



Agenda

Community, Health and Housing Committee

Tuesday, 11 September 2018 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,
Brentwood CM14 4JF

Membership (Quorum – 3)

Cllrs Hossack (Chair), Poppy (Vice-Chair), Bridge, Clarke, Mrs Davies, Mrs Fulcher, McLaren, Ms Sanders and Tierney

Substitute Members

Cllrs Haigh, McCheyne, Naylor, Mrs Pound, Trump and Wiles

Agenda

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A handwritten signature in black ink, appearing to read 'P. L. R. B.' with a large, stylized flourish underneath.

Chief Executive

Town Hall
Brentwood, Essex
03.09.2018

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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 **Evacuation Procedures**

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Minutes

Community, Health and Housing Committee Tuesday, 3rd July, 2018

Attendance

Cllr Hossack (Chair)	Cllr Mrs Fulcher
Cllr Poppy (Vice-Chair)	Cllr McLaren
Cllr Bridge	Cllr Ms Sanders
Cllr Clarke	Cllr Tierney
Cllr Mrs Davies	

Also Present

Linda Skinner	Tenant Talkback
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Officers Present

Kim Anderson	-	Partnership, Leisure and Funding Manager
David Carter	-	Environmental Health Manager
Stuart Morris	-	Interim Housing Policy Manager
Zoey Foakes	-	Governance & Member Support Officer
Tracey Lilley	-	Enforcement Manager
Nicola Marsh	-	Housing Manager
Lorne Spicer	-	Business Development and PR Manager
Steve Summers	-	Chief Operating Officer

55. Apologies for Absence

There were no apologies received.

56. Minutes of the Previous Meeting

The Minutes of the meeting held on 5th March 2018 were approved as a true record subject to a spelling error on page 8 which read as “resent” instead of “present”.

57. Verbal Update

Mrs Marsh, Housing Manager presented on Key Performance indicators for the