, on the Housing Service function and associated programme of works.

Cllr Bridge proposed that the new committee members of the Community, Health and Housing Committee for the next municipal year be briefed on the background and current position.

Members requested that future reports be in a more readable format.

In response to members concerns Mr Summers advised the committee that the Chief Executive had commissioned the Council's independent Internal Auditors to review the recent issues that had been raised by the ex-Chair and Vice Chair of the committee. The outcome of this review, once completed, would be reported to both the Audit and Scrutiny Committee and the Community, Health and Housing Committee.

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED**:

- 1. That the Committee receives and notes the progress made from the 4th December 2018 committee report as outlined in both Audit Reports (as summarised in Appendix A).**
  
- 2. That the Committee agree that a further report on progress made on implementing the recommendations is presented to the next Committee.**

**3. Officers to work with the Chair and Vice Chair to develop a comprehensive and more readable format for the committee reports.**

7 members of the committee abstained from the vote.

**Reasons for Recommendation:**

To monitor the progress of work against the highlighted actions arising from the Audit Reports and the management actions in response to those recommendations.

**350. Progress Update on Housing Asset Management, Investment Programme and Compliance**

The report provided the committee with a progress update on Housing Asset Management, Investment and Compliance in Housing.

The update report followed on from the previous progress report on the matters which were provided to the 11th September 2018 Community, Health & Housing Committee, Min 121 refers.

Cllr Wiles requested that all outcomes and recommendations of previous and future audits be reported to Audit and Scrutiny Committee and the Community, Health and Housing Committee.

The Chair took the vote on each recommendation individually.

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation 2.1 in the report subject to the following amendment. A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

**1. To note the contents of the report *whilst noting members dissatisfaction with the performance of the housing service as demonstrated by the results of the compliancy.***

A new motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge. A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

**2. Note that an audit of the housing service is ongoing and require that the outcome of the audit comes back to the Community, Health and Housing committee for consideration and request that any outcomes from such audit are forwarded to the appropriate committee for further action.**

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation 2.2 in the report subject to the following amendment. A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

**3. That the Committee agree that a report on progress to demonstrate the continuing strengthening of compliance considerations, through the completion of the Housing Compliance Programme, incorporating internal audit recommendations, is a fixed Committee agenda item until March 2020, when this will be reviewed.**

#### **Reasons for Recommendation**

The report highlighted progress on Asset Management, Capital Programme and Compliance in Housing. Members were invited to comment on the report contents.

The committee took a short adjournment after this agenda item.

#### **TERMINATION OF MEETING**

During the preceding item, in accordance with Rule 28 of Part 4.1 – Council Procedure Rules, the businesses of the meeting not having concluded by two hours after its start, Members voted and agreed to continue with the meeting for a further 30 minutes.

#### **351. Housing Garage Sites**

The Council owned a range of garage sites across the Borough, including those that were disused and hard to let. Members previously agreed that Officers should identify the potential redevelopment of sites that provided an immediate opportunity for new affordable housing.

Officers had identified two potential sites. One site is at Brookfield Close, Hutton and the second at Sir Francis Way, which is located in Brentwood, very close to the Town Centre. Both sites provided excellent potential for redevelopment.

The Brookfield Close redevelopment site would replace properties that do not meet the current decent home standard.

To formally establish the viability of each site a technical report was required, in the form of an initial feasibility study, which would outline potential on both sites, and inform in terms of quantum and tenure mix.

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY:**

**1. That the Committee formally approves delegated authority for the Housing Services Manager to commission an architect to prepare an initial feasibility report relating to both sites, up to a limit of £20,000.**

**2. That the feasibility report outcomes are reported to the next Community, Health & Housing Committee.**

**Reasons for Recommendation:**

Identified issues of housing need; parking provision; anti-social behaviour and fly-tipping would be captured in an enhanced strategic approach, rather than having to be dealt with in a reactive and uncoordinated manner.

**352. Decant Policy**

The report set out the background and recommendation to adopt a formal written *Decant Policy* ('the Policy'). The Policy would allow for a more focussed and transparent approach to service provision as a social landlord and to private sector home owners.

The Council did not currently have a written and published Policy and given current building projects, and future housing strategy it was as an area for improvement to move towards substantial assurance.

The introduction and implementation of the Policy would ensure efficiency, economy and excellence of service provision as a social landlord.

Members praised the officer, Mr Morris for the quality of the report and policy.

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

**That the Committee formally approve Option 1 the adoption of the 'Decant Policy 2019' at set out at Appendix A.**

**Reasons for Recommendation**

Option 1 was recommended as the most transparent option for the Council and supported the '*Getting our House in Order*' transformation programme for Housing Services. It would provide a clear document for tenants to hold the Council to account.

Taking no further action would fail to advance corporate priorities and would be counter to our modernisation approach.

**353. Housing Civil Penalties**

At the meeting of the Community, Health and Housing Committee on 4<sup>th</sup> December 2018 Members received a report introducing the provisions for civil penalties to be implemented for certain offences under the Housing Act 2004.

Members resolved to approve the introduction of civil penalties as an alternative to prosecution where appropriate and officers were instructed to

prepare a schedule of fixed penalties to be considered at this meeting for adoption.

The Housing and Planning Act 2016 introduced a number of amendments to the Housing Act 2004. Local housing authorities had the power to impose civil penalties of up to £30,000 as an alternative to prosecution for offences under the Housing Act 2004.

Cllr Wiles **MOVED** and Cllr McLaren **SECONDED** to approve the recommendations in the report subject to the following amendment:

- 2. Any severe civil penalties considered to be imposed will be in consultation with the chair of Community, Health and Housing committee and advise ward members as appropriate.*

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY:**

- 1. Members approve the scheme for civil penalties to be considered, where appropriate and as set out in 3.5 of this report, as an alternative to prosecution for offences under the Housing Act 2004.**
- 2. Any severe civil penalties considered to be imposed will be in consultation with the chair of Community, Health and Housing committee and advise ward members as appropriate.**
- 3. Any civil penalties imposed will be reported in future chairs update.**

#### **Reasons for Recommendation**

In order to keep enforcement practices up to date with current legislation and to provide appropriate resolution to offences committed with less reliance on lengthy and expensive Court action to deal with offences.

#### **TERMINATION OF MEETING**

During the preceding item, in accordance with Rule 28 of Part 4.1 – Council Procedure Rules, the businesses of the meeting not having concluded by two hours after its start, Members voted and agreed to continue with the meeting for a further 30 minutes.

#### **354. Allocations Policy Amendment**

The report set out the background and recommendation to amend the existing Allocations Policy 2014 ('the Policy'). The amendment concerned a revised approach to the 'bypassing' of applicants for offers on the Choice- Based Lettings ('CBL') allocations system.

The amendment was intended to clarify existing policy and to achieve the core objectives as listed below.

Appendix A was the suggested Annex to the existing Allocations Policy 2014, with the amended policy wording as per Appendix B.

Members congratulated the officer, Mr Morris on the quality of the document.

A motion was **MOVED** by Cllr McLaren and **SECONDED** by Cllr Bridge to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY:**

**That the Committee formally approve the changes to the Council's Allocations Policy 2014, set out in Appendices A and B of the report, to clarify the requirements which applicants need to meet to be eligible for the allocation of a social housing property for which a bid has been placed.**

**Reasons for Recommendation:**

The changes would allow for a greater transparency of approach, whilst creating a fairer 'move on' process for all.

The changes should reduce the waiting time of homeless households in temporary accommodation and allow for a reduction in expenditure accordingly.

It would allow tenants who had only fallen into arrears for 'technical' reasons not to be disregarded for future property allocations.

It will retain the principle that those households who fail to meet their obligations, either through wilful refusal or culpable neglect, were not given the same access to housing as those households who do. It would however ensure that a suitable system was put into place however to allow them to mitigate their difficulties and to ensure rent and revenue protection for the Council.

Taking no further action would fail to advance corporate priorities and would be counter to our modernisation approach.

**355. Mental Health Small Grant Scheme**

The Mental Health Small Grants Scheme was launched in 2017/18 and was funded through the Brentwood Health and Wellbeing Board grant. For 2018/19 the Brentwood Health and Wellbeing Board and Brentwood Borough Council decided to joint fund the scheme resulting in a pot of £8,000 that applicants could apply for. The fund was launched in 7 February 2019 on Time to Talk Day and will close on 21 March 2019.

Due to the timing of the launch of the fund, Community Health and Housing Committee scheduled dates and the start of Purdah, and so as to not delay the allocation of funding, it was recommended that the allocation of funding be delegated to the Interim Chief Finance Officer in consultation with the Chair of Community Health and Housing Committee and the Chair of Brentwood Health and Wellbeing Board.

Cllr Ms Saunders thanked Cllrs Mrs Davies for vice chair role on Brentwood Health and Wellbeing Board.

Cllr Ms Saunders **MOVED** and Cllr Davies **SECONDED** to approve the recommendations in the report subject to the following amendment:

1. That Members agree that Delegated authority is given to Interim Chief Finance Officer in consultation with the Chair of Community Health and Housing Committee and the Chair and Vice Chair of Brentwood Health and Wellbeing Board to agree the allocation of grant funding in respect of the Mental Health Small Grants Scheme.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**:

1. **That Members agree that Delegated authority is given to Interim Chief Finance Officer in consultation with the Chair of Community Health and Housing Committee and the Chair and Vice Chair of Brentwood Health and Wellbeing Board to agree the allocation of grant funding in respect of the Mental Health Small Grants Scheme.**

2. **To advise Members accordingly of the final allocation of grant funding.**

#### **Reasons for Recommendation**

The Mental Health Small Grants Scheme would be subject to a robust, independent and transparent scoring process to ensure fairness in the allocation of funding. Once received the applications would be scored by a panel of officers looking at the following key priorities:

- Evidence that the application meets the criteria, the Council's priorities and expected outcomes
- Evidence that the community has been involved in the development and implementation of the project
- Evidence that the application supports the promotion of volunteering and community participation.
- Evidence that the project is sustainable once the Mental Health Small Grants Scheme contribution has ceased.

The applications were individually scored by three different officers and a mediated score agreed upon. These were then ranked by their score.

The recommendations by officers would normally be presented to Community Health and Housing Committee (or other relevant Committee), but due to the

timings from the launch of the fund, Committee dates and Purdah, it was recommended that delegated authority is given to the Interim Chief Finance Officer in consultation with the Chair of Community Health and Housing Committee and Chair of Brentwood Health and Wellbeing Board to agree to the allocation of funding.

Notifications would be made to all those applicants that applied. Successful applicants would also need any terms stipulated within the conditions of the grant being awarded. Successful applicants would also need to complete a self-monitoring report once their project had been completed.

Any unsuccessful applicants to the Mental Health Small Grants Scheme would be offered the following support: Face to face meetings with the Partnership, Leisure and Funding Manager to review their prospective application; offered funding training session via Brentwood Council for Voluntary Services which included tips on submitting a good funding application. Members would also be encouraged to assist in this process; Organisations would also be signposted to the Open 4 Community on the Council's website to look at other sources of external funding to support their project if applicable.

### **356. Essex Faith Covenant**

The Essex Faith Covenant was joint commitment between faith communities and local priorities to a set of principles that guide engagement, aiming to remove some of the mistrust that exists and to promote open, practical working on all levels. It was launched in October 2017 to establish four pilot areas in Basildon, Braintree, Chelmsford and Colchester. The Essex Faith Covenant Steering Group (EFCSG), was broadly representative of all of the organisations and faith groups that had currently signed up to the Essex Faith Covenant and had provided oversight and support in the initial pilot areas in developing and showcasing activity and best practice.

Both faith groups and public services signatories were committed to work together to proactively build relationships and trust between faith groups and public services; create opportunities to raise awareness and share learning and knowledge between faith communities, and within the public services; and seek opportunities to bring people together to serve the community, particularly the most disadvantaged.

A motion was **MOVED** by Cllr Bridge and **SECONDED** by Cllr Ms Saunders to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY:**

**That Members agree to sign up to the Essex Faith Covenant on behalf of Brentwood Borough Council and adhere to the principles as set out in Appendix A of the report and support the priorities of the Essex Faith Covenant Steering Group (EFCSG).**

**Reasons for Recommendation**

The Essex Faith Covenant supported the Council aims of working in partnership with faith groups and community and voluntary organisations to ensure that there was effective community engagement and to identify priorities for local communities.

The meeting concluded at 21.45

## Minutes

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### **Environment and Enforcement Committee Wednesday, 20th March, 2019**

#### **Attendance**

Cllr Parker (Chair)	Cllr Naylor
Cllr Bridge (Vice-Chair)	Cllr Poppy
Cllr Mrs Fulcher	Cllr Tierney
Cllr McLaren	Cllr Wiles

#### **Apologies**

Cllr Morrisey

#### **Substitute Present**

#### **Also Present**

Cllr Mrs Pound

#### **Officers Present**

David Carter	- Environmental Health Manager
Mike Dun	- Trade Waste Officer
Darren Laver	- Operations Manager, Operational Services
Tracey Lilley	- Enforcement Manager
Zoe Borman	- Governance and Member Support Officer
Greg Campbell	- Director of Operations
Lorne Spicer	- Business Development and PR Manager

#### **391. Apologies for Absence**

Apologies were received from Cllr Morrisey and there was no substitute.

#### **392. Minutes of the Previous Meeting**

The Minutes of Environment and Enforcement Committee dated Wednesday 12<sup>th</sup> December recorded that Cllr Fulcher sent her apologies and was present

at the meeting. Cllr Fulcher had in fact sent apologies, and was, therefore, not present at the meeting.

Cllr Wiles took part in the debate but did not vote.

The Minutes were signed as a true record as amended.

### **393. Chair's Update**

Cllrs thanked all involved in the "Spruce up for Spring" initiative as this was very well received. Members raised concerns regarding parking on the grass verges around the borough and the powers officers had to combat this. Officers advised that they were very limited in what could be enforced and this was dependant on parking restrictions. Also, obstruction is a Police matter.

The Chair's report was discussed in full and noted by Members.

### **394. Household Waste Duty of Care Fixed Penalty Notices**

The Government had recently introduced the fixed penalty notice (FPN) for breaches of the household waste duty of care as an alternative to prosecution. Guidance, which local authorities should follow, had been issued.

There is no obligation to offer an alleged offender the option to discharge liability through an FPN. However, it can be more proportionate than prosecution through the courts.

The duty of care requires occupiers of domestic property to take all reasonable measures available to them in the circumstances to ensure that they only transfer household waste produced on that property to an authorised person. This reduces the chance of waste ending up in the hands of those who would fly-tip it.

This report set out the proposed level of fixed penalty notices and summarised the powers available to authorised officers to issue penalties.

Following a full discussion Cllr Parker **MOVED** and Cllr Bridge **SECONDED** the motion subject to the following amendment:

- 1. Members approve the new recommended maximum penalty levels set out at 4.4.**

2. **Members agree to delegate authority to the Chief Executive, Director of Operations, and in consultation with the Chair, the General Manager Corporate Enforcement and to such officers of the Council that are nominated by any of them to issue Fixed Penalty Notices under the relevant legislation.**

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY:**

1. **Members approve the new recommended maximum penalty levels set out at 4.4 (i.e. The recommended level of penalty is therefore £400, with no discount for early payment.)**
2. **Members agree to delegate authority to the Chief Executive, Director of Operations, and in consultation with the Chair, the General Manager Corporate Enforcement and to such officers of the Council that are nominated by any of them to issue Fixed Penalty Notices under the relevant legislation.**

#### **Reasons for Recommendation**

The penalty is recommended at the maximum level in order to reflect the Council's intention to ensure that enforcement action is effective; these penalties are offered as an alternative to prosecution and should therefore reflect the serious nature of the offence.

#### **395. Improving the Council's Waste & Recycling Service**

This report considers how the Council can amend its waste collection service to deliver both environmental improvements alongside revenue efficiencies.

It examines the waste service and recommends a method by which this service can be turned from a cost burden to a cost benefit.

The report considers changing the way residents currently present recycled waste, seeking to split the presentation of the mixed dry recycling (MDR) stream to deliver financial and non-financial benefits.

Following a full discussion Cllr Parker **MOVED** and Cllr Bridge **SECONDED** the motion subject to the following amendment:

1. **To agree to a direction of travel for recycling, by separating mixed dry recyclables.**
2. **Delegate authority to the Director of Operations, in Consultation with**

**the Chair, Vice Chair of Environment and Enforcement Committee, or other appropriate Committee, the Leader and the Leaders of the opposition groups to agree the final scheme, which will be presented to Committee.**

- 3. *It is intended to implement the scheme during September/October 2019.***

A vote was taken by a show of hands and it was **RESOLVED:**

- 1. To agree to a direction of travel for recycling, by separating mixed dry recyclables.**
- 2. Delegate authority to the Director of Operations, in Consultation with the Chair, Vice Chair of Environment and Enforcement Committee, or other appropriate Committee, the Leader and the Leaders of the opposition groups to agree the final scheme, which will be presented to Committee.**
- 3. *It is intended to implement the scheme during September/October 2019.***

#### **Reasons for Recommendation**

The benefits and non-benefits include ‘*inter alia*’:

- Potential increase in revenue and a reduction in costs to be quantified.
- Improvement in the quality of recycling collected.
- Minimal change in the service provided to residents.
- Manageable budgetary pressures.

Members were requested to agree to the recommendations as they would enable the evolution of the Council’s Waste Management Service to meet current and future challenges.

#### **396. Countywide Bus Shelter Project**

Brentwood Borough Council have received an approach from Essex County Council to seek to amalgamate all bus shelters across Essex under one authority (ECC).

This it is envisaged will enable better returns from advertising contracts to be realised. This revenue would in turn be spent on improving and replacing bus shelters for residents across the County as part of a

programme of works.

The request at present is for Brentwood Borough Council to agree in principle to the project. The actual detailed arrangements of how this relationship would work have not been fully discussed nor agreed.

The project includes bus shelters owned by Brentwood Borough Council and those provided by Clear Channel in the Borough of Brentwood but not those owned by Parish Council's.

A motion was **MOVED** by Cllr Parker and **SECONDED** by Cllr Bridge to approve the recommendations in the report.

Following a full debate a vote was taken by a show of hands and it was **RESOLVED**:

1. **To agree in principle to work with ECC on this project to amalgamate bus shelters under one County ownership, with the aim of reducing costs and improving the sites in general by adding them into a maintenance and replacement plan.**
2. **That the project will need to consider the bus shelters owned by Parish Councils.**
3. **That progress and any recommendation for a final decision be brought back to the Environmental and Enforcement Committee for consideration.**

#### **Reason for Recommendation**

It is recommended that the council agree in principle to work with ECC to develop the project subject to contract and agreement by members. To confirm to ECC our approval to work with them but not commit.

In order that any final decision will be made by Members of the Environment and Enforcement, or appropriate Committee, at a future date.

This enables Brentwood to be at the heart of any decisions being considered for Brentwood bus shelters and enables the Council to pull away from any final decision should it believe it is an unfavourable contract.

#### **397. Urgent Business**

There were no items of urgent business.

The meeting concluded at 21:00



# Agenda Item 3

25 June 2019

## Environment, Enforcement and Housing Committee

### Environment, Enforcement and Housing Committee Terms of Reference

**Report of:** Claire Mayhew, Corporate and Democratic Services Manager

**Wards Affected:** All Wards

**This report is:** Public

#### 1. Executive Summary

- 1.1 At Annual Council on 15<sup>th</sup> May 2019, the terms of reference for each committee for the municipal year 2019/2020 were approved.

#### 2. Recommendation(s)

- 2.1 That the Committee notes the Terms of Reference (Appendix A) of the Environment, Enforcement and Housing Committee.
- 2.2 That any amendments addressed by the Committee are reported to Chief Operating Officer/Corporate and Democratic Services Manager and a report to be taken to appropriate Ordinary Council Meeting for approval.

#### 3 Introduction and Background

- 3.2 The Council currently operates a committee system form of local authority governance under Part 1A of the Local Government Act 2000.
- 3.3 The Council has discretion as to its Committees except where the law otherwise provides. There are a number of statutory provisions relating to committees which include those set out below.
- 3.4 Under section 102 of the Local Government Act 1972 the Council has discretion to appoint one or more committees of the Council and may establish a joint committee with one or more other local authorities.
- 3.5 Under section 9JA of the Local Government Act 2000 the Council may by resolution appoint one or more committees as the authority's overview and

scrutiny committee or, as the case may be, committees. Where the Council does so resolve, the Local Authorities (Committee System) (England) Regulations 2012 set out what powers are required to be given.

- 3.6 Under section 19 of the Police and Justice Act 2006 the Council is required to establish a crime and disorder committee (unless it has established an overview and scrutiny committee in which case that committee acts as the crime and disorder committee).
- 3.7 Under section 6 of the Licensing Act 2003 the Council must establish a Licensing Committee of at least ten Members and no more than fifteen Members to discharge the prescribed licensing functions under that Act and the prescribed gambling functions under the Gambling Act 2005.
- 3.8 Under the Local Authorities (Standing Orders) (England) Regulations 2001 as amended, the Council is required to appoint a Panel (being an advisory committee under section 102(4) of the Local Government Act 1972) in respect of disciplinary action concerning its three statutory officers.
- 3.9 Although the Licensing Sub-Committee is set up by the Planning and Licensing Committee, the Licensing Sub-Committee appears in this report in order to provide a more complete picture of the Council's arrangements.

#### **4 Issue, Options and Analysis of Options**

- 4.2 Part 3.1 of the Constitution lists the powers and duties of the Committees appointed by Annual Council for 2019/2020, this is subject to an amendment made by the individual committees throughout the year with Council's approval.
- 4.3 The proposed Terms of Reference for Environment, Enforcement and Housing Committee are appended to this report.

#### **5 Reasons for Recommendation**

- 5.2 The Council operates a committee system form of governance and is required by law to establish certain committees and has discretion to appoint other committees to facilitate the effective conduct of business under that committee system.

#### **6 Consultation**

- 6.2 None.

## **7 References to Corporate Plan**

- 7.2 Establishing those Committees required by law and those it considers necessary to fulfil its functions should enable the Council to discharge those functions in a timely, open and transparent way to deliver the Corporate Plan.

## **8 Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer**  
**Tel & Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

- 8.2 The cost of servicing the governance arrangements at the Council will be met from existing resources within the Council's Medium Term Financial Plan 2019/2020.

### **Legal Implications**

**Name & Title: Paula Harvey, Deputy Monitoring Officer**  
**Tel & Email: 01277 312705/paula.harvey@brentwood.gov.uk**

- 8.3 The recommendations set out within this report are lawful and within the Council's powers and duties. The Council operates a committee system form of governance within an existing legal framework. The Council's Constitution provides that the Annual Meeting will establish a committee for the purposes of the Licensing Act 2003 and such other committees as may be necessary for the proper discharge of the Council's functions, including their size and terms of reference.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.4 None.

## **9 Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 9.2 None.

## **10 Appendices to this report**

Appendix A: Terms of Reference – Environment, Enforcement and Housing Committee

**Report Author Contact Details:**

**Name:** Claire Mayhew, Corporate and Democratic Services Manager  
**Telephone:** 01277 312741  
**E-mail:** claire.mayhew@brentwood.gov.uk

# **Appendix A**

## **Environment, Enforcement and Housing Committee Terms of Reference**

1. The functions within the remit of the Environment, Enforcement and Housing Committee are set out below:
  - 1) Waste management, refuse collection and recycling
  - 2) Environmental improvement schemes
  - 3) The quality of the public realm, including street services and grounds maintenance
  - 4) Highway matters that are the responsibility of the Borough Council (including highway closures under the Town Police Clauses Act 1847) and drainage
  - 5) Public conveniences
  - 6) Cemeteries and closed churchyards
  - 7) Unlawful incursions
  - 8) Affordable housing
  - 9) Housing strategy and investment programme where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee
  - 10)The Housing Revenue Account Business Plan where the Policy, Resources and Economic Development Committee does not decide to exercise such functions as the superior Committee
  - 11)Housing standards, homelessness, homelessness prevention and advice
  - 12)Housing needs assessment
  - 13)Housing benefit - welfare aspects
  - 14)Private sector housing and administration of housing grants
  - 15)Tenancy Management and landlord functions
  - 16)To make recommendations to Policy, Resources and Economic Development Committee on the setting of rents for Council homes.

- 17) Operational facilities management (including maintenance) of the Town Hall and the Depot
- 18) Oversee and monitor the enforcement activities of the Council
- 19) Community Safety (including Community Safety Partnership) and CCTV
- 20) To implement working parties as required

# Agenda Item 4

25<sup>th</sup> June 2019

## Environment, Enforcement and & Housing Committee

### Chair's update report

Members to note updates from Officers set out below.

#### Community Safety Accreditation Scheme

#### Corporate Enforcement Team

Another member of the team has successfully passed their Community Safety Accreditation bringing the core team of accredited officers to 7. A further 2 officers from housing have recently completed their training in April which has increased the total number of officers with accreditation within the Council to 15. This includes officers from Community Safety, CCTV, Environmental Health, and Housing. A recent visit was undertaken by Essex Police CSAS Team who have commended the work being undertaken in Brentwood.

Fixed Penalty Notices issued by the Corporate Enforcement Team from Jan 19 – present,

Fixed Penalty Notices Issued (February – present)					
No	Reason	Location	Amount	Amount Paid	Comment
1	Breach of PSPO	Town Centre	£75	£100	Higher amount paid due to late payment
2	Fly-tipping	Warley	£400	£400	Fly-tip at recycle centre
3	Fly-tipping	Ingrave Road	£400	£400	Waste by litter bin (evidence obtained via CCTV)
4	Duty of Care	Warley	£300	O/S	Failure to supply waste transfer notes
5	Breach of PSPO	Town Centre	£75.00	O/S	Busker (not returned)

## **Fly-tipping**

Our work to tackle fly-tipping continues with plans for joint operations with Essex Police and wider partners throughout the coming months. The team have also improved our fly-tipping leaflet to include useful information on Duty of Care. Data shows that the types of fly-tips are predominantly linked to householder's waste and therefore our campaign will focus on residents being aware of their duty of care and that it is a community issue that needs support from residents as much as partners. The campaign to be launched shortly.

Patrols are also continuing across the borough in key hot spot areas. Several investigations are ongoing following evidence obtained which is also encouraging and will be reported on in the Corporate Enforcement Annual Report.

Fly-tipping figures (removed by BBC)

<b>Month</b>	<b>No</b>	<b>Comment</b>
Feb 19	72	An increase of 01 from the previous year
Mar 19	68	An increase of 16 from the previous year
April 19	54	An increase of 14 from the previous year
May 19	48	A decrease of 12 from the previous year
Year to Date	691	An increase of 3 from the previous 12 months

Officers have focused efforts in the most affected areas, and this was recognised by Navestock Parish Council recently with a thank you from the Chair.

## **Enforcement Opportunity/Support**

Six members of the team have now been trained by Essex Police to be able to carry out speed checks. The speed gun is the same as those used by Essex Police and has

infrared capability. There have been delays in waiting for Type Approval of the speed gun from the Home Officer. However, this in the final stages and delivery of the team's speed gun is due shortly along with delegate powers by the Chief Constable of Essex Police for officers to carry out the speed checks. This will enable officers to carry out speed checks in approved areas. Speeding is always a key community safety issue for our communities, so this is a real positive step forward. It will also improve our visibility across the borough including our rural areas.

#### **Abandoned Vehicles info:**

<b>Month</b>	<b>Enquiries</b>	<b>Total Removed</b>	<b>BBC Removed</b>	<b>DVLA Removed</b>	<b>Owner Removed</b>
Feb-19	22	3	0	0	3
Mar-19	20	3	0	1	2
Apr-19	24	8	1	2	5
May-19	37	7	0	3	4

**Parking on grass verges** - Essex Act 1987 notices have been applied to 7 vehicles that were parked illegally where prohibition notices are in force on Chelmsford Road, Rayleigh Road and Coram Green.

#### **Waste presentation issues**

- ✓ 28 warning/education letters
- ✓ 3 Section 108 Notices issued (a formal Notice sent to an individual asking for further information. If they do not respond within the given timeframe, they then commit an offence. Which is punishable through the Courts)
- ✓ 3 Section 46 Notices sent to residents since January (a formal Notice issued to households that have not presented their waste correctly i.e. too early! We can issue a Fixed Penalty if breach for £80, no early payment reduction)

#### **Dedicated Patrols**

The team continue to undertake patrols in key locations tackling community issues such as ASB, fly-tipping, nuisance vehicles and enforcing the PSPO. Several of the patrols have been during the evening and weekends alongside Essex Police.

In addition to the usual patrols the team also undertook a joint operation with Essex Police, South Essex Parking Partnership (SEPP) in key hotspot areas. This work will continue and develop.

### **Corporate Enforcement Newsletter**

The first edition of the Corporate Enforcement Newsletter has been published with positive feedback. The distribution is continuing to build, and the next edition is due shortly.

### **Community Safety**

**Anti-Social Behaviour** - Since January 2018 the following has been achieved:

- There has been a total of 157 cases, 126 are now closed and 31 open.
- 13 Notices of Seeking Possession have been served for a variety of different reasons.
- 10 Acceptable Behaviour Contracts have been signed by tenants regarding their behaviour. Two of which were to Council tenants who had been caught shoplifting in Brentwood High Street.
- 3 injunctions have been sought and granted for threatening behaviour against residents and staff.
- 6 Community Protection Warnings have been served recently. This Includes one to a Landlord for lack of action against their tenants for noxious smells from their property. This has led to the landlord acting and commenced eviction proceedings.

Anti-Social Behaviour is down 18.2% (316 less offences) rolling 12 months to May 2019. This is hugely due to the joint work of the Community Safety Team, Enforcement Team and Essex Police patrolling hotspot areas and having more of a visible presence.

The team also won Team of the Year 2019 which was wonderful and really lifted their spirits and encouraged them to do even better.

This update is just a snapshot of what the Corporate Enforcement Team do. The Annual Report is being compiled and will be going to Environment, Enforcement and Housing Committee in September.

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# Agenda Item 5

25<sup>th</sup> June 2019

## Environment, Enforcement and Housing Committee

### Improving the Council's Waste & Recycling Service

**Report of**                  *Greg Campbell – Director of Operations*

**Wards Affected:**        *All*

**This report is:**            *Public*

#### 1. Executive Summary

- 1.1 This report follows the decision of the Environment and Enforcement Committee on March 20<sup>th</sup> Min Min 395. This gave authority for officers to commence working up a business case and implementation plan for the introduction of a revised method to collect recycled waste and in doing so make environmental improvements whilst reducing the service cost of the operation.
- 1.2 The report confirms the approach to the revised collection service including financial information identifying a cost benefit.
- 1.3 The information within the report and the business case at Appendix A identify the scope, procurement and communication plan.
- 1.4 It provides further details on the scheme and how the waste will be split from one recycling bag in to two which is beneficial to both the Council financially and the environment as a whole.

#### 2. Recommendation

- 2.1 **The committee approve the**
  - redesigned recycling scheme**
  - to carry out an Equality Impact Assessment,**
  - draft communications plan and**
  - timescales for implementation.**
- 2.2 **That final draft calendar and guidance information to be published to residents be consulted with members prior to release**

### **3. Introduction and Background**

- 3.1 Following the agreement at the Environment and Enforcement Committee on 20<sup>th</sup> March 2019 Min 395 work began to draw together the relevant information in order that Members can make an informed decision as to whether to progress with a scheme to separate mixed dry recycling.
- 3.2 Following work with our consultant a revised collection method for recycled waste was identified. This scheme would have minimal impact on the resident, staff, resources and have significant impact on the service cost.
- 3.3 Further, there is a social responsibility that directs councils to provide services that consider the environment not only for now but also for the future.
- 3.4 The Council has not made any significant changes to its waste service since the introduction of food waste caddies in 2013, and certainly none recently that have affected residents. Any suggested change is therefore subject to careful scrutiny and implementation.
- 3.5 The introduction of this change supports the government strategy ‘Our Waste, Our Resources: A Strategy for England’ published December 2018, which will impact on all local authorities. The recommendations in this report support the main overarching objectives of part of that Strategy which are:
  - To maximise the value of resource use; and
  - To minimise waste and its impact on the environment.

### **4. Issue, Options and Analysis of Options**

- 4.1 The current scheme requires residents to place paper, cardboard, plastics and tins within the orange recycling sacks. These are collected and then delivered to a Material Recycling Facility (MRF) for treatment, where it is sorted, and recyclables are then sent onto processors. The delivery of the sacks to the MRF currently attracts a significant gate fee of £25 per tonne.
- 4.2 The proposal is to separate the recycling out into waste streams which in turn will improve the quality of the recycling material and turn a cost burden into one that would create a revenue.
- 4.3 The scheme will require residents to separate their waste into two separately marked hessian bags. One for cardboard & paper and the other

for plastic & tins. These will be collected along with residual and food waste each week however the collection will be split. Paper & card collected one week and plastic & tins collected the following week.

- 4.4 Advice and information were sought from Street Care Support Ltd, Tendring District Council, Chelmsford City Council and Viola to ensure we had good information on which to base our scheme. Street Care Support Ltd acted as our advisors and have implemented many different schemes large and small up and down the country. The Councils and Viola have introduced similar schemes to ours over the last few years and provided good information.
- 4.5 Further we are due to meet with Brentwood Access Group to identify any issues they could foresee. Any that are identified will be fed back verbally to Committee.
- 4.6 Following the work to identify the best scheme and method to deliver the revised service a Business Case has been produced and is contained in Appendix A to this report.
- :  
4.7 The main headlines of this Business Case are as follows:

**Improvement to Service Headlines:**

- There will be two recycling streams: Paper & Card and Plastic & Tins
- Those on the Assisted Collections list will be contacted to ensure there are no negative impacts to the service they receive
- Recommended that reusable hessian sacks be used to collect the recycled waste streams.
- Communal bin areas will be provided with paper and card recycling bins with an aperture to reduce contamination
- Bins will also be provided for plastic and cans at the communal sites
- There are significant environmental improvements from the introduction of this change including less haulage and the reduction in processes to get the material back into a useable material
- This scheme has minimal impact to the resident
- This scheme if agreed will be delivered in one go
- Implementation will be during the Autumn 2019 dependent on procurement
- The introduction of this scheme will require minimal changes to the depot layout & process

**Financial Headline Benefits of the new scheme:**

- The Gate Fee charged to the Council will no longer apply
- This method of collection will enable the Council to reduce the service cost

- The Council will be in a far better position financially moving to this scheme even if the commodity prices drop. Any commodity price drop would be reflected in a Gate Fee increase that we would otherwise be paying
  - There will no longer be a need to purchase Orange Recycling sacks or deliver them twice a year
  - Hessian Sacks are reusable and have a life expectancy of approximately 5 years. The capital cost is also cheaper than orange bags currently distributed.
- 4.8 The proposal will create a beneficial financial position for the Council and deliver a number of environmental benefits. Although we represent a small proportion of the bigger global issue it is important the local authorities are seen to be promoting the right services and right behaviours. Some of the environmental benefits taken from the Business Case are listed below:
- Reduce number of processes and handling which increase the carbon footprint
  - Reducing the carbon footprint by reducing vehicular movements
  - Quality recycled waste will ensure recycling industries in the UK will want our product and therefore not transfer abroad.
  - The recycling waste we produce will all be able to be recycled. There should be minimal contamination and no rejection
  - Promote recycling plastics to reduce the amount in the wrong waste stream
  - Reduce Brentwood Council contributing to the plastic waste by ceasing the purchase of Orange Plastic Sacks
- 4.9 Communication will be key to the successful delivery of this project. Braintree Council have provided support to bring together a draft Communications Plan which forms part of the business case. Communication will start as soon as the scheme is agreed.
- 4.10 Braintree have had experience of delivering other similar schemes across the county including Tendring Council who we visited.
- 4.11 The critical path to deliver this project on time and effectively to meet its objectives is based around procurement of the production and delivery of the Hessian sacks, the delivery of the Hessian sacks to residents and the contracts with companies to take the waste from us. Work on this has already begun and in most cases, it appears there are frameworks which we can use which will speed up the process and keep us on track
- 4.12 Based on the Business Case at appendix A and the draft Communications Plan included within that appendix it is recommended that the revised

recycling scheme implementation be introduced this autumn from October 2019 depending on the procurement process.

- 4.13 In order to make this switch, the Council would require residents to separate the recyclables they place in their orange sack, into two discrete waste streams: namely: ‘paper & card’ and ‘plastics & tins’.
- 4.14 Therefore, the collection service for general household waste (black sacks), food waste, garden waste and mixed glass collections would remain the same; with the two new streams (replacing the current single stream) being collected on separate weeks.
- 4.15 The financial implications for the initial outlay are set out below:

- The cost of hessian bags £91k
- The cost to distribute hessian bags £20k
- Promotion and communication £40k
- Purchase of alternative communal and commercial bins £23k

There will be an annual contribution of £20k in order to replace the hessian bags due to their expected lifecycle being 5 years.

#### **4.16 Potential income generation and savings:**

- The reduction to the gate fee is £122k
- Saving on orange sacks £91k
- Paper & Cardboard anticipated income £90k
- Plastic & Tin anticipated income £8k

- 4.17 The Council also receive Recycling Credits for the amount of waste we recycle. It is expected that this figure will reduce due to the fact that the new method of collection will reduce the amount non recyclable material and single use plastics currently placed in the orange bag. Based on Tendring Councils experience they witnessed a 24% fall in recyclable waste. Therefore, our Recycling Credit could fall by a potential £80,000
- 4.18 Overall it appears from the figures sourced the Council would realise a saving of £230k in year 1 with ongoing savings of £210k. The £20k reduction is due to the purchase of replacement Hessian bags required.

#### **Implementation Plan:**

- 4.19 The following provides a high-level implementation plan. Detail of each workstream will be worked up.

Date	Action
June	Commence Procurement of Hessian Bags
June	Commence Procurement of waste collection contracts
July/August	Initial communication feeds go out to the residents and other stakeholders and staff informed
July/August	Information distributed at Summer Community Events
July/August	Specific Groups targeted (Assisted collections, Communal and Commercial)
August	Procurement Contracts Agreed
September	Continue with communication Communication Boards onto Refuse vehicles
September	Hessian Bags & Calendars delivered to residents
September	Replace communal and commercial bins where appropriate
October	Update website and text messaging
October	Service Begins

## 5. Reasons for Recommendation

- 5.1 The benefits and non-benefits include ‘*inter alia*’:
- Increase in revenue and a reduction in costs.
  - Improvement in the quality of recycling collected.
  - Minimal change in the service provided to residents.
  - Manageable budgetary pressures.
- 5.2 Members are requested to agree to the recommendations as they will enable the evolution of the Council’s Waste Management Service to meet current and future challenges.

## 6. Consultation

- 6.1 Consultation with Brentwood Access Group, Tendering District Council, Chelmsford City Council and Viola was undertaken. Further the consultant specialist – Street Care Support Limited were engaged to advise the Council on positive solutions to improve the waste recycling service. The scheme has been developed and takes into account the advice and information gained from the consultations.
- 6.2 A verbal update following consultation with Brentwood Access Group will be provided on the evening of the committee

## 7. References to Corporate Plan

- 7.1 The Council will continue to ensure the provision of efficient and effective services.

- 7.2 The eventual implementation of this change of service will enable the Council to continue to work towards minimising waste by collecting waste effectively and increasing recycling rates.

## **8. Implications**

### **Financial Implications**

**Name & Title: Phoebe Barnes Interim Financial Controller**

**Tel & Email: 01277 312839 phoebe.barnes@brentwood.gov.uk**

- 8.1 The improvement of the Council's waste and Recycling scheme requires an initial revenue investment of £174k. This revenue pressure can be funded from the Waste Management earmark reserve, which currently has a balance of £583k, utilising this reserve would reduce the balance to £409k.
- 8.2 The scheme has potential to generate savings within 19-20 but this is dependent on meeting the procurement dates as outlined in the report. Any savings generated within this financial year will be reported through the Council's budget monitoring process. The full year saving of £230k will be achieved in 20-21 and will be allocated against existing savings targets already built within the Council's Medium-Term Financial Plan.
- 8.3 The income revenue generated from this scheme is market led. Therefore, if the market price of the commodity increases or decreases the savings outlined in the report will reflect this fluctuation. This potential fluctuation will be captured through the Council's budget monitoring process and reported accordingly.

### **Legal Implications**

**Name & Title: Paula Harvey, Deputy Monitoring Officer**

**Tel & Email: 01277 312 500 / paula.harvey@brentwood.gov.uk**

- 8.4 The recommendations to implement the proposed changes to recycling services are within the Council's powers and duties. The Council has a statutory duty under the Environmental Protection Act 1990 to arrange for the separate collection of recyclable waste.
- 8.5 The Council has a duty to undertake its waste responsibilities in general conformity with government strategy: these proposals comply with this obligation.
- 8.6 There is no express duty to consult on the proposed changes and the form and content of the consultation is therefore not prescribed. The outcome of any consultation which has been undertaken must be conscientiously taken into account as part of a lawful decision-making process.

8.7 An Equality Impact Assessment should be carried out to enable decision-makers to comply with the Council's duties under the Equality Act 2010, to eliminate unlawful discrimination and advance equality of opportunity between different groups of users. Decision-makers should consider the equality impact assessment and how their decision will contribute towards meeting the Council's public sector equality duties, whilst also taking into account other relevant circumstances such as economic and practical considerations.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

8.8 An equality impact assessment will be undertaken

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 Our Waste, Our Resources: A Strategy for England' published December 2018,

## 10. Appendices to this report

- Appendix A - Business case: Council Recycling and Environmental Improvements

### Report Author Contact Details:

**Name:** Greg Campbell

**Telephone:** 01277 312738

**E-mail:** greg.campbell@brentwood.gov.uk

## Appendix A



# Council Recycling and Environmental Improvements

Business Case

June 2019

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## **1 Introduction - Purpose of this Document**

- 1.0 This document progresses the initial information from consultants (Street Care Support Ltd & WYG) which identified potential areas where the service could be altered to deliver enhancements to the service both environmentally and financially. This document explores and expands on the report that went to committee in March 2019 that considered altering the waste recycling streams
- 1.1 This business case provides information so an informed decision on whether to commit to the implementation and sign off.

## **2 Background Summary**

- 1.2 During 2017 the Depot were subject to a review by WYG who identified various operational changes which might improve the service. Moving forward the Council engaged with 'Street Care Support Ltd' industry experts in Waste Management who have previously identified areas of improvement to many Councils throughout the country to progress the initial work
- 1.3 The main focus of the consultant's work was to identify areas where the Council could consider making changes which would improve the service for the public, the environment and financially.
- 1.4 Following initial considerations an option was identified which would produce a significant financial benefit to the Council, deliver environmentally improved services and be of least disruption to residents. This option sought to change the way recycled waste is presented by the residents, collected by the refuse service and disposed of.
- 1.5 This type of change will also hit a chord with residents as there is growing enthusiasm from the public as a whole to make environmental improvements to the way we dispose and use our commodities. This has been encouraged by recent programmes including the 'Blue Planet' and more recently the 'War on Plastic'. This project supports that general direction.
- 1.6 The recommendations are also in line with the Government's new Waste Strategy launched in December 2018 which seeks to:
- Maximise the value of resources collected and
  - Minimise waste and its impact on the environment
- 1.7 In 2007 the Council decided to introduce a recycling scheme which required every resident to sort their waste into that which could be recycled and that which could not. In 2013 a further scheme to separate food waste was introduced. Therefore, the present waste service requires residents to provide a residual black sack for waste, an orange recycling bag and a food waste bin each week. Further garden waste and glass recycling are presented fortnightly for collection.

- 1.8 Although Brentwood maintains a good level of recycling across Essex the amount of material being recycled has actually reduced. This is evident nationally and partly due to manufacturers reducing packaging and more stringent inspections of material at treatment facilities, since the reduction in demand from China.
- 1.9 There are also other factors that make the consideration of this decision more appealing. The amount of contamination within our orange sacks it appears is increasing. It is very difficult to view the inside of these recycling sacks whether orange or even if made clear which makes identification of contaminated bags difficult. This has created an issue recently; two loads of our dry recycling (28 Tonnes) were rejected because contamination was too high at the Multi Recycling Facility (MRF) due to new quality control measures being introduced. This cost the Council approximately £2,000 per load in disposal and a loss in recycling credits. If this trend continued the Council could have more and more waste refused at a significant cost to the Council.
- 1.10 It is also clear that the direction of travel for waste is about quality not so much quantity. There is a growing pressure from those in the recycling industry for quality plastic that can easily be recycled. Our scheme will push for quality plastic and single use plastics to be discarded.
- 1.11 The Government's new waste strategy 'Our Waste, Our Resources: A Strategy for England' launched in December 2018 amongst other things seeks greater quality and standardization of waste products.
- 1.12 The introduction of this scheme should address both.

### 3 Scope

- 3.1 The scope of the project has been established by the approval to proceed at the Environmental and Enforcement Committee March 2019 Min 395. The proposed scheme seeks to introduce a change in the way residents present their waste. It does not seek fortnightly collections for residual waste nor food waste. Whilst there are many benefits displayed up and down the country to move to fortnightly collections it is not something for consideration at this stage and is outside the scope of this project.
- 3.2 This proposed revised scheme will not seek to change the collection routes and therefore will have minimal impact to residents in terms of their current collection day for recycling apart from using a different bag to recycle material.
- 3.3 Further still residents will only be asked to present the same number of waste streams each week. For example, if you have the full complement of waste:
  - Week One: Residual, Food, Recycling (paper & Cardboard), Glass
  - Week Two: Residual, Food, Recycling (Plastic & Tins)

- 3.4 The difference is that one week the recycling collection will be for paper & card and the second week it will be for plastic & tins. Both of which are classified as odourless waste.
- 3.5 Nothing else at this stage is considered in scope
- 3.6 What is out of Scope:
- Residual Waste Collections
  - Food waste collections
  - Wholesale changes to vehicles
  - Recycling Bring Sites

## 4 Strategic Fit

- 3.7 Revising the recycling streams to deliver a better-quality product to sell fits with a number of corporate objectives, as set out in Vision for Brentwood 2016-19:
- Maximise Council assets to deliver corporate objectives and ensure community benefit
  - Develop new ways of working for the Council, improving service delivery and reducing costs and unnecessary bureaucracy
  - Explore alternative methods of delivering street scene services
  - Encourage more people to become involved in the environmental aspects of their community
  - Minimise waste by collecting waste effectively and increase recycling rates
  - Develop educational opportunities to encourage waste minimization and recycling
  - Enable communities to take a more active role in delivering a cleaner and safer environment

## 5 Project Objectives

- 3.8 The project's objectives are to
- provide an effective and efficient waste service
  - Seek methods by which the Council can contribute to reducing the carbon footprint
  - Introduce dry recycling collection streams to realise financial benefits.

## 6 Expected Outcomes

- 1.13 The project will deliver the following outcomes:
- Increased revenue
  - Reduced expenditure
  - Reduced contaminated recycling
  - Improved environmental impact and reduced carbon footprint

- 1.14 Outcomes will be measured using benchmarking to be identified before the start of the project during 2019. Reporting and monitoring of indicators by the Council will start after the introduction of the scheme and available in quarterly reports thereafter.

## 7 Current Service

- 3.9 The Refuse service presently provides to all residents within the borough including approximately 500 businesses however due to contamination issues only 100 of these have recycling contracts. The service for all other residents is the same apart from those who require assisted collections.
- 3.10 The service presently collects on a weekly basis residual waste, recycling and food waste plus alternate weekly for both glass and garden waste
- 3.11 The Council provide orange plastic bags to recycle residents waste at a cost of £90,000 per annum. These bags are difficult to recycle and not a welcome waste stream as was recently seen in the documentary 'War on Plastic' where these bags were spotted in waste in Malaysia. Many councils are seeking to move away from this type of recycling method and towards some form of containerization.
- 3.12 The recycled waste collected from our residents is transferred daily from Brentwood to a Multi Recycling Facility (MRF) in Crayford, Kent, our most local facility. At this facility the bags are split, and the recycling sorted into various streams including the removal of contaminated waste. This is at a cost of £25 per tonne (present rate), plus carriage. This cost fluctuates and is subject to the market. The price is reviewed every three months.

## 8 Suggested Revised Service

The Council, following advice from industry experts, are seeking to revise how residents present their recycling. If this is introduced the recycled waste will:

- be an improved quality and therefore attract a better price
  - become a revenue commodity rather than a cost burden
  - ensure the right waste is disposed of at the right location
- 3.13 To achieve this the Council will require residents to split their recycling from one sack into two. Instead of placing all recycling waste into one orange sack residents will be asked to place recycling into two reusable hessian bags one for paper & card and one for plastic & tins. It will be the same types of waste collected, albeit in separate bags.
- 3.14 Residents will only need to present one of these hessian bags each week which will be either paper & cardboard or plastic & tins. As part of the communication drive a calendar will be provided to each resident to ensure they know which week is which. This will be a revised combined calendar taking in the glass and garden waste collection as well.

- 3.15 Using hessian bags will enable refuse staff to identify contamination easier and therefore improve the quality of the recycling. This is because the hessian bags will have an opening for greater and quicker inspection making it easy to inspect. The waste streams are very distinct (paper & Card or plastic & cans) and this will assist with the identification and reduction of contamination.
- 3.16 This project will give the Council the opportunity to re-enforce what is recyclable and what will be accepted in each bag. The Council also propose to give immediate feedback by using stickers to inform residents why their waste was not collected. Again, educating and nudging our residents into the right behaviours by providing immediate information.
- 3.17 The hessian bags have been chosen following consideration of the available options which were narrowed down to boxes, hessian reusable bags or continue with polymer bags (Orange Sack type). A Strength, Weaknesses, Threats and Opportunities (SWOT) analysis of the options was carried out and a briefing day was held to go through the different options. Attached at Appendix 1 is the SWOT Analysis for the three options. Following this process, it has been decided to recommend the introduction of hessian bags as the preferred method to collect recycled waste. The main reasons for this recommendation are:
- They are easy to fold down and store.
  - Better for the resident than boxes
  - They increase in size as they are used
  - They are flexible and therefore more manageable than boxes for residents
  - They have been successfully used in other areas
  - More cost effective than the other options
  - Importantly they reduce manual handling issues for both residents and collection operatives.

*Manual handling at work regulations make the use of bags much more agreeable than boxes which is presently used for glass. It may be in time that we need to swap out the glass boxes for another type of container, one which is more conducive to manual handling.*

The SWOT analysis at appendix 1 supports this recommendation

- 3.18 The hessian bags will be white with coloured print that will match industry standards set by the Waste and Resources Action Programme (WRAP) for paper & card and plastic & tin.

3.19 Further please note that should residents require extra sacks they will be able to request these from the Council

## 9 Effect on Recycling Quality, Quantity and the Environmental Impact

3.20 From discussions with other authorities and private companies who run similar services it has become apparent that the introduction of this type of collection has a knock-on effect with the amount of recycling tonnage collected. Tendring District Council experienced a downturn of 24% in their recycling collection when they introduced the scheme.

3.21 This is attributed to the fact that prior to the separation of waste their mixed recycling bags (Equivalent to our orange sacks) was thought to contain contamination and non-conforming recycling (single use plastics) which it is assumed accounted for the 24% identified drop in recycled material.

3.22 This reduction has an effect on the recycling credits received from ECC which translates into cashable savings. Therefore, the revenue received from these credits is very likely to reduce however following a financial analysis in Section 12 it appears there is not enough of a reduction to consider changing the proposal. It needs to be recognized that if we continue with our present scheme and more waste is turned away because of contamination this too would affect our recycling credits.

3.23 Although the proposal will create a beneficial financial position for the Council the scheme will develop a number of environmental benefits and although we represent a small proportion of the bigger global issue it is important the local authorities are seen to be promoting the right services and right behaviours. Some of the environmental benefits are listed below:

- Improved quality in recycling that will ensure the right products end up in the right waste scheme. This will reduce second handling and extra processes.
- Reduction in the number of journeys each week to recycling factories. Reducing the carbon footprint
- Quality recycled waste will ensure recycling industries in the UK will want our product and therefore no need to transfer abroad.
- The recycling waste we produce will all be able to be recycled. There should be minimal contamination and no rejection
- Encourage less waste: Around 60 percent of items that are thrown away are in fact recyclable.
- Fewer landfills: Plastic can take 1,000 years to decompose; glass can remain in a landfill for up to 4,000 years. By recycling these materials, valuable space can be saved and put to better use.
- Conservation: Paper, plastic, and metals can be used indefinitely if they are recycled. Producing them from raw materials is unnecessary and furthermore, causes harm to the environment through resource consumption and manufacturing emissions.

- Reduce global warming: Recycling just half of your household waste can prevent nearly 2,500 pounds of carbon dioxide from being released into the atmosphere.
- Protect wildlife: Recycling is beneficial not only for humans, but millions of species of plants and animals that see their habitats destroyed by the harvesting of natural resources and pollution

## 10 Communications

- 3.24 It will be key to ensure the residents understand the change, sign up to the change, own it and react to it. In order to ensure we get this most important and critical part of the project correct we have engaged with Braintree District Council Communications Team who have experience of delivering such schemes for other authorities. Attached at appendix 2 is a draft communications plan. The key drivers and messages of the information within this plan will be:
- When the change will happen?
  - What is involved in the change?
  - How will the change affect me? (the customer)
  - The improvements the change will bring?
  - Where can you go for assistance?
  - How the scheme will work?
  - Engagement with those who have 'Assisted Collections'
- 3.25 With regards to the last bullet point above the Council presently have 250 residents who require Assisted Collections. This service will not be affected however considerate liaison with this group will be undertaken to ensure they are fully considered and are not affected by the change
- 3.26 The cost of communications and their implementation will depend on the options agreed from the communications plan. However, we have been advised that we should budget for around £1 per household plus other material and advert expenses will be required. The budget for this important aspect will be no more than £40,000.
- 3.27 Implementation of the communications plan should commence immediately if the project is agreed and a start date for autumn is confirmed.

3.28 Key Points from the Communication Plan are set out below:

<b>Key Points of the plan</b>
Develop a plan that encompasses all
Use all appropriate methods that are available to the Council including social media through to 'face to face'
Ensure the key messages are delivered
Target groups and those with special requirements
Engage in all areas from schools, the high streets and summer road shows
Have a clear calendar of when activities are to take place
Ensure the success of the revised service and of the communication plan can be measured

*Table 1.0: Communication Plan Key Points*

## 11 Consultation and Stakeholder Engagement

11.1 In order to develop the best scheme for Brentwood Council the Council the following was undertaken:

- Met with Chelmsford City and Tendring District Councils which included a site visit to see how the operation worked.
- Will hold a briefing session to discuss and explain the options and how we arrived at this point for all members
- Worked with industry experts
- Used industry standards
- Met with Brentwood Access Group
- A stakeholder map was developed

## 12 The Financials

3.29 At present our mixed recycling waste goes to a Mixed Recycling Facility (MRF) which splits and sorts the waste. At present this costs the Council £25 per tonne and is referred to as the 'Gate Fee'. Last year it cost the Council £203,943 per annum in Gate Fees. The proposed scheme will in todays' climate produce a revenue for the Council. If we can deliver a quality commodity, we should attract a good market price.

3.30 Based on the average price checks from the market the Council would create two revenue streams one for Paper & Cardboard at £30 per tonne and the second for Plastic & tins at £10 per tonne.

- 3.31 The cost per tonne achieved will be dependent on the market rates when we undertake our procurement exercise and the quality of the expected product we will deliver to the market. Good quality will demand a higher price, poor quality a lower price
- 3.32 If the market rate for these commodities reduces then the impact of this would be felt in the Gate Fee we pay. The present Gate Fee per tonne would increase if the prices for paper & cardboard and Plastic & tin were affected negatively. Therefore, moving over to the proposed method of collection and recycling will always be more beneficial to the Council rather than retaining the status quo.
- 3.33 The Council also receive Recycling Credits for the amount of waste we recycle. It is expected that this figure will reduce due to the fact that the new method of collection will reduce the amount non-recyclable material and single use plastics currently placed in the orange bag. Based on Tendring Council's experience they witnessed a 24% fall in recyclable waste. Therefore, our Recycling Credit could fall by a potential £80,000

#### **Capital Costs:**

- 3.34 The capital outlay to introduce this new project is set out below and based on the Hessian bag approach. If an alternative container is agreed the cost would need to be adjusted to reflect that decision:

<b>Initial Outlay</b>	<b>Cost £</b>
Hessian bags	91,250
Communal Bins	23,000
Delivery fee	20,000
Marketing	40,000
<b>Total</b>	<b>174,250</b>

The Financial forecast is set out below

		<b>Tonnage of recycling p.a.</b>	
		Current	New scheme
	<b>Rate</b>	4863	3734
	<b>Tonnage</b>		
Recycling Credits	(70)	(342,161)	(262,724)
Dry Recycling Gate Fee	25	121,575	
Bag (Orange Sack)		91,000	
Hessian Bags			20,000
Fibre Gate fee(Paper & Card)*	(30)		(89,616)
Gate Fee (Plastic and tins)*	(10)	0	(7,468)
<b>Total</b>		<b>(129,586)</b>	<b>(339,808)</b>

\* Gate fees based on average 18/19

**Variance** **(210,223)**

All prices are subject to the market forces however as explained earlier it should be noted that moving to this method is of benefit even if the market for paper & card and plastic & tin drops. That is because if the price for recycled raw commodities drops the Gate Fee cost per tonne at the MRF would increase thus increasing our gate fee.

## 13 The Collection and Disposal Process - General Overview

- 3.35 Although we are producing a revised scheme which will introduce a further recycling stream the Depot Yard is set up in such a way that it is flexible enough to accommodate these changes and deliver the benefits of such a scheme.
- 3.36 The Current refuse and recycling fleet is on a rolling replacement program and vehicles are capitalized over a 10-year period. The proposed new scheme will not affect the replacement program but may see some slight changes to the style of vehicle we currently use for recycling. This will have no effect on the residents or current capital budgets.
- 3.37 Therefore, there is no reason why at present this scheme could not go ahead at the present Depot facility in Warley at no extra cost.

## 14 Communal Groups and Commercial Waste

- 3.38 Communal bin areas are and have always been a difficult area for recycling. This is mainly due to residents not taking ownership of the collection points. Past experience has shown that although most residents recycle correctly, all their hard work can be undone by a single point of failure. If one resident inadvertently places incorrect material in the recycling containers, the whole bin of recycling becomes contaminated.
- 3.39 The new scheme would give us the opportunity to deploy new bins with apertures for paper & card which will reduce contamination.
- 3.40 In the same way the communal areas will be provided with bins in which to dispose of plastic and tins.
- 3.41 This communal situation will be monitored to keep an eye on contamination and identify where extra bins are required.

## 15 Business Continuity

- 3.42 The service is being designed in order that these changes will have little effect to the continuity and resilience that has been built up over the years by the service and in particular by the management and refuse operators who run and deliver the service.
- 3.43 Therefore, there is not expected to be any impact on the service apart from any initial implementation 'hiccups' when introduced.

## **16 Other considerations for the introduction of this scheme**

- 16.1 It is envisaged that the introduction of this revised collection service should be undertaken in one go. This suggestion is made following advice from our consultations and previous experience within the service. It is considered that should the service be introduced on a phased approach it will develop confusion amongst residents as well as the operatives collecting the recycling. The one-off approach will also assist communications and the contact center when residents contact them for advice.

## **17 Delivery Approach**

- 17.1 The next phase of delivery will be the procurement of the hessian bags, the implementation of the communications plan and full engagement with residents, staff and other stakeholders and procurement of contracts. The hessian bag procurement will include the procurement of a service to deliver the bags which will need to be coordinated with the communications plan.
- 17.1 Further the procurement process for the contract to sell on the commodity will need to be completed before go live date.
- 17.2 Following approval of the scheme, communication with residents will commence using social media, face to face, adverts and sign posting. A combined concerted effort is envisaged to produce the best results.

## **18 Timeline**

- 17.3 The advice from consultants is that such changes to the refuse collection service should be taken in the early autumn months or spring after the Easter Bank Holidays. In order to realise financial savings at its earliest opportunity the implementation could be delivered for this autumn 2019 with a target go live date of October.
- 17.4 The important critical factors to deliver this change are the procurement factors. There is an urgent need to procure the hessian bags as quickly as possible which will be undertaken through a framework, as will the need to manage the delivery of the Hessian Bags as near to the go live date in a short time frame. All indications confirm that the procurement approach and delivery times are possible however as soon as Committee make a decision work will need to begin.
- 17.5 If the above timelines cannot be met or there is an issue and the implementation goes back beyond October, then implementation will need to be put back until Spring 2020.

## **19 Consultation**

Consultation has been undertaken with the Brentwood Access Group and with Tendering Borough Council and Chelmsford City Council, the management at the depot and the waste operatives at the Depot and Health & Safety/

## **20 Summary**

- 20.1 The introduction of a new recycling stream will see an improved reduction in the cost of the service.
- 20.2 The separation of waste using hessian bags into two streams will reduce contaminated recycling waste and reduce the overall carbon footprint as it removes the need to transport waste to the MRF as frequently.
- 20.3 By introducing this change the Council is working towards a cleaner environment, the Governments new waste strategy and reducing expenditure within the Councils budget.

## **21 Work Needed Ahead of Implementation**

- Confirm the procurement workstreams and ensure the contracts are in place before 'go live'
- Work with Contact Centre and front line to ensure they are aware of the changes and when they are being introduced
- Work with and fully engage the workforce to ensure they know what is happening and when.
- Trial the bags with the teams to get used to them.
- Fully identify critical success factors
- Ensure the messages are received early by our residents and customers

## **22 Assumptions**

- 22.1 For the project to progress and deliver its outcomes, the following headline assumptions and dependencies have been identified/made:
  - The price difference between the cost to the Council at the Multi Recycling Facility and the cost companies are willing to purchase the commodities from us.
  - The Hessian Bags can be procured within the timelines already identified
  - A contract with external companies to purchase our waste can be agreed and, in the timescales, necessary.

## **23 Appendices**

- Appendix 1 – SWOT Analysis
- Appendix 2 – Draft Communications Plan

## Appendix 1 SWOT Analysis of Receptacles

<b>Hessian Bags</b>	
<b>Strengths</b> <ul style="list-style-type: none"> <li>• Flexible</li> <li>• Easy to store</li> <li>• Expands in use</li> <li>• Easy to seal</li> <li>• Unlikely to break</li> <li>• Easy to use</li> <li>• Weighted bottom – easier for crew to return</li> <li>• Bags cheap</li> <li>• Takes up less space (than bins) for spare bags in retail outlets</li> </ul>	<b>Weaknesses</b> <ul style="list-style-type: none"> <li>• Shorter life span</li> <li>• Replace every 5 years</li> </ul>
<b>Opportunities</b> <ul style="list-style-type: none"> <li>• Detailed instructions included on bag</li> <li>• Residents can use more than one if become heavy</li> <li>• Use for baling in future</li> <li>• Carry bags on board vehicles and replace immediately if damaged</li> <li>• Square bags – easier to spot contamination</li> <li>• Could move to 3<sup>rd</sup> bag – separate paper and card – increase revenue</li> <li>• Use of stickers to educate re. contamination</li> <li>• May last longer than 5 years</li> </ul>	<b>Threats</b> <ul style="list-style-type: none"> <li>• Can be blown away</li> <li>• Misused by residents</li> <li>• Less convenient for retail outlets to store</li> </ul>

<b>Bins</b>	
<b>Strengths</b> <ul style="list-style-type: none"> <li>• Strong</li> <li>• Sturdy</li> <li>• Longer life span – 10 years</li> </ul>	<b>Weaknesses</b> <ul style="list-style-type: none"> <li>• Takes up more space</li> <li>• Replacements not easy to distribute</li> <li>• Lose lids</li> <li>• Less instructions on side</li> <li>• More expensive to purchase</li> <li>• Takes up more space for retail outlets</li> </ul>
<b>Opportunities</b> <ul style="list-style-type: none"> <li>• Easier to make DDA compliant – notch on side or add brail</li> <li>• Use for baling in future</li> <li>• Easy to spot contamination</li> <li>• Use of stickers to educate re. contamination</li> </ul>	<b>Threats</b> <ul style="list-style-type: none"> <li>• May not meet manual handling requirements</li> <li>• Can be blown away</li> <li>• Misused by residents</li> </ul>

<b>Orange Sacks (status quo)</b>	
<b>Strengths</b> <ul style="list-style-type: none"> <li>• Easy to store</li> <li>• No manual handling issues</li> <li>• Many retail outlets</li> <li>• Easiest to collect</li> </ul>	<b>Weaknesses</b> <ul style="list-style-type: none"> <li>• Cost – ongoing cost of £90k.year</li> <li>• Single use plastic</li> <li>• Contaminated</li> </ul>
<b>Opportunities</b> <ul style="list-style-type: none"> <li>•</li> </ul>	<b>Threats</b> <ul style="list-style-type: none"> <li>• Can't be used for baling if move to in future</li> <li>• Misused by residents</li> <li>• Harder to educate residents re contamination</li> </ul>



## Appendix 2 – Draft Communications Plan

<b>TITLE</b>	<b>Brentwood Borough Council</b>  <b>Waste &amp; Recycling – change to recycling collection service campaign 2019</b>
<b>SUMMARY</b>	<p>Brentwood Borough Council (BBC) is seeking to introduce a change in the recycling collection service which will affect the way residents present their recycling materials.</p> <p>In brief, the change in service will involve the delivery of new containers to households, a call to action for residents to separate recycling materials and a weekly collection cycle of separated materials.</p> <p>The new scheme is planned to launch in September/October 2019 and a robust change in behaviour communications plan will be required to inform residents of the change.</p> <p>Brentwood Borough Council has approached Braintree District Council's (BDC) Marketing &amp; Communications Team to offer communications support.</p>
<b>APPROVED BY</b>	Greg Campbell, Director of Operations, Brentwood
<b>LEAD OFFICER</b>	Greg Campbell Darren Laver Manager of Depot Mike Dun, Trade Waste Officer, Brentwood
<b>COMMS LEAD OFFICER</b>	Tania Roberge, Marketing and Communications Manager, Braintree District Council
<b>COMMS PROJECT OFFICER</b>	Roslyn Alam, Marketing & Communications Officer, Braintree District Council
<b>BACKGROUND</b>	The current recycling service collects paper, card, plastics and cans co-mingled in orange sacks on a weekly basis. The change will seek residents to pre-sort

	<p>these items into 2 different material collection streams being paper &amp; card; plastic &amp; tins, which will then be collected on separate weeks. There is no change to any of the other waste streams collected nor collection day. The outcome of the change will mean that different waste streams will be collected weekly.</p> <p>The total number of properties is approx. x33,000 with some communal waste areas that are likely to be treated differently, as well as 500 commercial customers. Three communications approaches will be needed for each of the different audiences.</p> <p><b>The aims of the change in service are to:</b></p> <ul style="list-style-type: none"> <li>• Create a substantial saving it is hoped in excess of £100,000</li> <li>• Reduce contamination</li> <li>• Increase good quality recycling</li> <li>• Provide reusable hessian sacks instead of plastic orange sacks – providing a more environmentally friendly and sustainable alternative</li> <li>• Replace existing 'flats' communal and commercial bins with containers that have material specific 'slots' to avoid contamination.</li> </ul>
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<b>COMMS OBJECTIVE</b>	<b>Objectives</b>
	<ul style="list-style-type: none"> <li>• Residents are aware of the change in service and the reasons/benefits for the change.</li> <li>• Residents know how to use the new service correctly and what recycling material stream to put out on which day.</li> <li>• Residents serviced by communal bins are informed of the replacement bins and the rationale behind the installation</li> <li>• Commercial customers are aware of the change and know how to use the service (as the collections are linked with domestic households' rounds).</li> </ul>
<b>COMMS STRATEGY</b>	Target information to all domestic households and commercial customers that receive BBC's waste & recycling collection service, with the aim of ensuring they

	<p>are aware of the change and how to use the service correctly.</p> <p><b>Link to Corporate Plan Objectives 2016-2019</b></p> <p>Revising the recycling streams to deliver a better-quality product to sell fits with a number of corporate objectives, as set out in Vision for Brentwood 2016-19:</p> <ul style="list-style-type: none"> <li>• Maximise Council assets to deliver corporate objectives and ensure community benefit</li> <li>• Develop new ways of working for the Council, improving service delivery and reducing costs and unnecessary bureaucracy</li> <li>• Explore alternative methods of delivering street scene services</li> <li>• Encourage more people to become involved in the environmental aspects of their community</li> <li>• Minimise waste by collecting waste effectively and increase recycling rates</li> <li>• Develop educational opportunities to encourage waste minimization and recycling</li> <li>• Enable communities to take a more active role in delivering a cleaner and safer environment</li> </ul>
<b>AUDIENCES</b>	<ol style="list-style-type: none"> <li>1. Residents</li> <li>2. Flat residents</li> <li>3. Commercial premises registered to the waste and recycling service</li> <li>4. Councillors</li> <li>5. Members of staff</li> </ol>
<b>TIMETABLE</b>	<p><b>JUNE</b></p> <p><b>24<sup>th</sup> June – Committee approval</b></p> <p>By end of June – feedback of Committee decision</p>

- Crew briefing
- Customer Service briefing
- Preparation for media/residents enquiries regarding publication of Committee Agenda and decision outcome

## JULY

### w/c 8<sup>th</sup> July

- FAQ sheet for Members and Customer Services
- Press release announcement linking to social media post
- Details on the website to support the above
- Video 1 for social media to inform of forthcoming change and why

### w/c 15<sup>th</sup> July

- Social media toolkits distributed to Parish Councils and partners for use during the months of August, September and October

### w/c 22<sup>nd</sup> July

- E-mail signature x1 default for staff on all outgoing emails
- ‘Sign up to receive text message service’ promotion via BBC’s digital media channels

## AUGUST

- Summer Roadshows running from the end of July to August every Friday
- **w/c 5<sup>th</sup> August** - Door to door notification to change in service leaflet plus social media post as prompt to keep an eye out for the leaflet.
- **w/c 12<sup>th</sup> August** - New calendars on the website
- **w/c 19<sup>th</sup> August** - Social media messages – changes are on the horizon.
- **w/c 26<sup>th</sup> August** - Vehicle panels to be installed ready to go live 1<sup>st</sup> Sept
- **w/c 26<sup>th</sup> August** - Pull up banners/posters deliveries to locations (libraries, supermarkets, locations which currently stock sacks)
- **w/c 26<sup>th</sup> August** - update website to reflect forthcoming delivery

## SEPTEMBER

- **w/c 2<sup>nd</sup> September** - New calendar to be delivered alongside the hessian reusable recycling sacks
- **w/c 2<sup>nd</sup> September** - Electronic notice board at Town Hall

	<ul style="list-style-type: none"> <li>• <b>w/c 2<sup>nd</sup> September</b> – Social media messages about new calendar being delivered and hessian sacks being delivered.</li> <li>• <b>w/c 2<sup>nd</sup> September</b> – Video 2 for social media to support delivery of sacks and calendars – ‘What’s involved’ message with demo</li> <li>• <b>w/c 2<sup>nd</sup> September</b> - Recorded message on BBC switchboard signposting to date of change and where to find our more information</li> <li>• <b>w/c 2<sup>nd</sup> September</b> - 2<sup>nd</sup> email signature default on all outgoing emails</li> <li>• <b>w/c 2<sup>nd</sup> September – 30<sup>th</sup> Sept</b> - Adverts</li> </ul> <p>Text message ‘Your first collection will be....’ <i>Brentwood to advise</i></p> <p><b>October</b></p> <p>Go live – early October</p> <p><b>1<sup>st</sup> October</b> - Front page of website</p> <p><b>1<sup>st</sup> – 31<sup>st</sup> October</b></p> <ul style="list-style-type: none"> <li>• Text message reminders – round specific before collection date, allowing for 2 collection cycles per material streams</li> <li>• Social media messages for month of October – New waste collections have begun. Make sure you check what you are putting out.</li> </ul>
<b>IMPLEMENTATION</b>	<p><b>Phase 1</b> : Launch campaign to ensure all receive notification of changes before the new collection goes live.</p> <p><b>Phase 2</b> : Reminder messages – to remind residents the service will change on what date and to check their NEW calendar for their material stream collections. Please recycle your old calendar.</p> <p><b>From last week in June and throughout the months of July &amp; August:</b></p> <p>Preparation and/or implementation of:</p> <ul style="list-style-type: none"> <li>• Crew briefing notes</li> <li>• Customer Service briefing notes</li> <li>• Staff briefing notes – ‘help spread the message’</li> </ul>

	<ul style="list-style-type: none"><li>• Press release and media enquiries preparation notes</li><li>• Details of change on the website document</li><li>• FAQs document</li><li>• E-mail signature default for all staff outgoing correspondence x2 artworks</li><li>• 'Sign up to receive text message service' artworks</li><li>• Design &amp; production of notification leaflet A5 x4pp</li><li>• Delivery of notification leaflet – BBC to plan and deliver</li><li>• Design &amp; production of collection calendars x11 versions A5 x4pp</li><li>• Delivery of calendars – BBC to plan and deliver</li><li>• Design &amp; production of vehicle panels artwork</li><li>• Installation of vehicle panels – BBC to plan and deliver</li><li>• Staff screen savers x2 artworks</li><li>• 'Sorry to leave you' stickers for crews artworks x2 messages (wrong material/wrong day &amp; contamination)</li><li>• Newspaper adverts x4 artwork</li><li>• Poster x1 artwork</li><li>• Advert for Parishes adapted from poster – colour &amp; mono versions</li><li>• Pull up banners x1</li><li>• Video 1 production</li><li>• Video 2 production</li><li>• BBC Social media toolkit to cover x2 phases, including supporting images for Facebook, Twitter &amp; web-site</li><li>• Parish Council and partners toolkit to cover x2 phases and support BBC</li><li>• Text message promotion digital artworks for Facebook, Twitter and web-site to encourage customers to register for the service</li><li>• Text message wording schedule document for registered users</li><li>• TV screen artwork for Town Hall display</li><li>• Flats leaflet A5 x2pp + letter</li><li>• Roadshows – supporting material?</li><li>• Commercial customers A5 leaflet x2pp + letter</li></ul>
<b>KEY MESSAGES</b>	

	<p>The service is changing, making it more effective and efficient, saving £100,000 which will help to bridge the funding gap.</p> <p>This change is a positive step for the environment replacing plastic sacks with reusable hessian bags which are more sustainable.</p> <p>A weekly recycling collection remains.</p>
<b>EVALUATION</b>	<ul style="list-style-type: none"> <li>• Number of orange sacks wrongly put out for collection</li> <li>• Number of hessian sacks containing the wrong material or put out on the wrong day</li> <li>• Number of calls to Contact Centre</li> <li>• Change in tonnage in residual and recycling waste</li> <li>• Customer comments</li> <li>• Crew feedback – e.g. stickers applied</li> <li>• Feedback from MRF contractor regarding quality of recycling i.e. contamination</li> </ul>
<b>BUDGET</b>	<p><b>Copywriting</b> services for:</p> <ul style="list-style-type: none"> <li>• Crew briefing notes</li> <li>• Customer Service briefing notes</li> <li>• Staff briefing notes – ‘help spread the message’</li> <li>• Press release and media enquiries preparation notes</li> <li>• Details of change on the website document</li> <li>• FAQs document</li> <li>• Text message wording schedule document for registered users</li> <li>• Letters for flats and commercial</li> </ul> <p><b>Design &amp; production</b> services for digital artworks consisting of:</p> <ul style="list-style-type: none"> <li>• E-mail signature x2 messages</li> <li>• ‘Sign up to receive text message service’</li> <li>• Vehicle panel</li> <li>• Staff screen savers x2 messages</li> <li>• Poster x1</li> </ul>

- Advert for Parishes adapted from poster – colour & mono versions
- Design & production of notification leaflet A5 x4pp
- Design & production of collection calendars x11 versions A5 x4pp
- ‘Sorry to leave you’ stickers for crews
- Newspaper adverts x4 artwork
- Pull up banners x1
- BBC Social media toolkit to cover x2 phases images for Facebook, Twitter & web-site
- Text message promotion digital artworks for Facebook, Twitter and web-site to encourage customers to register for the service
- TV screen artwork for Town Hall display
- Flats leaflet A5 x2pp
- Commercial customers A5 leaflet x2pp
- Roadshows – supporting material?

**Social media toolkits** – to factor in different target messages and additional toolkit for parish councils/partners to use.

#### **Video x2 production**

**Printing estimates – prices below are at cost and subject to variation in paper costs at the time of order.**

- Notification leaflet A5 x4pp = 35,000 print run
- Collection calendars x11 versions A5 x4pp = 35,000 print run overall
- ‘Sorry to leave you’ stickers for crews = 5,000 off 2 kinds
- Flats leaflet A5 x2pp = 5,000 print run
- Commercial customers A5 leaflet x2pp = 5,000 print run
- Adverts
- Posters
- Pull up banners

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# Agenda Item 6

25<sup>th</sup> June 2019

## Environment, Enforcement and Housing Committee

### Co-option of Tenants Representatives

**Report of:** Angela Abbott, Housing Services Manager

**Wards Affected:** All wards

**This report is:** Public

#### 1. Executive Summary

- 1.1 The report sets out proposals to co-opt representatives of Tenants Talkback into the Environment, Enforcement and Housing Committee for housing related items, in accordance with the Council constitution.

#### 2. Recommendations

- 2.1 Tenant Talkback be invited to send two representatives to each meeting of the Environment, Enforcement and Housing Committee where housing items are to be discussed.
- 2.2 The representatives of Tenants Talkback be co-opted onto the committee for the duration of the consideration of these items, and have the right to speak, but not vote.
- 2.3 The Housing Manager be requested to arrange appropriate training of the representatives.

#### 3. Introduction and Background

- 3.1 Members will be aware that Tenant Talkback is the group of Council Tenants and Leaseholders who meet regularly with Housing staff and Councillors to discuss various subjects that affect them. This is made up of Tenants and Leaseholders from different estates and areas in the Borough.
- 3.2 Tenant Talkback remains our main consultative panel, gaining feedback from Tenants and Leaseholders on all policies, procedures and projects that the Housing department are working on. Group members are keen to continue their work and would also like to recruit more members to Tenant Talkback and boost their profile.

- 3.3 The Compact includes the following paragraph:

*Two representatives from the Talkback Group are invited to attend the Environment, Enforcement and Housing Committee in a non voting role. They are able to speak on housing related items at the Chair's discretion.*

- 3.4 In the previous operation of the Environment, Enforcement and Housing Committee this arrangement operated on an informal basis.
- 3.5 The Council's updated Constitution was adopted at the Annual Council meeting on 15<sup>th</sup> May 2013 (Minute 11 refers) and further changes have been made subsequently.

#### **4. Context**

- 4.1 Following the adoption of the Council's new constitution, the previous informal operation of Tenant Talkback's right to speak at committee needs to be formalised.
- 4.2 The new constitution has anticipated such an arrangement in Part 4.1 of the Constitution (Council Procedure Rules) paragraph 25, which reads:

##### **25. Co-option**

*Generally a committee, or a sub-committee may co-opt two persons onto the committee. Any persons so co-opted may speak but not vote.*

- 4.3 In order to maintain the commitment of the Tenant Participation Compact, it is recommended that Tenant Talkback be invited to send two representatives to each meeting of the Environment, Enforcement and Housing Committee where housing related items are to be discussed. The representatives will be able to speak but not vote. It is recommended that their right to speak be on similar basis of other members of the committee.
- 4.4 It is important that Talkback Representatives receive a similar level of training to other committee members to ensure they are confident in the process of the operation of the committee.
- 4.5 It is anticipated that generally Tenant Talkback will send the same individuals to each meeting, which will be helpful to ensure consistency of understanding of the Committee process. However, it is also acknowledged that substitute representatives may also need to be sent.
- 4.6 Consequently, it is recommended that the Housing Manager arrange appropriate training for a number of Tenant Talkback representatives to ensure both the regular delegates and any substitutes have had the benefit of appropriate training.

## **5. Reference to the Corporate Plan**

- 5.1 This supports the Council's priorities for Housing Health and Wellbeing and A Prosperous Borough and is consistent with the priorities of Housing Health and Wellbeing to provide effective representation of local people's views.

## **6. Implications**

### **Financial Implications**

**Name & Title: Phoebe Barnes, Interim Financial Controller**

**Tel & Email: 01277 312 839/ phoebe.barnes@brentwood.gov.uk**

There are no direct financial implications arising from this report. Training will be internally resourced, any costs arising from these resources will be met within existing budgets.

### **Legal Implications**

**Name & Title: Paula Harvey, Monitoring Officer**

**Tel & Email: 01277 3128 705/ paula.harvey@brentwood.gov.uk**

- 6.1 The recommendations set out within this report are lawful and within the Council's powers and duties.
- 6.2 The Council's Constitution makes provision for a person(s) to be co-opted onto a committee. Any person co-opted may speak but not vote.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 6.3 Equality and diversity implications: The recommendations support effective representation of local people's views, which in turn supports equality of housing opportunities and life chances.

## **7. Background Papers**

None

## **8. Appendices to this report**

None

### **Report Author Contact Details:**

**Name:** Angela Abbott  
**Telephone:** 01277 312500  
**E-mail:** angela.abbott@brentwood.gov.uk

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# Agenda Item 7

**25<sup>th</sup> June 2019**

## **Environment, Enforcement and Housing Committee**

### **Housing Assets Investment Programme**

**Report of** Steve Summers, Chief Operating Officer

**Wards Affected:** All

**This report is:** Public

#### **1. Executive Summary**

1.1 This report provides the committee with a progress update on matters in relation to the following:

- Axis Contract
- Stock condition survey
- Planned Maintenance programme
- Compliance
- Keystone
- Snakes Hill

1.2 This update report follows on from the previous progress report on these matters which were provided to the 5<sup>th</sup> March 2019 Community, Health & Housing Committee.

#### **2. Recommendation(s)**

**2.1 To note the contents of the report.**

#### **3. Introduction and Background**

##### **Axis contract**

3.1 Following a comprehensive mobilisation exercise the Axis contract went live on the 4<sup>th</sup> of June which will provide a comprehensive planned and maintenance programme over the next 15 years which will be reviewed at set intervals. The contract encompasses the delivery of the Councils

reactive, void, compliance and planned maintenance of the Housing Stock under a price per property agreement (PPP) and scheduled pricing.

- 3.2 This will be monitored/audited primarily by the Housing Repairs team by the interrogation and monitoring of Key Performance Indicators Contract meetings, quarterly performance reviews, pre and post joint site inspections, Variation approvals and a two-stage invoice authorisation process.
- 3.3 Axis operatives have undergone Axis and BBC customer care training. An open forum session was held by Housing Surveyors as part of the induction process to ensure Operatives work to the Council's Customer Services standard, work ethics and reporting process in line with the Council's policy and procedure.
- 3.4 Mobilisation week was very successful and there was no detrimental impact on our service delivery to our Tenant's or Leaseholders during this period. Axis arranged appointments for 435 jobs in the first week. All calls were prioritised as either emergency 24-hour response or urgent repair 48-hour response to eliminate any backlogs.

<b>JOB PRIORITY</b>	<b>PRIORITY TYPE COUNT</b>
EMERGENCY	47
OUT OF HOURS	9
ROUTINE	364
URGENT	13
VOID	2
Grand Total	435

<b>TRADE EXECUTED (Mobilisation week)</b>	<b>TRADE COUNT</b>
	<b>Order raised in the 1<sup>st</sup> week (phone calls, emails and compliance schedule works)</b>
BRICKWORK & GROUNDWORKS	2
CARPENTRY	29
DRAINAGE	15
ELECTRICAL	24
FENCING	16
FLOORING	1
GAS BREAKDOWN	42
GAS FITTER	8
GAS SERVICE	195
GLAZING	4
GROUNDWORKS	5
LOCKSMITH	3

METALWORKS	14
MULTI TRADER	1
PAINTING & DECORATING	1
PLASTERING	1
PLUMBING	46
ROOFING	16
TILING	2
UPVC	8
VOID	2
<b>Grand Total</b>	<b>435</b>

- 3.5 This was achievable due to implementing an interim contract with Axis to execute high priority repair works that Wates were unable to deliver in the four weeks prior to the demobilisation of their contract.
- 3.6 The Axis contract in comparison to the previous Repairs & Maintenance contracts allows us a holistic overview and control over our compliance and risk assessment records to be able to accurately prepare a comprehensive 5 year planned works and replacement programme from actual data alongside with our reactive repairs service information.
- 3.7 Interim measures were put in place to input previously uncollated data from various sources held with the relevant contractors onto the Orchard Housing Management System and Keystone Asset Management System;
- Wates – Responsive repairs, Planned Maintenance history
  - Oakray – Water Hygiene records, Landlord Gas Safety Records, Electrical Installation Condition Reports
  - Basildon BC – Planned works records, Fire Risk assessments
  - Cube – Asbestos Management Survey reports
- 3.8 In addition, the contract will allow for the provision of a ‘Handy Person’ service which is at no additional cost to the Council. This service will be managed by our Estate Management Team for minor works and ‘one off odd job’s such as minor repairs, gardening to support our more vulnerable or elderly residents.

#### **Property MOT (Stock Condition Survey)**

- 3.9 Property MOT’s (Stock Condition Surveys) will be carried out by Axis via 2 different means.

- Axis dedicated Stock Condition Surveyors to carry out a planned programme of property surveys.
- As part of surveys carried out by our Compliance Engineers and Responsive Repairs operatives whilst carrying out surveys for Landlord Gas Safety Records (LGSR), Electrical Inspection Condition Reports (EICR), Water Hygiene Risk Assessments (L8) and Day to day Responsive repairs.

3.10 The information provided will include;

- Blocks, street properties, architypes
- Identify different services, components and risk to populate proposed renewal dates, condition and life expectancy to external, communal and internal components
- Identification of potentially vulnerable residents.

3.11 This will allow us to populate this information to inform our planned programmes for the next 5 years;

- Preventative Maintenance Plan, Schedules and tasks
- Inventory of Equipment and Assets

### **Planned Maintenance Programme**

3.12 A comprehensive cyclical and planned replacement programme for the first two years is being prepared based on information provided from the Compliance records and the Stock Condition Survey data which will be prioritised and categorised based on the following types of works;

- 'Safety First Programme', To ensure the Council is Statutorily compliant in reference to all Compliance works which include; Gas boiler replacement programme, Electrical re-wire programme, Asbestos Management Surveys and removals or encapsulation, Water hygiene improvement works, Fire Risk improvement works, Health & Safety works
- 'Decent Homes Programme', Kitchen and bathroom replacement programmes, Door and windows Replacement/Improvement programmes, External Decoration Improvements, Roof/insulation and rainwater goods improvement/Replacement works.

## **Compliance**

- 3.13 This report will cover each area individually, detailing the progress since the last committee and the actions for the coming quarter.
- 3.14 Compliance covers areas such as Standards, Management Plans, monitoring arrangements, data recording and operational processes.
- 3.15 The seven compliance areas which will be covered are;
  - Asbestos
  - Gas
  - Electrical
  - Water Hygiene
  - Fire Safety
  - Construction and Design Regulations (CDM)
  - Lifts
- 3.16 In addition to this, in order to ensure ongoing good practice and whilst not a statutory requirement, we also carried out a gap analysis on all Housing owned retaining walls.
- 3.17 An overview of the Compliance Project Plan progress can be found at Appendix 1, with the more in-depth detail of the outstanding actions being found at Appendix 2.
- 3.18 We are currently working with the Health & Safety Executive (HSE) and the Regulators for Social Housing (RSH) regarding our historical compliance and the Council's ongoing Compliance plans in order to satisfy them that our plans to achieve compliance are robust and achievable in all the respective areas.

## **Asbestos**

- 3.19 A total of 64 Communal block surveys have been completed which covers the full Housing stock and 271 dwelling surveys have been completed.
- 3.20 All Asbestos reports are now being actively updated into the Asbestos Register on Keystone and the full report uploaded to Orchard Document Management System. A hard copy is also kept against the house file.
- 3.21 Axis are issued with a copy of the updated Asbestos Register weekly to ensure the operatives can work safely within our properties.

- 3.22 The Asbestos Steering Group meets on a monthly basis which focuses on the number of surveys completed and the management of notifiable removals along with ensuring the management of both asbestos consultant and contractor is being conducted effectively, to ensure monitoring oversight.
- 3.23 All key Housing Staff attended Asbestos Awareness refresher training in March 2019 as part of our compliance requirements.
- 3.24 An Asbestos Management Standard has been created as a Corporate Document harmonising the management of Asbestos across both Corporate Facilities Management and Housing as well as re-drafting the process maps for the various asbestos work streams – voids, planned works, reactive works, emergency works etc, due to the new Axis Repairs & Maintenance Contract.

#### **Gas**

- 3.25 An audit of our Landlord gas safety records (LGSR has been completed and we are 99.91% (98.37%) compliant).
- 3.26 The paper files for these properties have been checked and verified as being held on our internal server to ensure an inspection has occurred and all documents have been provided by the contractor.
- 3.27 All gas servicing dates have been passed to Axis and officers are working alongside them to ensure there is no missed servicing dates during the changeover of contracts.
- 3.28 A number of domestic boilers have been identified to be included on a boiler replacement programme which is approximately 20% of the Housing Stock, based on age, energy inefficiency, flue type and obsolete parts.
- 3.29 Axis are currently reviewing and verifying the data in order to develop a renewal programme. With an average boiler life of 10-12 years the future programmes will likely be 8-10% of the Housing Stock per year.
- 3.30 We are currently working alongside Civica to implement the Servicing and Inspection (KSI) module on Keystone which will enable us to manage all servicing regimes, plan the phases of the annual servicing costs (for budgeting) as well as produce a servicing and Compliance report and Dashboard for the information held.

## **Electrical**

- 3.31 Officers are presently working alongside Axis to implement a 5-year testing programme for all dwellings and communal supplies as recommended by the IET Wiring Regulations BS7671 18<sup>th</sup> Edition.
- 3.32 In order to ensure the most high-risk properties are being tested first, extensive work has been conducted to identify Tenancies over 10 years old.
- 3.33 These will form the basis of the first and second year of the programmes with all other properties being evenly distributed over the remaining 3 years (to give the full 5-year programme).
- 3.34 Properties which have had testing in recent years for example when void or due to major works such as new kitchen and/or bathroom, will be put into the programme for re-test at their 5-year anniversary.
- 3.35 Completely new installations i.e. New Build or properties that are completely rewired should not need testing for 10 years. All other fixed electrical wiring should be tested at least every 5 years.

## **Water Hygiene**

- 3.36 The repairs team are now in receipt of 117 out of 161 (72%) Water Hygiene Risk Assessments currently being undertaken by Northumbrian Water Group.
- 3.37 Each block has been identified as either High, Medium or Low risk. These have been further split to help prioritise the blocks into a programme of works. Each block is being converted into a work project in accordance with the RAG ratings.
- 3.38 Axis were issued the Risk Assessments in late May 2019 and tasked with developing a planned programme to address the blocks rated as high or medium risk. Axis's programme is expected within the next two weeks. As works are completed to each block, NWG will revisit and carry out a new Risk Assessment.

- 3.39 A review of water storage tanks is being undertaken to manage the risk to residents. This review will enable the design and renewal of the hot and cold-water supply systems (including boiler renewal) to these blocks.
- 3.40 Where possible the team is focussed on reducing the risks by removing water tanks and converting properties to mains water supply where combi boilers are installed and as boundary water pressures permit. This will also reduce future maintenance costs.
- 3.41 The monthly Water Hygiene Steering Group ensures all remedial works from the Risk Assessments are planned and completed accordingly.
- 3.42 All key Housing Staff attended Legionella Awareness training in late April 2019.
- 3.43 The Water Hygiene Management Standard Corporate document has been created harmonising the management of Water Hygiene across both Corporate Facilities Management and Housing Services.

### **Fire Safety**

- 3.44 The Communal Area Management Procedure (CAMP) continues to progress well. All blocks have been risk assessed and our Consultant is now re-visiting and reviewing last year's Risk Assessments.
- 3.45 The CAMP programme for general needs blocks is due to end in October and the CAMP programme for all Sheltered Blocks will then be completed.
- 3.46 Ridge have been engaged to complete Specification documents for fire management works within 10 blocks, of which the first two are due to be returned to Brentwood for pricing.
- 3.47 A project plan for the remaining 8 blocks has been provided and will continue to be monitored by the Repairs Project Manager.
- 3.48 Monthly progress meetings continue to be held in collaboration with Essex Fire and Rescue, Council's Fire Safety Consultant, along with the corporate Health and Safety Officer attend these meetings.
- 3.49 All key Housing Staff attended Fire Management training in November 2018.

## **Construction and Design Management Regulations (CDM)**

3.50 Under the current CDM requirements, Brentwood Council discharge the responsibility to the Principle Designer. This can be the repairs contractor or a consultant. Among the duties of the Principle Designer are:

- To ensure that any project lasting more than 30 days or 500 hours or with more than 20 personnel is notified to the HSE at least 30 days before commencement.
- That there are site specific Risk Assessments and Method Statements covering all the on-site activities.
- That the contractor compiles a full health and safety folder which is handed to the client at the end of the project.

3.51 Training for all staff within the repairs team is being sourced to ensure that there is an overall understanding of the CDM regulations.

## **Lifts**

3.52 Lift maintenance is currently conducted by Precision Lifts. This responsibility will be moving to the new Axis contract at a later date although it is likely that Axis will retain Precision Lifts as a preferred contractor. Responsibility for the disabled lifts currently serviced and maintained by Stannah and Mountfield will also migrate to Axis. Corporate Services will retain Precision Lifts under a direct contract at present.

3.53 Officers are currently working alongside Sub-Contractors to reconcile the mobility impaired equipment list and transfer all existing paper documents to the Keystone Asset Management system.

## **Keystone**

3.54 The Housing Asset Management system (Keystone) is now operational and has reporting functionality for the Asbestos register. In order to fully utilise the system, we are purchasing the following additional modules:

- Keystone Servicing and Inspection (KSI)
- Keystone Planned Maintenance (KPM)
- Keystone Risk Management (KRM)
- Keystone Mini which is a mobile application

3.55 By utilising the additional modules, we will be able to record the Assets in the Keystone Asset management system (KAM), assign a life cycle to each asset type and use this information to predict the necessary budgets for

planned replacement programmes. The use of the Keystone Planned Maintenance (KPM) will enable us to use a variety of scenarios to best model optimum programmes according to funding availability.

### **Snakes Hill Sewage Treatment Plant**

- 3.56 Officers have revisited the site and are currently considering the option to purchase the strip of land that accesses the sewerage plant, and which is currently subject to an easement granting the Council and contractors' access for inspection, servicing and maintenance. If the purchase were to go ahead this would alleviate the current difficulties accessing the site.
- 3.57 The remedial works were revisited by the consultants Keegan's recently and in discussion with Officers reduced from wholesale renewal to partial renewal and sensitive repair by relining the drainage run. This option will potentially save around £200,000 while still giving an estimated 30-year lifecycle with the added benefits of being less disruptive to residents and reducing the programme length.
- 3.58 A Project Lead will be appointed to develop a project plan including a re-tender of the works in accordance with the revised specification through to project completion.
- 3.59 Officers have been liaising with both the consultants and our In-House Procurement Officer so we can shortly tender the work.
- 3.60 In the meantime, Officers met the landowners (which has the land that we use to access the plant) on Thursday 13 June to discuss the way forward.

### **4. Reasons for Recommendation**

- 4.1 The report highlights progress on Asset Management, Capital Programme and Compliance in Housing. Members are invited to comment on the report contents.

### **5. Consultation**

- 5.1 Consultation will be undertaken with residents and appropriate partners as required.

## **6. References to Corporate Plan**

- 6.1 To ensure provision of efficient and effective services – much of the work being undertaken will ensure that the Council works to best practice and enhance the service offered with optimum resources.
- 6.2 Housing's commitment to transformation through use of alternative methods of delivery. The service level agreement in place is key to delivery of Housing Property Services and brings in key skills to the department.

## **7. Implications**

### **Financial Implications**

**Name & Title: Phoebe Barnes Interim Financial Controller**  
**Tel & Email: 01277 312839 phoebe.barnes@brentwood.gov.uk**

There is sufficient budget to meet all the requirements outlined in the report. The Repairs and maintenance budget totals £2.681m and the Capital budget available are £3.576m. However, through the Council's budget monitoring process any variances will be identified and reported accordingly.

The outcome of the stock condition survey will aid in informing the revenue and capital budget requirements for the Housing Revenue Account 2020/21 onwards reducing the financial contingencies currently built within the budgets.

The enhanced Keystone modules will incur an investment of £96,800 and ongoing revenue support and maintenance costs of £7,290. It is proposed that the module can be capitalised and will be funded through proposed 2018/19 capital slippage, subject to approval from Policy, Resources and Economic Development Committee. The ongoing support and maintenance costs will be built into the Council's Budget Setting process.

There is £600k capital budget available for Snakes Hill Sewage Treat Plant. When the revised specification is re-tendered, the cost of the project will be captured through the Council's capital monitoring process and reported accordingly.

### **Legal Implications**

**Name & Title: Paula Harvey, Solicitor & Deputy Monitoring Officer**  
**Tel & Email: 01277 312705/paula.harvey@brentwood.gov.uk**

The Council has statutory obligations within an existing legal framework for the management of its housing assets. The progress update outlined in this report will support the Council in securing compliance with its statutory duties and managing risk.

**Health & Safety Implications****Name & Title: David Wellings, Health & Safety Advisor****Tel/Email: 01277 312500 david.wellings@brentwood.gov.uk**

This report demonstrates the transformational work and increasing benefits of this investment programme. This delivers a positive risk profile, provides better risk management insight, as well as determine a strong compliance position for the Council, our tenants and building users.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

**8. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

8.1 N/A

**9. Appendices to this report**

- Appendix A- Compliance Programme overview

**Report Author Contact Details:****Name:** Nicola Marsh**Telephone:** 01277 312500**E-mail:** Nicola.marsh@brentwood.gov.uk

## Appendix A

### Compliance Tracker overview

<b>Asbestos</b>				
Category	Number	Status	Number	Overall Project Completion
High	9	Pending	1	67%
Medium	2	In progress	3	
Low	1	Complete	8	
Total	12	Total	12	

<b>Gas</b>				
Category	Number	Status	Number	Overall Project Completion
High	8	Pending	7	0%
Medium	7	In progress	8	
Low	-	Complete	-	
Total	15	Total	15	

<b>Water Hygiene</b>				
Category	Number	Status	Number	Overall Project Completion
High	5	Pending	1	0%
Medium	0	In progress	4	
Low	0	Complete	0	
Total	5	Total	5	
				Completion
High	20	Pending	8	52%
Medium	5	In progress	4	
Low	-	Complete	13	
Total	25	Total	25	

<b>Lifts</b>				
Category	Number	Status	Number	Overall Project Completion
High	4	Pending	4	0%
Medium	-	In progress	-	
Low	-	Complete	-	
Total	4	Total	4	

<b>CDM</b>				
Category	Number	Status	Number	Overall Project Completion
High	1	Pending	1	50%
Medium	1	In progress	-	
Low	-	Complete	1	
Total	2	Total	2	

<b>Electrical</b>				
Category	Number	Status	Number	Overall Project Completion
High	5	Pending	2	17%
Medium	7	In progress	8	
Low	-	Complete	2	
Total	12	Total	12	

<b>General</b>				
Category	Number	Status	Number	Overall Project Completion
High	6	Pending	2	25%
Medium	2	In progress	4	
Low	-	Complete	2	
Total	8	Total	8	

<b>Retaining Walls</b>				
Category	Number	Status	Number	Overall Project Completion
High	3	Pending	2	33%
Medium	-	In progress	-	
Low	-	Complete	1	
Total	3	Total	3	

Compliance Project						
Milestone Description	Category	Status	Progress	Start	End Date	Comment
Prepare and deliver a programme for undertaking 100% Management surveys for dwellings	High Risk	In Progress	<div style="width: 25%;">25%</div>	01/01/18	31/03/2020	Dwelling surveys being done on all void and major works projects. procurement underway and will include full survey regime.
Arrange Asbestos Awareness & other training for all relevant Brentwood Borough Council stakeholders (Dutyholder, Responsible Person, Surveyors, Housing Managers, operatives etc)	High Risk	In Progress	<div style="width: 75%;">75%</div>	01/01/19	01/04/19	June 2019 - 2 training session were completed in April 2019 with a further mop up sessions being held later in the year.
Prepare/update asbestos compliance documentation including policy, management plan, procedures & process maps	High Risk	In Progress	<div style="width: 90%;">90%</div>	01/01/18	01/09/19	Corporate management plan due to be signed off at CLB. New procedures and processes are in place with the two current contractors.
Training on RAMS / other notifications / paperwork	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/18	01/09/19	All repairs team and Managers required to attend
Establish asbestos steering group with new contractor and convene first meeting	High Risk	Complete	<div style="width: 100%;">100%</div>	01/01/19	01/06/19	
Re-establish a replacement domestic boiler programme	Med Risk	In Progress	<div style="width: 25%;">25%</div>	01/01/18	01/06/19	New Programme to be completed by Axis. June 2019: Axis have been given a list of older less inefficient boilers and Axis are in the process of developing a boiler programme which sees 8-10% of the stock being completed each year.
Establish staff responsibility for the total management of heating servicing	High Risk	In Progress	<div style="width: 50%;">50%</div>	01/01/18	02/06/19	Detailed on the responsibility tree and outlined within the policy.
Establish the Responsible Person for heating appliance safety & ensure they have the requisite level of training & resource required to fulfil the role. EG access to HSE	High Risk	In Progress	<div style="width: 25%;">25%</div>	01/01/18	03/06/19	Day to day Operational management - compliance manager
Undertake training for those staff involved in heating servicing to ensure officers can raise and approve remedial works following gas safety checks.	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/18	01/09/19	Axis now conduct gas works, however, in house staff will need training for understanding and authorising works. RIDGE fee proposal to be requested.
Produce and deliver a Heating Servicing Policy/Procedure	High Risk	In Progress	<div style="width: 15%;">15%</div>	01/01/18	01/09/19	Draft Gas Safety Policy prepared. Need to include alternatives to gas i.e. electric, air source etc.
Process map servicing procedure to include those where access cannot be gained before the anniversary date, including no access procedure and get approval at the appropriate level	High Risk	In Progress	<div style="width: 50%;">50%</div>	01/10/18	01/03/19	Process map session completed 4th March 2019 - process maps being written and presented at mobilisation ops group for approval
Establish a contract with a specialist company to undertake 10% checks on appliances serviced	Med Risk	In Progress	<div style="width: 10%;">10%</div>	01/01/19	01/06/19	Axis conduct their own audit of gas services. Best practice is to engage an external consultant such as Phoenix Compliancy Management or CORGI Technical Services. There should be a framework we can pick up on to do this. - check frameworks with Jane.
Establish a procedure for dealing with gas leaks	High Risk	Pending	<div style="width: 0%;">0%</div>	01/10/18	01/09/19	Gas leaks are initially reported to Cadent on 0800 111 999 whose engineers will make safe only. Axis will need to follow.
Compile an asset register by fuel types for domestic and commercial installations	Med Risk	In Progress	<div style="width: 25%;">25%</div>	01/01/19	01/04/20	Some Data gathered by Oakray. Axis to gather remaining information over 1st 12 months of contract. We have numbers. Details could be gained from LGSR's
Ensure all LSGR sheets are stored electronically and can be easily searched to obtain the last 2 years certificates	Med Risk	In Progress	<div style="width: 90%;">90%</div>	02/01/19	01/04/20	Ongoing work to gather an upload documents. Need to be stored on both Orchard against address and Keystone. June 2019: an audit of all electronically stored certification was completed and identified that we have 36 properties missing copies have been requested from Oakray and the paper files are being checked.
Review KPI's that are currently collected (Fuel Type, Cost of servicing, Number of services carried out)	Med Risk	Pending	<div style="width: 0%;">0%</div>	03/01/19	01/06/19	To be discussed in Mobilisation with Axis.
Review the job priorities and consider if any need enhancing during the winter months	Med Risk	Pending	<div style="width: 0%;">0%</div>	04/01/19	02/06/19	To be discussed in Mobilisation with Axis.
Establish a resource to review LGSR's and ensure they are adequately trained	High Risk	Pending	<div style="width: 0%;">0%</div>	05/01/19	03/06/19	Suggest adding to external consultant brief or engage a gas engineer part-time

Milestone Description	Category	Status	Progress	Start	End Date	Comment
Consider if additional safety checks (more than annual) on commercial boilers are required due to their age	Med Risk	Pending	0%	06/01/19	01/04/20	Information will be collected throughout the 1st year of Axis contract to enable this consideration. Should be minimum of two visits - one minor service and one major. Interim visits are sensible but need to be carefully considered to get the most out of them. - procure a risk assessment for all commerical boilers
Establish a Policy procedure for dealing with carbon monoxide escapes and installing detectors	High Risk	Pending	0%	07/01/19	01/06/19	To be discussed in Mobilisation with Axis. Generally low risk on room sealed appliances and not currently statutory. All gas fires should have oxygen depletion devices but CO alarms sensible on these and any installations of older appliances that are not room sealed.
Ensure R&M contract allows for annual testing of smoke/fire detectors and ensure certification is provided	High Risk	Pending	0%	01/01/19	01/06/19	This can be tacked on to the gas servicing contract however, since the LGSR can now service for up to 14 months we need to ensure we factor this in. Also testing of smoke detectors in dwellings is good practice but not yet statutory. In common areas it is statutory.
Formulate an asset register of site that have fire fighting equipment and ensure inspection regimes are in place	High Risk	In Progress	15%	01/01/19	01/06/19	Chubb provide this - can we get the list from them. Asked to remove some that were not needed. Keith to put this together based on what Chubb have said we have and
Formulate an asset register of fire doors and implement a regime of regular inspection of condition and corect operation	High Risk	Pending	0%	01/06/19	01/04/20	Mobilisation discussion with axis.
Train users to test the automatic fire alarms - if required	High Risk	Pending	0%	01/01/19	01/12/19	
Create a monthly checklist of actions to be carried out internally in blocks	High Risk	Pending	0%	01/01/19	01/12/19	
Establish a procedure for dealing with a fire in a communal area	High Risk	Pending	0%	01/03/19	01/12/19	
Write a mobility scooter policy if there isn't one already - review if there is	Med Risk	In Progress	25%	01/12/18	01/06/19	out for consultation with staff
Review all maintenance contracts relating to fire safety	Med Risk	In Progress	50%	01/09/18	01/06/19	many have been reviewed. working thorugh rest and in discussions with Axis during Mobilisation.
Create a fire extinguisher distribution policy for GN and sheltered	High Risk	Pending	0%	01/06/19	01/12/19	
Carry out compartmentation surveys on all premises	High Risk	Pending	0%	01/06/19	01/04/21	
Have all fire hose reels removed from site - liaison Fire and Rescue Service	High Risk	Pending	0%	01/12/18	01/04/19	
Create Floor Plans for all sites	High Risk	In Progress	50%	01/09/18	01/09/19	These have been partially compiled.
Produce and deliver an Electrical Safety Management policy and procedures	High Risk	In Progress	10%	01/01/19	01/09/19	Examples have been sourced but still to write the BBC one.
Undertake an immediate electrical inspection at the two sewerage treatment works sites	High Risk	In Progress	50%	01/01/18	01/09/18	Instructed Oakray 18/4/18 1 site decommissioned for refurb. June 2019 - Axis to conduct these 18.06.19
Implement a testing programme every 5 years for communal areas, HMO's, Sewerage Plants and dwellings	High Risk	In Progress	20%	01/01/19	01/06/19	To be discussed at mobilisation with Axis - last tested in 2012. June 2019: Axis have now set u the properties on the system. Work has been done to hihlight tenancies over 10 years old and will form the first 2 years of the programme.
Implement a testing programme for emergency lighting to undertake, 6 monthly and annual checks	Med Risk	In Progress	50%	01/01/18	01/06/19	To be discussed at mobilisation with Axis. Oakray have undertaken a test this year and identified remedial works of which we aer following up on.
Establish a list of electrical items in communal areas for PAT/FAT testing	Med Risk	Pending	0%	01/01/18	01/06/19	Assume Portable Equipment will be limited to sheltered any community buildings and any corporate buildings for which we are responsible. Not everything will require an annual test (see guidance) though BBC may elect to do test all at that same time anyway.

Milestone Description	Category	Status	Progress	Start	End Date	Comment
upload Electrical certificates for servicing and installs to document management system	Med Risk	In Progress	<div style="width: 10%;">10%</div>	01/01/18	01/04/20	Audit of currently held electronic documentation completed. Reconciliation of paper files to confirm number of certificates held and transfer to keystone
Implement a programme of annual testing of lightening conductors	Med Risk	In Progress	<div style="width: 50%;">50%</div>	01/01/18	01/06/19	To be discussed with Axis during mobilisation. Last test June 2018 to be confirmed with axis that these need doing june 19
Review emergency lighting provision in communal areas to determine legal requirement - refer to the FRA for requirements	Med Risk	In Progress	<div style="width: 25%;">25%</div>	01/01/18	01/06/19	Some sites have been identified as having no EML and these will be referred to Rowans for consideration as to if it is required. Some update received. To be discussed with Axis for second opinion.
Conduct a review of the door entry systems within the stock	Med Risk	In Progress	<div style="width: 15%;">15%</div>	01/03/19	01/03/20	Order raised to conduct analysis of all door entry systems
Implement a planned maintenance program	Med Risk	Pending	<div style="width: 0%;">0%</div>	01/03/19	01/03/20	
Undertake new risk assessments for all sites and establish requirements of these sites	High Risk	In Progress	<div style="width: 75%;">75%</div>	01/01/19	01/06/19	June 2019: 75% of the surveys have now been returned and added to the programme of works.
Check asset data on keystone against original list of sites to produce a definite asset registers, commission further risk assesments as required	High Risk	Pending	<div style="width: 0%;">0%</div>	01/06/19	01/09/20	Partial reconciliation taking place but requires keystone up and running to fully complete
Produce and deliver a policy and procedure for water treatment/Legionella, including a procedure for dealing with an outbreak or Legionellosis	High Risk	In Progress	<div style="width: 90%;">90%</div>	01/01/19	01/06/19	June 2019: A water Hygeine Management Plan has been developed and is due to be signed off at CLB
Ensure aqaquate budgetary provision is made for procurement of risk assessments, high risk recommendations from risk assessments and an ongoing maintenance of additional sites	High Risk	In Progress	<div style="width: 50%;">50%</div>	01/04/19	01/03/20	PO signed off but remedial works budgets need looking at.
Water Hygiene Training for all staff.	High Risk	In Progress	<div style="width: 90%;">90%</div>	01/04/19	01/05/20	June 2019: 2 sessions held in April 2019 with a further mop up session due to be booked.
Review servicing regime for passenger lifts so that inpection intervals are formalised on a risk assessment basis	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/19	01/06/19	To be disucssed in Mobilisation with Axis.
Establisha formal contract with a competant stair lift service contractor	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/19	01/06/19	Axis to enter into discussions with Mountfields before June 2019
Verify the list of stairlifts installed an ensure all recieve an annual inspection	High Risk	Pending	<div style="width: 0%;">0%</div>	01/10/18	01/06/19	ideally this should be 6 monthly. check with sue white if they do stairlifts.
Ensure certificates for all stairlifts are stored electronically	High Risk	Pending	<div style="width: 0%;">0%</div>	01/06/19	01/12/19	Should be on Orchard and keystone
Ensure that all staff receive training and support to ensure Brentwood complies with the contruction (Design and Management) Regulations	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/19	01/12/19	
Produce an asset register of walls and retaining walls	High Risk	Pending	<div style="width: 0%;">0%</div>	01/06/19	01/01/22	
Instigate a regime of regular inspection and record condition of all walls and retaining walls	High Risk	Pending	<div style="width: 0%;">0%</div>	01/06/19	01/01/22	
Set up a repository to record engineer's qualifications and certifications for working on domestic & commercial installations including asbestos awareness training, DBS checks etc. Ensure there is a system to request renewals when they expire.	Med Risk	In Progress	<div style="width: 80%;">80%</div>	01/01/19	01/06/19	To be disucssed in Mobilisation with Axis. June 2019: Axis HR have uploaded all trainig records for their staff working on the BBC contract to sharepoint. BBC to review these accoridngly.
Establish a resource to undertake contract management and monitoring of KPI's	High Risk	In Progress	<div style="width: 50%;">50%</div>	01/01/19	01/06/19	Keith Peirson currently managing the Oakray contract as an interim measure. June 2019: contracts manager post advertised to close 16th June 2019.
Review the asset register to ensure all servicable items are included within the scope of the R&M Contract	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/19	01/06/19	To be disucssed in Mobilisation with Axis.
Establish quartley meetings with appropiate compliance specialist to sign off current works progress.	High Risk	Pending	<div style="width: 0%;">0%</div>	01/01/19	01/06/19	

Milestone Description	Category	Status	Progress	Start	End Date	Comment
<b>IT software to support management of ongoing compliance</b>	High Risk	In Progress	<div style="width: 25%;">25%</div>	01/06/19	19/10/19	Vijay chasing Keystone for prices and lead in times. June 2019: fees have been returned to the value of 100K. Awaiting sign off to implement the 4 required modules.
<b>Quarterly Monthly Compliance Review Meetings.</b>	High Risk	In Progress	<div style="width: 50%;">50%</div>	01/01/19	01/06/19	Temporary fortnightly meetings set up until new contract begins then will review.

# Agenda Item 8

25<sup>th</sup> June 2019

## Environment, Enforcement & Housing Committee

### Housing Audits Report

**Report Of:** Angela Abbott, Housing Services Manager

**Wards Affected:** All

**This report is:** Public

#### 1. Executive Summary

- 1.1 This report is intended to update the Environment, Enforcement & Housing Committee of the progress of the 2016/17 and 2017/18 Audit reviews for Housing Services. Those Audits were included in the Council's approved Audit plans for 2016/17.
- 1.2 The outcome of the 2016/17 internal audit review was originally reported to the Audit Committee on the 27<sup>th</sup> September 2017 ("Audit Report 1 – May 2017").
- 1.3 The outcome of the 2017/18 internal audit review was originally reported to the Audit Committee on the 14<sup>th</sup> December 2017 ("Audit Report 2 – November 2017").
- 1.4 Both Audit reports will enable the Housing Service to concentrate on specific areas highlighted by the Audit recommendations to implement essential service improvements as part of the transformation programme 'Getting Our House in Order'.

#### 2. Recommendation(s)

- 2.1 That the Committee receives and notes the progress made from the 5<sup>th</sup> March 2019 committee report as outlined in both Audit Reports (as summarised in Appendix A).
- 2.2 That the Committee agree that a further report on progress made on implementing the recommendations is presented to the next Committee.

### 3. Introduction and Background

- 3.1 Both audit reviews were conducted in accordance with the 2017/18 Audit Plan as approved by the Audit Committee.
- 3.2 As part of the ongoing service improvement programme Housing Services had already identified gaps in service provision, particularly around Repairs and Maintenance. Accordingly, the second audit review was specifically requested by Housing Services management to assist and support in identifying gaps or service failures to provide recommendations for improvement. These areas primarily centred around contract management, information recording and compliance. The table below summarises the two Audit Report Management Updates and provides a snapshot of overall progress to date.

Section	Recs	Risk type			Status		
		Total	High	Medium	Low	In Progress	Complete
<b>May-17</b>	43	22	19	2	6	37	86%
Housing (All)	2	1	0	1	0	2	100
Housing Options/Tenancy Services	8	5	3	0	0	8	100
Repairs	18	15	3	0	2	16	89
Tenancy Services	7	1	6	0	1	6	86
Tenancy Services/Leasehold	8	0	7	1	3	5	63
<b>Total</b>	<b>43</b>	<b>22</b>	<b>19</b>	<b>2</b>	<b>6</b>	<b>37</b>	<b>86</b>
<b>Nov-17</b>	31	9	21	1	5	26	84%
Housing (All)	4	3	1	0	0	4	100
Tenancy Services	14	6	7	1	2	12	86
Housing Strategy	6	0	6	0	0	6	100
Tenancy Services/Leasehold	1	0	1	0	1	0	0
Repairs	5	0	5	0	2	3	60
Tenancy Services/Housing Options	1	0	1	0	0	1	100
<b>Total</b>	<b>31</b>	<b>9</b>	<b>21</b>	<b>1</b>	<b>5</b>	<b>26</b>	<b>84</b>

#### **4. Issue, Options and Analysis of Options**

- 4.1 The headline statistics demonstrate that since the March 2019 Committee report the overall completion percentage has continued to increase.
- 4.2 The audit report update (Appendix A) has been compressed to allow for readability, and only contains outstanding tasks, or tasks which have been completed since the last report to committee.
- 4.3 Outstanding tasks of high priority have been reduced to only two remaining. The first recommendation should be completed by the end of June 2019. The second and final remaining high-risk recommendation should be completed before next Committee.

#### **5. Reasons for Recommendation**

- 5.1 To monitor the progress of work against the highlighted actions arising from the two Audit Reports and the management actions in response to those recommendations.

#### **6. Consultation**

- 6.1 Not applicable

#### **7. References to Corporate Plan**

- 7.1 The Council's Corporate Plan aims to:

- To deliver safe and comfortable homes which are efficient and sustainable.
- Manage our stock to recognise the limited resources available and supporting those in greatest need.
- Review the future delivery of housing services to provide the best outcomes for Brentwood residents.

#### **8. Implications**

##### **Financial Implications**

**Name & Title: Phoebe Barnes, Interim Financial Controller**

**Tel & Email: 01277 312500 phoebe.barnes@brentwood.gov.uk**

- 8.1 None arising from this report. Costs will be met from existing resources within the Housing Revenue Account.

### **Legal Implications**

**Name & Title: Paula Harvey, Deputy Monitoring Officer**

**Tel & Email: 01277 312500 / paula.harvey@brentwood.gov.uk**

The recommendations are within the Council's powers and duties. The Council has statutory obligations within an existing legal framework for the management and delivery of its Housing services. The recommendations will support the Council in securing compliance with those statutory duties and managing risk.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

8.2 None

**9.** **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 None

### **10. Appendices to this report**

- Appendix A - Audit Report Update

### **Report Author Contact Details:**

**Name:** Stuart Morris, Housing Options Manager

**Telephone:** 01277 312500

**E-mail:** stuart.morris@brentwood.gov.uk

Audit Report Update

Ref	Recommendation	Section	Finding	Risk Rating	Orig. completion date	Current status	Revised completion date	June 2019 Update	Resp. Manager
<b>May-17</b>									
2	a	Repairs	Written procedures are prepared to define protocols and procedures for Compliance checks	High	Apr-18	In progress	Jun-19	Asbestos and Water Management Plans are complete and awaiting sign-off from CLB. Gas Management plan being drafted.	KP/NM
	b	Repairs	Contractual arrangements for provision of gas and electrical checks are reviewed to establish independence between provision of checks and remedial works.	High		In progress		New Axis contract in place. To complete this requirement we are looking to join a framework for independent auditing.	KP/NM
3	a	Repairs	Methods used to ensure contractor compliance with contract performance requirements, including completion and submission of information, should be strengthened. Such arrangements should also include penalty clauses for non-compliance	High	Apr-18	Complete	Ongoing	Complete. New contract with Axis has been mobilised.	KP/NM
Page 95	b	Repairs	Effective, robust contract management arrangements are determined for Housing. Retention of documentation of contract management activity. Contractor performance and provision of performance information in accordance with the contract, including records of agreed action to resolve performance issues. Contractor provision of I.T interfaces and other contractual requirements in accordance with the contract. Where changes in contract provision are agreed by the Council, these are formally approved via the issue of Variation orders. Submission to the housing team of evidence in checks where they are required to be made by the Contractor. Requirements for the contractor to provide evidence of compliance with key contract requirements. Contract pricing protocols applied.	High	Apr-18	Complete	Ongoing	Complete.	NM
	d	Repairs	Benchmarking of rates and uplifts is undertaken and where appropriate consideration is given to contract options (including negotiation or termination.)	High		Complete		Complete within new contract.	NM
6	a	Tenancy Services	Right to Buy information is input to and managed via the Housing Management System, removing the need for duplication of input to a spreadsheet.	Medium	Oct 17	In progress	Oct-19	In process of appointing a new Leasehold	NM

9	a	Tenancy Services/ Leasehold	Leaseholder agreement storage is reviewed to ensure records including leaseholder agreements are retained for all properties.	Medium	April 18	In progress	Jun-19	In process of appointing a new Leasehold Officer to advance.	AA/NM
	b	Tenancy Services/ Leasehold	Errors in data upload of estimated service charges to the Housing Management system are corrected and tenants reimbursed where overpayments have occurred.	Medium		In progress	Oct-19	In process of appointing a new Leasehold Officer to advance.	AA/NM
	d	Tenancy Services/ Leasehold	The spreadsheet maintained to determine apportionment of service charges to be invoiced to leaseholders is extended to include all properties to enable confirmation that tenants and leaseholders recharges are equivalent and that recharges equate to actual costs, and these reconciliations are performed on a regular basis.	Medium		Complete	Oct-19	Complete.	AA/NM
	e	Tenancy Services/ Leasehold	Costs relating to responsive repairs which would not be permitted to be recharged to leaseholders are removed from the calculation determining the total to be apportioned across properties.	Medium		Complete	Oct-19	Complete	AA/NM
	g	Tenancy Services/ Leasehold	Any adjustments required to service charges should be applied promptly to ensure accuracy of records and transparency of charging.	Medium		In progress	Oct-19	In process of appointing a new Leasehold Officer to advance.	AA/NM

Ref	Recommendation	Section	Finding	Risk Rating	Orig. completion date	Current status	Revised completion date	June 2019 Update	Resp. Manager
<b>Nov-17</b>									
	g	Tenancy Services/ Leasehold	Until the Council has assurance over the accuracy of records of Right to Buy properties, additional cross checks are made from the Finance records of Right to Buy income or property purchases to the Housing asset records on the Orchard system	Medium		In progress			AA/NM/VP
4	a	Repairs	Define parameters and protocols for cyclical and responsive repairs and replacement, and implement a programme and inspection regime reflecting these protocols	Medium	Sept 18	In progress		Axis contract now mobilised. Property MOTs will be carried out in next 12 months, programmes will be created on basis of that information. Keystone, with additional modules, will allow us to run accurate cyclical/planned programmes and inspection regimes.	AA/NM
	b	Repairs	Develop system reports to reflect defined protocols.	Medium	Sept 18	In progress		As above.	AA/NM
5	a	Tenancy Services	Review the corporate ASB strategy to ensure it remains appropriate and up to date, and provides clarity for staff on the protocols for managing ASBs including addressing the source issues such as through Housing Estates Management.	Medium	Sept 18	In progress		Final written strategy due to be completed by the Community Safety Team.	NM/TL
	b	Tenancy Services	Link the ASB strategy on the Council's website to the Community Safety and Housing team pages	Medium	Sept 18	In progress		Pending submission of written Strategy by Community Safety Team.	NM/TL

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**25<sup>th</sup> June 2019**

## **Environment, Enforcement and Housing Committee**

### **Right to Buy Capital Receipts**

**Report Of:** Angela Abbott – Housing Services Manager

**Wards Affected:** All wards

**This report is:** Public

#### **1. Executive Summary**

- 1.1 This report sets out proposals to adopt a formal capital receipts expenditure mechanism relating to Right to Buy ('RTB') sales. The mechanism will allow for a more focussed and transparent approach to expenditure of monies from the sale of HRA housing stock (known as 'RTB capital receipts')
- 1.2 The mechanism is a high-level approach to ensuring that capital receipts are retained by the Council and allocated to garage site re-developments with outline planning permission. The purpose is to increase efficiency and to provide improved value for money through site-specific building projects.
- 1.3 The mechanism will adopt the procedure of seeking outline planning permissions and then linking earmarked capital receipts. Protection of the receipts in a timely manner will allow for subsequent approval of site-specific projects by Committee and consideration of detailed feasibility reports.

## **2. Recommendations**

- 2.1 That the Committee formally approve Option 1 (to implement the capital receipts expenditure mechanism).**
- 2.2 That the Committee formally approves delegated authority for the Housing Services Manager to designate sites for re-development and submit outline planning permission for those sites.**
- 2.3 That if agreed, the proposal is referred to the Council's Policy, Resources and Economic Development Committee for approval.**

## **3. Introduction and Background**

- 3.1 Under current Right to Buy legislation council tenants have the right to buy their home at a discount, with the amount of discount dependent upon the length of time as a social tenant.
- 3.2 In previous years 75% of proceeds from RTB sales of Council dwellings were paid into a national pool run by the Department of Communities and Local Government ('DCLG'), now known as the Ministry for Housing, Communities and Local Government ('MHCLG').
- 3.3 The receipts were then redistributed to those authorities with the greatest housing needs as identified by regional housing boards. The remaining receipts were used to fund capital works in the authority.
- 3.4 On the 2nd April 2012, the pooling arrangement changed. Ministers confirmed that delivering the new homes would be through Local Authorities retaining receipts to spend in their own area.
- 3.5 Brentwood Borough Council entered into an agreement with the Secretary of State for Communities and Local Government to retain the additional RTB receipts on the 26<sup>th</sup> June 2012.

The key principles of the agreement are as follows:

- The Secretary of State agrees to allow the authority to retain additional RTB receipts to fund the provision of replacement stock.
- The Secretary of State will allow the authority three years (from commencement of agreement) to invest the receipts before asking for the money to be returned if they have not been invested.

- The agreement does not require a local authority to complete the building of a home within 3 years.
  - The agreement requires an authority to have incurred expenditure that is no more than 30% of the total spends on replacement stock.
  - Replacement could be one of 3 ways – newly built Council homes, acquiring houses on the open market or provision of grants to Housing Associations to build new homes.
  - Brentwood Council agrees to return any unused receipts to the Secretary of State with Interest at 4% above base rate, compounded quarterly.
- 3.6 Under the terms of current agreements, made under section 11 (6) of the Local Government Act 2003, local authorities are required to spend retained Right to Buy receipts within three years.
- 3.7 Since the scheme commenced, the Council has retained £5,760,967 of right to buy receipts as at 31<sup>st</sup> March 2019.
- 3.8 These retained receipts can fund 30% of the cost of replacing housing stock. Therefore, the total spends required on replacement stock is £19,203,224.
- 3.9 Based on current financial projections it is assumed that the Council will continue to dispose of housing stock through RTBs at an average of 8 properties per year. Therefore, the projected spend required on Affordable Housing is circa £2 million per annum from 2022/23.
- 3.10 The planned future spend is based on the retained receipts as per Appendix A. If capital receipts are not spent or ear-marked according to the Government's funding regulations, then monies must be returned with additional compound interest to central Government.
- 3.11 The receipts must be spent by specified deadlines (as per Appendix A). The Council to date has incurred expenditure of £9,962,719 and added 33 dwellings to its housing stock. Of these, 26 have been purchased from the open market and 7 have been developed by the Council. All have been let at an 'Affordable Rent', as per the Rents Policy 2015.
- 3.12 Expenditure per unit on Council New Builds has been circa £257k per unit on average. Expenditure per unit on Private Market Acquisitions has been circa £303k per unit on average.

- 3.13 It is held that developing new sites is economically more viable than continuing to purchase ad hoc via the market. Emerging sites are potentially going to return a higher number of units than previous projects, so as to reduce the average unit cost even lower than above.
- 3.14 Expenditure at the above rate using properties sourced from the local housing market is deemed to be financially inefficient and is not supporting wider housing build projects within the HRA nor efficient use of HRA land/assets, which should produce a far higher housing stock yield.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The mechanism proposed front-loads the procedure for allocating RTB monies to site-specific construction projects with outline planning proposals, without Committee approval at the initial stage. It will allow for a more streamlined and efficient method of retaining the RTB monies for use within the Borough.
- 4.2 If outline planning permission is granted for affordable housing provision then detailed evidence will be submitted to Committee to approve/reject the proposed development on each specific site.

##### **Option 1: Implementation of the mechanism**

- 4.3 Implementing the mechanism will allow for:
  - Transparency, particularly for residents
  - Tailored service provision
  - Economic focus
  - Audit compliance
  - Provisioning for a cohesive approach to garage site redevelopment
  - Development of an economically sound affordable housing strategy

##### **Option 2: Non-implementation of the mechanism**

- 4.4 Non-implementation will potentially:
  - Fail to advance Corporate priorities
  - Undermine the development of an affordable housing strategy
  - Create lack of focus on expenditure
  - Undermine best value in terms of development and regeneration with the housing stock.

## **5. Reasons for Recommendation**

- 5.1 Option 1 is recommended as the most transparent option for the Council and supports the '*Getting our House in Order*' transformation programme for Housing Services. It works towards ensuring financial stability and revenue protection.
- 5.2 Taking no further action will fail to advance corporate priorities and would be counter to our modernisation approach and monetary responsibilities.

## **6. Consultation**

- 6.1 Consultation on individual site projects will be undertaken prior to formal approval being given by Committee. Public approval of the outline spending mechanism itself is not required. Prior consultation relating to building affordable homes has been fully supported by Tenant Talkback.

## **7. References to Corporate Plan**

- 7.1 The Council's Corporate Plan aims to deliver safe and comfortable homes which are efficient and sustainable. To manage our stock to recognise the limited resources available and supporting those in greatest need. To review the future delivery of housing services to provides the best outcomes for Brentwood residents.
- 7.2 Through adopting the above recommendations and implementing a coherent capital receipt expenditure regime then each of the aims listed above can be promoted.

## **8. Implications**

### **Financial Implications**

**Name & Title: Phoebe Barnes**

**Tel & Email: 01277 312500 phoebe.barnes@brentwood.gov.uk**

- 8.1 Purchasing properties off the open market is not the most cost-effective way of delivering affordable housing within the Borough. However, due to the strict criteria local authorities nationally have struggled to spend the retained receipts and have opted to purchase properties off the open market. This accounts for around 40% of the replacement stock nationally.
- 8.2 Acquisitions have been highlighted to MHCLG as one of the problem areas affecting replacement, this has an impact on the level of new supply being achieved through Right to Buy receipts. Acquisition in Brentwood is not

cheaper than new build. However, acquisitions can be effective in addressing local need and bringing empty properties back into use.

- 8.3 By not meeting the Government deadline, there is a high degree of financial risk imposed on the Council. An example is that if the December 2019 deadline is not met the Council would be expected to pay £54,407 in interest costs. If all deadlines are not met this becomes a significant sum the Housing Revenue Account cannot afford.
- 8.4 The Council does have the option to return the retained right to buy receipts. This is done through the quarterly Pooling of Housing Capital Receipts return. If the funds are returned in the quarter they were received, then no interest is payable. However, if retained receipts are returned after the quarter they were received, interest is payable from the day they were received to the day they were returned to Central Government.
- 8.5 There is no provision built within the HRA budget for repayment of receipts plus interest. The current 30-year Business Plan assumes the receipts will be retained and spent in accordance with the regulations and deadlines imposed.
- 8.6 The interest rate is deliberately set high to encourage authorities to invest in replacement stock and to ensure authorities surrender the receipts as soon as they realise no spend will occur in the time period.
- 8.7 By allocating funds to site-specific projects with outline planning proposals, this satisfies the requirement with MHCLG. This is due to the sites detailing the amount of Affordable Housing being proposed and the required development costs. Therefore 30% of these costs can be earmarked from the retained right to buy receipts.

#### **Legal Implications**

**Name & Title:** Paula Harvey, Deputy Monitoring Officer

**Tel & Email:** 01277 312705 / paula.harvey@brentwood.gov.uk

The recommendations are within the Council's powers and duties. Under current legislation the Council is required to spend retained Right to Buy receipts within three years, or return this to Central Government with interest.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.8 None

**9.** **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 None

**10. Appendices to this report**

- Appendix A: HRA Capital Receipt Expenditure Tracker

**Report Author Contact Details:**

**Name:** Stuart Morris, Housing Options Manager

**Telephone:** 01277 312500

**E-mail:** stuart.morris@brentwood.gov.uk

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## Appendix A

### HRA Capital Receipt Expenditure Tracker

The planned future spends based on the retained receipts are:

<b>Deadline Date</b>	<b>Amount Retained (30%)</b>	<b>Council's Contribution (70%)</b>	<b>Total Minimum Project Spend</b>
30 <sup>th</sup> September 2019	414,004	1,833,395	2,247,399
31 <sup>st</sup> December 2019	411,376	959,878	1,371,254
31 <sup>st</sup> March 2020	422,915	986,803	1,409,718
<b>Total for 19/20</b>	<b>1,248,295</b>	<b>3,780,076</b>	<b>5,028,371</b>
30 <sup>th</sup> June 2020	193,476	451,448	644,924
30 <sup>th</sup> September 2020	66,024	154,055	220,079
31 <sup>st</sup> December 2020	345,779	806,818	1,152,597
31 <sup>st</sup> March 2021	317,334	740,445	1,057,779
<b>Total for 20/21</b>	<b>922,613</b>	<b>2,152,766</b>	<b>3,075,379</b>
30 <sup>th</sup> June 2021	91,589	213,708	305,297
30 <sup>th</sup> September 2021	0	0	0
31 <sup>st</sup> December 2021	132,127	308,297	440,424
31 <sup>st</sup> March 2022	377,526	880,894	1,258,420
<b>Total for 21/22</b>	<b>601,242</b>	<b>1,402,899</b>	<b>2,004,141</b>
<b>Total 3 Year Spend</b>	<b>2,772,150</b>	<b>7,335,741</b>	<b>10,107,891</b>

The right to buy discount from 1st April 2019 has increased from a maximum of £75,000 to a maximum discount of £82,800. This discount will increase each April in line with consumer price index (CPI).

Based on the increase in the discount available it is assumed that the Council will continue to dispose of housing stock through right to buys at an average of 8 properties per year. Therefore, the projected spend required on Affordable Housing is £2 million per annum from 2022/23.

The Housing Revenue Account (HRA) Business Plan (approved at Ordinary Council 27<sup>th</sup> February 2019) assumes that the Council's 70% share will be funded through a mix of revenue contribution from the HRA and external borrowing. To date the contributions has been a revenue contribution.

25<sup>th</sup> June 2019

## Environment, Enforcement & Housing Committee

### Housing Development Programme

**Report of:** Angela Abbott, Housing Services Manager

**Wards Affected:** All

**This report is:** Public

#### 1. Executive Summary

- 1.1 The Council owns a range of garage sites across the Borough, including those that are disused and hard to let. Members previously agreed that Officers should identify the potential redevelopment of sites that provided an immediate opportunity for new affordable housing.
- 1.2 Officers had identified two potential sites. One site is at Brookfield Close, Hutton and the second at Sir Francis Way, which is located in Brentwood, very close to the Town Centre. Both sites provide excellent potential for redevelopment.
- 1.3 At the Community, Health & Housing Committee on the 5<sup>th</sup> March 2019, delegated authority was approved for the Housing Services Manager to commission an architect to prepare a feasibility report for both sites to establish the viability of each which will outline potential on both sites, and inform in terms of quantum and tenure mix.

#### 2. Recommendations

- 2.1 That the Committee formally approves delegated authority for the Housing Services Manager to submit outline planning permission for both sites at Brookfield Close, Hutton and Sir Francis Way.
- 2.2 That the feasibility report outcomes are reported to the next appropriate Environment, Enforcement & Housing Committee.
- 2.3 That if agreed, the proposal is referred to the Council's Policy, Resources and Economic Development Committee for approval.

### **3. Introduction and Background**

- 3.1 Following the approval to commission an architect to undertake a feasibility exercise for the sites, Ashby Design Architects were commissioned to undertake the feasibility exercise which is currently in progress which will end in August 2019.
- 3.2 In order to commit the RTB Capital receipts within the required spend deadline for the projected cost of the development it is necessary to obtain outline planning permission.
- 3.3 The estimated project delivery timetable estimates that we would be able to submit an application for planning permission in July 2019 which is a 13-week application process.
- 3.4 The outline planning application phase will incorporate comments as appropriate and provide further detail as below, through produced drawings and supporting information:
  - Site layout at all levels
  - Dwelling numbers, occupancy and typologies
  - Vehicle and cycle parking
  - Access and Refuse Strategy
  - Indicative scale and massing

### **4. Issues, Options and Analysis of Options**

- 4.1 The redevelopment proposals will contribute to Housing Services Housing Strategy implementation and will create a model for future affordable housing development within the borough.
- 4.2 By implementing this approach will allow for:
  - Transparency, particularly for residents
  - Tailored service provision
  - Economic focus
  - Audit compliance
  - Provisioning for a cohesive approach to garage site redevelopment
  - Development of an economically sound affordable housing strategy

## **5. Reasons for Recommendation:**

The mechanism proposed front-loads the procedure for allocating RTB monies to site-specific construction projects with outline planning proposals, without Committee approval at the initial stage. It will allow for a more streamlined and efficient method of retaining the RTB monies for use within the Borough.

Option 1 is recommended as the most transparent option for the Council and supports the '*Getting our House in Order*' transformation programme for Housing Services. It works towards ensuring financial stability and revenue protection.

## **6. Consultation**

6.1 Consultation with 'Tenant Talkback' will be conducted once there are specific site-led proposals for consideration following review of the feasibility reports.

## **7. References to Corporate Plan**

7.1 The Council's Corporate Plan aims to:

- To deliver safe and comfortable homes which are efficient and sustainable.
- Manage our stock to recognise the limited resources available and supporting those in greatest need.
- Review the future delivery of housing services to provide the best outcomes for Brentwood residents.

## **8. Implications**

### **8.1 Financial Implications**

**Name & Title: Phoebe Barnes, Interim Financial Controller**  
**Tel & Email: 01277 312500 / phoebe.barnes@brentwood.gov.uk**

Costs for the outline planning application and feasibility studies will be met from the New Homes Build Capital program. These costs can be capitalised as long as the outline planning permissions become approved Planning Applications. Any outline applications that do not get approved, resulting in no affordable Homes being built, these costs associated with the applications would be a revenue pressure to the Housing Revenue Account.

The Council currently retains income from right to buy (RTB) disposals to fund the provision of replacement stock within 3 years of receiving the funds. This proposal allows the Council to meet the key principles of the agreement with the Secretary of State for Ministry for Housing, Communities and Local Government (MHCLG) for retaining income from RTB disposals and funding replacement stock within the time frame imposed.

## **8.2 Legal Implications**

**Name & Title: Paula Harvey, Solicitor and Deputy Monitoring Officer**  
**Tel & Email: 01277 312500 / paula.harvey@brentwood.gov.uk**

The recommendations set out in this report are lawful and within the Council's powers and duties.

The Council's Policy, Resources and Economic Development Committee should consider the overarching Housing Development Programme in accordance with the Council's Constitution.

## **8.3 Planning Implications**

**Name & Title: Phil Drane, Director of Strategic Planning**  
**Tel: & Email: 01277 312500 / phil.drane@brentwood.gov.uk**

Both land at Brookfield Close, Hutton; and land at Sir Francis Way, Brentwood are located within the existing urban area as defined in the Brentwood Replacement Local Plan (2005), unchanged in the emerging Brentwood Pre-Submission Local Development Plan (2019). The principle of residential redevelopment would be acceptable subject to details of any planning applications that would need to satisfy planning policies within the Council's Local Plan, including impact on surrounding areas or properties. The potential for intensification of sites to provide for more residential dwellings is likely to be acceptable given the borough's housing need and context of national policy, again subject to the proposal satisfying planning policies (both national and local). Land at Sir Francis Way is adjacent to the Green Belt boundary, which may be a consideration as part of any development proposal.

## **8.4 Parks Department Implications**

**Name & Title: Stuart Anderson, Facilities Manager**  
**Tel & Email: 01277 312500, stuart.anderson@brentwood.gov.uk**

This is a relatively small development when compared to others in the Borough and so there is little concern about the impact it will have on the surrounding open spaces, there is also no effect on open space either adjacent to or on the development site itself and so there are no objections from a parks and open spaces perspective to the principle of this proposal.

## **8.5 Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.**

None.

**Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None.

**Appendices to this report**

None

**Report Author Contact Details:**

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25<sup>th</sup> June 2019

## Environment, Enforcement and Housing Committee

### Empty Homes Update

**Report of:** David Carter, Environmental Health Manager

**Wards Affected:** All

**This report is:** Public

#### 1. Executive Summary

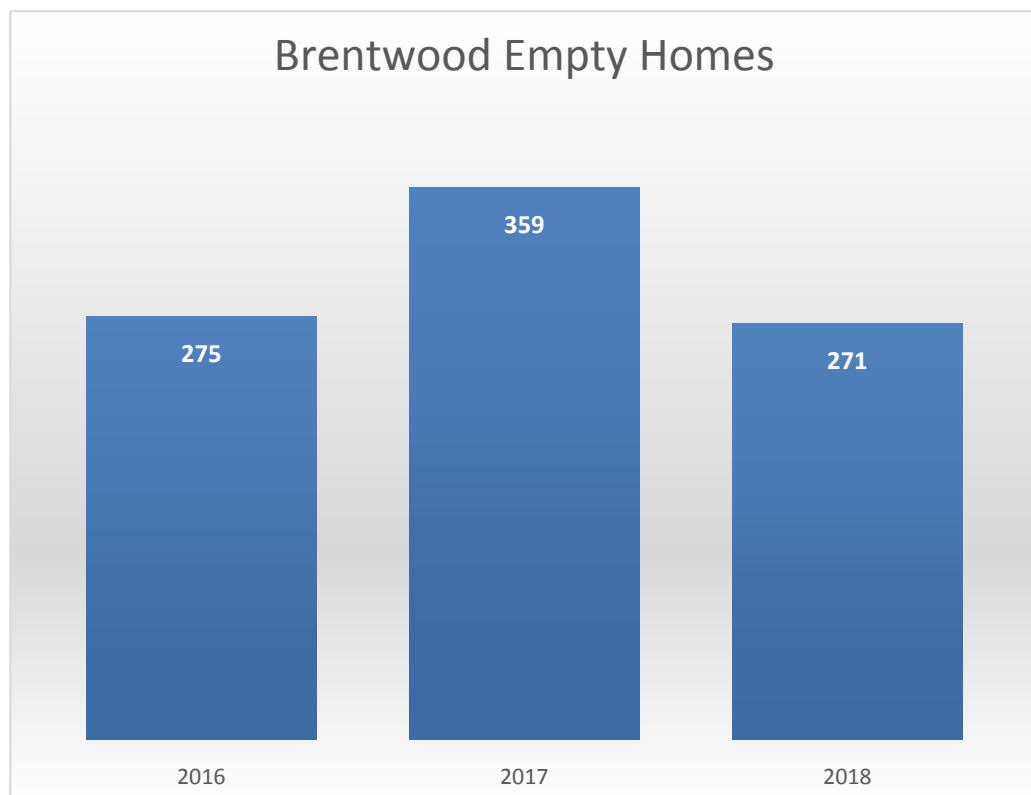
- 1.1 At the meeting of the Environment and Housing Management Committee in September 2017 Members adopted the Empty Homes Strategy 2017 - 2020 (Appendix A) which proposed measures to try to reduce the number of empty homes in the Borough.
- 1.2 The Strategy set out the powers available and proposals to contact and engage with the owners of long-term empty properties in the Borough.
- 1.3 This report outlines the current position and proposals for next steps.

#### 2. Recommendations

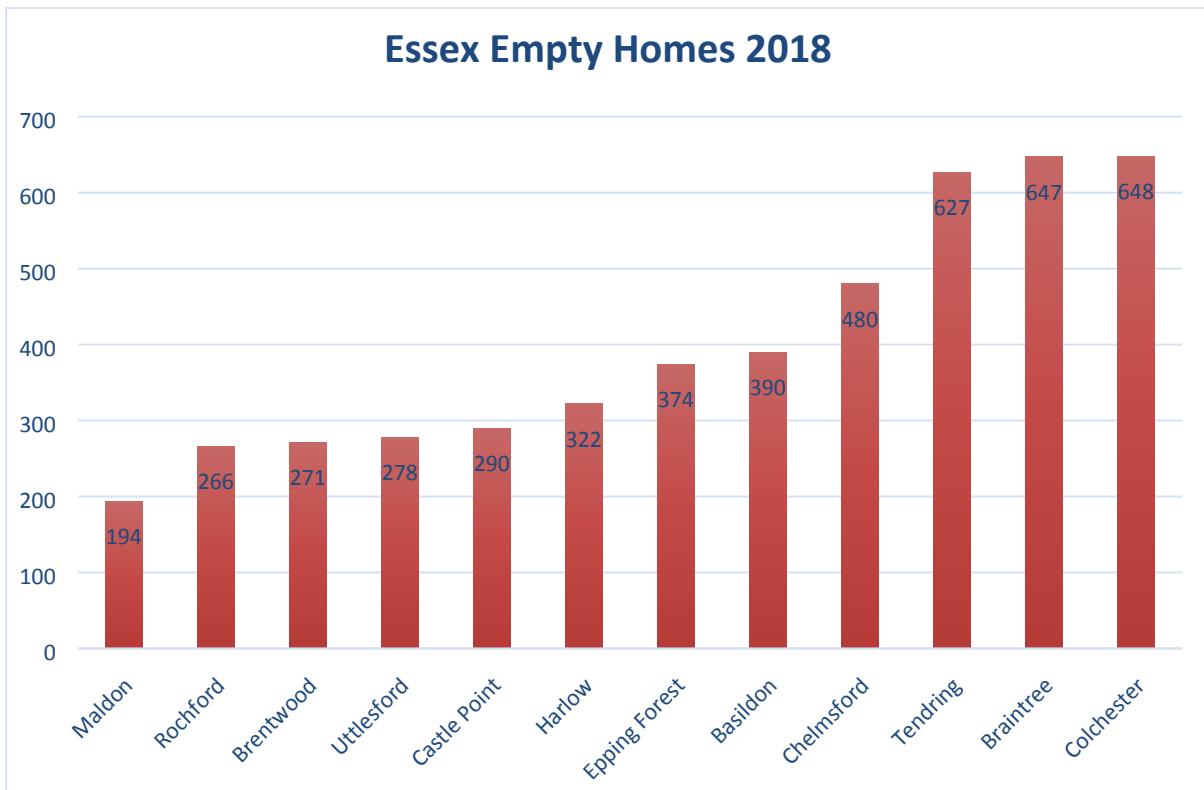
- 2.1 **That Members note the Empty Homes Strategy (Appendix A) and consider further actions to tackle empty homes in the Borough.**
- 2.2 **Officers are instructed to identify opportunities to work collaboratively with other Essex authorities to achieve outcomes**
- 2.3 **Officers seek to engage other agencies or authorities to assist where current staff resources limit progress on measures to encourage re-use of empty homes.**
- 2.4 **Officers report back to future Committees on actions to engage with partners.**

### **3. Introduction and Background**

- 3.1 The Council has identified a number of empty properties in the Borough from Council Tax data. Data is provided to the Government on properties which are ‘unoccupied and substantially unfurnished’ for a period of longer than 6 months.
- 3.2 Since the commencement of this project there has been a reduction in the number of empty homes in the Borough, from a maximum of 359 in 2017 to 271 in 2018 (reported to Government annually in October). The total number of empty properties in Brentwood is now at the lowest level since 2015 and nearly 25% lower than in 2017. This is the biggest reduction in Essex from 2017 to 2018 (88 fewer properties empty).



- 3.3 Brentwood now has the third lowest number of empty homes out of the Essex authorities in 2018 (see below). This is a much better position than between 2015 and 2016 when Brentwood had the second highest percentage increase in empty properties nationally (143% increase from 113 in 2015 to 275 in 2016).



- 3.4 The Council has levied an 'empty homes premium' where properties have been unoccupied and substantially unfurnished for over two years, which is now up to 150% of the Council Tax normally applicable to the property.
- 3.5 These properties were being focussed on at the start of the project as they were the longest empty homes in the Borough, however it is now apparent that some of these are also the hardest to deal with due to the disrepair of the properties and the reluctance of the owners to engage.
- 3.6 Data on the properties paying the empty homes premium has been provided periodically by Basildon Council from Council Tax records and we have contacted some of the owners to try to assist in bringing these properties back into use.
- 3.7 Several of the properties originally identified were in the process of being renovated and some have come back onto the housing market through renovation or sale but there is little available information to enable us to identify those properties that have been brought back into use.
- 3.8 As a result of extremely limited resources within our Environmental Health Pollution and Private Sector Housing team which has arisen since the Strategy was established it is unlikely that further progress can effectively be made without some additional resource.

- 3.9 Officers are now investigating where other Councils in Essex are making efforts to tackle empty properties to see whether there is any available resources that we can use to assist in this activity to improve the possibility of dealing with some of the worst cases, where we have identified anti-social behaviour and other issues associated with long-term empty homes.
- 3.10 It is intended that following discussions with other partner authorities that we will identify what the next steps will be to enable collaborative working or other activity.

#### **4. Issues, Options and Analysis of Options**

- 4.1 The options available will depend on the individual local authorities within Essex and their ability and willingness to work with Brentwood Council.
- 4.2 The aims of dealing with empty homes in the Borough will continue to be to
  - Reduce the overall number of long term empty properties
  - Minimise the anti-social behaviour associated with empty homes
  - Recover the costs of enforcement action where possible

#### **5. Reasons for Recommendation**

- 5.1 To ensure that some action is taken to identify, contact and encourage the reduction of the number of empty homes in the Borough within the limited resources available, and to identify what resources would be needed or could be made available.
- 5.2 To seek to ensure that the costs of enforcement action is recovered where possible.

#### **6. Consultation**

- 6.1 The Empty Homes Strategy (Appendix A) was made available for public consultation prior to adoption.

#### **7. References to Corporate Plan**

##### **7.1 Environment and Housing Management**

- Manage our housing stock to recognise the limited resources available and the importance of supporting those in greatest need.

- Develop effective partnership arrangements with key agencies to deliver services.

## 7.2 Community and Health

- Provide advice, support, guidance and enforcement.
- Encourage thriving and engaged communities
- Support community engagement with residents and businesses

## 8. **Implications**

### 8.1 **Financial Implications**

Name & Title: Phoebe Barnes Interim Financial Controller  
 Tel & Email: 01277 312839 / phoebe.barnes@brentwood.gov.uk

The empty homes levy applied in 2018/19 was £51,494.85. This was applied to 72 properties. In 2017/18 there was 78 properties and the total levy applied to these properties was £52,527.35.

When considering additional resources, if this is to be a remunerated resource it would need to be met from within existing budgets. Costs not met within existing budgets would be reported as budget pressures through the Council's Budget monitoring process. Any budget pressure would need to be considered alongside the potential outcomes generated from opportunities identified.

### 8.2 **Legal Implications**

Name & Title: Paula Harvey/Solicitor & Deputy Monitoring Officer  
 Tel & Email: 01277 312705/paula.harvey@brentwood.gov.uk

The recommendations are within the Council's powers and duties. The Council has a range of powers within an existing legal framework which allows intervention to deal with empty properties.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

### 8.3 None

## 9. **Appendices**

## Appendix A - Empty Homes Strategy 2017-2020

### **Report Author Contact Details:**

**Name:** David Carter, Environmental Health Manager  
**Telephone:** 01277 312509  
**E-mail:** david.carter@brentwood.gov.uk



# **Empty Homes Strategy**

## **2017-2020**

## Introduction

Brentwood Borough Council is committed to ensuring that Brentwood remains a pleasant and healthy place in which to live, work and relax for the benefit of current and future generations.

Part of this commitment is in supporting those in greatest need and to manage the housing stock within the available resources. This includes housing provision in the private sector. Within the Borough there are several currently empty properties, many of which are privately owned.

The aim of this Strategy is to effectively reduce the number of empty properties and to bring them back into use to provide homes for residents and reduce the adverse effect that long-term empty property can have on an area.

The Strategic Housing Market Assessment (SHMA) for Brentwood has identified a shortfall in affordable housing units in the Borough which could be assisted by returning empty property into this market.

Housing prices in Brentwood are on average £100,000 higher than in the rest of England making affordability a key issue for the Borough, identified as an objective in the Borough Housing Strategy. Whilst the number of long-term empty properties in Brentwood is well below the national percentage and is lower than most of the other Essex authorities it is important to ensure that as many homes as possible are available for occupation.

The Government, working with the Empty Homes Agency is encouraging local authorities to adopt measures to bring privately owned empty homes back into use as part of their strategic housing approach. The Council is seeking to engage with owners to find solutions, which could take the form of offering incentives such as loans or advice on selling, leasing and tax issues. This approach is dependent on good will and co-operation from owners and where this has been achieved it can be highly effective. Local authorities may also need to resort to enforcement action where it has not proved possible to achieve re-occupation of empty homes through voluntary means.

The Council's new Housing Strategy 2017-2020 identifies Empty Homes as an area for development to assist in the provision of accommodation for local people in the Borough.



## Aims

The aims of the strategy are as follows:

1. Reduce the number of long-term empty properties in the Borough
2. Encourage owners to participate in bringing empty homes back into use
3. Assist with schemes to make empty homes decent and available for affordable housing to prevent properties becoming long-term empty
4. Raise awareness to identify empty property
5. Using enforcement powers where necessary, appropriate and cost-effective

## Prioritising actions

Some of the factors affecting the actions to be taken are:

### **1. Length of time property has been empty**

Long-term empty homes are those homes which have been empty for six months or more. We will concentrate resources on bringing long-term empty homes back into use; it is proposed to initially work with those properties which have been identified as empty for over two years.

These properties will be subject to increased Council Tax at a rate of 150% because of the length of time they have been empty – at present in the Borough there are 75 properties identified as empty for over two years. As more data becomes available we will work with the owners of empty homes to provide assistance at an earlier stage.

### **2. Condition and type of property**

Some types of property may not be suitable for housing due to their original purpose or state of repair which means that they cannot reasonably be brought back into residential use. In these cases, we will consider appropriate alternative measures and work with the owners to look at available opportunities which may include demolition or sale of the site for redevelopment.

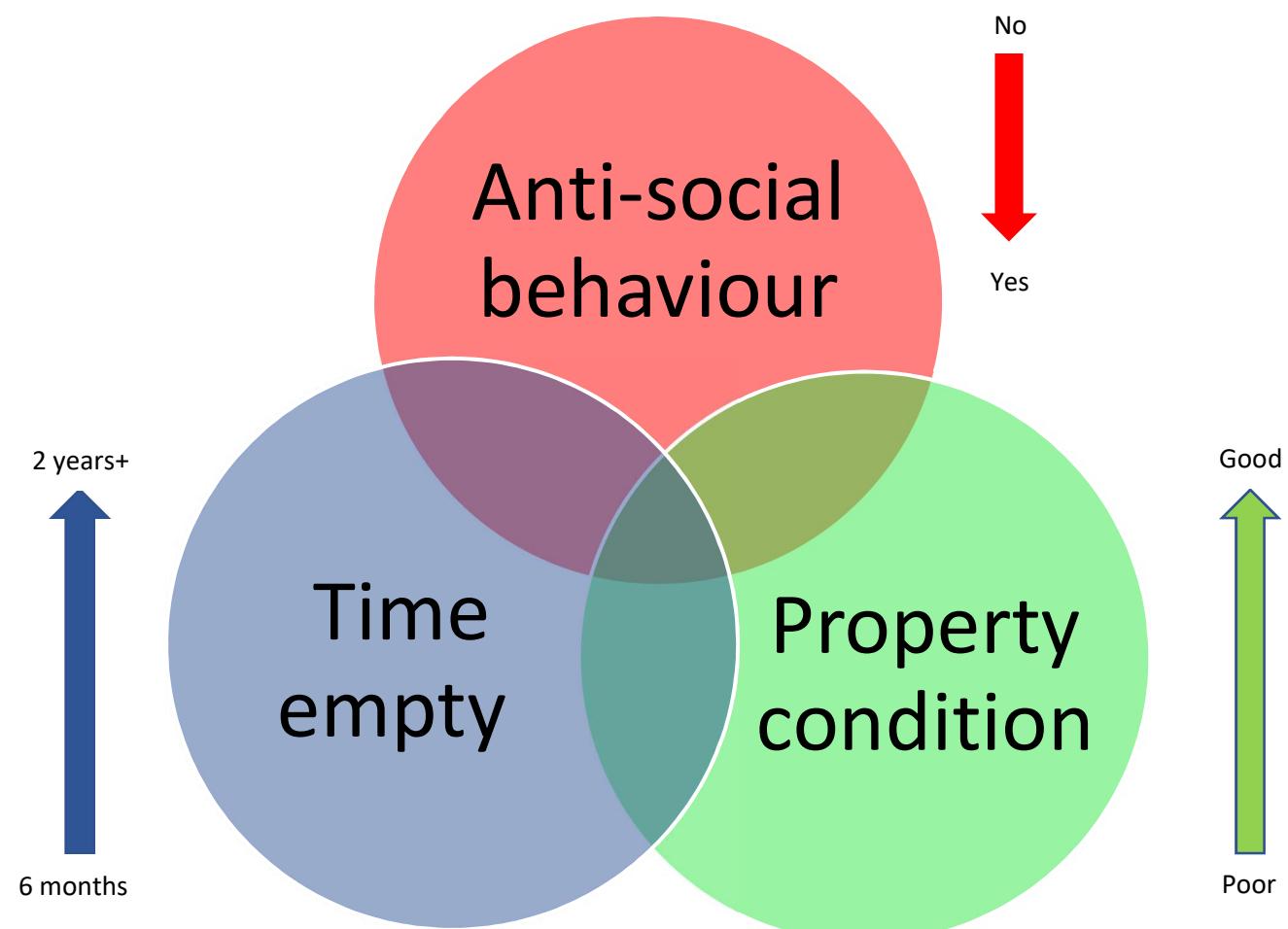
We will look to assist in identifying repair works and will determine whether financial assistance from the Council would result in a successful outcome and re-use of the property. Decent Home Loan funding is available to assist with works to enable a home to meet the Decent Homes standard and will be promoted where possible to encourage renovation work.

### 3. Complaints

Where empty properties have become the target for anti-social behaviour or other sources of complaints we will identify appropriate action if the owner is not prepared to take steps to secure or reuse the property.

We will use data from Council Tax records to identify long-term empty properties; contact will be made with the owners identified to determine whether the property is still empty and if so what the owner's intentions are. Based on this information we will then determine the next course of action, ranging from informal advice and assistance through to enforcement action which could include planning enforcement, securing the property, repairs etc.

The prioritisation of empty homes in the Borough will commence with the properties that have been empty for over two years and those which are attracting anti-social behaviour – our priorities are illustrated in the diagram below:



## Options for owners

Where we have contacted the owners of properties we will encourage them to bring property back into use. Depending on repairs needed the options could include selling the property or renting either directly, through a letting agent or through an arrangement with the Council.

Once a property has been identified as empty contact with the owner is intended to commence as soon as possible to establish reasons and likelihood of remaining empty.

The aim will be to engage with owners of property to deal with issues caused to the community and ensure that action is effective in minimising the length of time that a property remains empty.

The Council may also be able to assist with the Rent Deposit Scheme for tenants and financial arrangements to help landlords rent their property including Decent Homes Loans to enable repairs to bring the property to a decent condition.

There are many reasons why properties remain empty for lengthy periods of time – we will try to assist in determining and removing any obstacles to them being occupied.

It should be clear from the outset that the Council will consider use of its powers to assist in returning property to use where this is practicable. Early contact with owners will enable us to establish their intentions and should identify where further action will be needed to achieve the property returning to use.



# Enforcement Options

Where our attempts to work with owners have not been successful we will consider the appropriate use of enforcement action. This may be achieved by use of the powers outlined below, in isolation or in combination and possibly involving various departments within the Council taking an active role:

## **Housing Act 2004**

Improvement Notices to remove Category 1 or 2 hazards.

## **Building Act 1984 sections 77/78**

Notice to require owner to make a ruinous or dilapidated property safe or enable Local Authority to take emergency action to make the property safe.

## **Building Act 1984 section 79**

Notice to require the renovation or demolition of a ruinous or dilapidated building.

## **Housing Act 1985**

Demolition Orders

## **Local Government (Miscellaneous Provisions) Act 1982 section 29**

Power of local authority to prevent unauthorised entry or prevent the building from becoming a danger to public health.

**Environmental Protection Act 1990** section 80; Building Act 1984 sections 78 allow the Local Authority to serve a notice requiring the owner to take steps to secure the property or allow the Local Authority to board it up in an emergency.

**Prevention of Damage by Pests Act 1949** s. 2-7 notice to require an owner to take steps to clear the land of vermin, to remove waste likely to attract vermin; local authority has power to carry out works in default.

## **Environmental Protection Act 1990 sections 79-81**

## **Public Health Act 1961 section 34**

## **Building Act 1984 section 79**

Local Authority powers to serve notice on an owner to remove nuisance.

## **Town and Country Planning Act 1990 section 215**

Power to take steps requiring land to be cleaned up when its condition adversely affects the amenity of the area. Action can be taken against land and buildings.

### **Law of Property Act 1925**

#### Enforced Sale Procedure

If there is a charge registered against a property in favour of the Council e.g. for work carried out in default can be recoverable through enforced sale of the property.

### **Housing Act 1985 Compulsory Purchase Order (CPO)**

The Council can apply to the Secretary of State as a last resort when other powers have been exhausted where long term empty properties are causing a serious nuisance or blight to an area.

### **Housing Act 2004 Empty Dwelling Management Order (EDMO)**

Prerequisites for EDMOs include the production of an Empty Property Strategy and selection of managing agents and contractors.

Voluntary solutions must be considered and all requirements must be met for a Residential Property Tribunal (RPT) to authorise an Interim EDMO.

The RPT must be satisfied that

- the property has been empty for more than six months, with little prospect of occupation without an EDMO
- the authority has notified the owner of its intention to apply for an EDMO and tried to find out what plans the owner has to return the property to use
- the authority has considered the rights of the owner and the interests of the wider community

If an Interim EDMO is granted by the RPT the Council must insure the property, carry out a detailed survey and prepare a costed schedule of works. Contractors must be appointed to carry out the works necessary to enable the property to be occupied at the Council's expense – the costs are recovered from rental income.

# Appendix A Empty Homes Procedure

## Identification

- Council Tax records
- Council Officers/Members
- Owners
- Members of the public



## Investigation

- Contact owners – establish reason and likelihood of return to use
- Land Registry Search where owners are not traced
- Site visits to assess condition
- Prioritise properties for action



## Engagement

- Work with owners to offer advice and assistance
- Agree plan of action with owners at an early stage
- Liaison with other organisations and departments



## Enforcement

- Consider appropriate enforcement action
- Repair or secure property
- Enforced Sale, Compulsory Purchase Order, Empty Dwelling Management Order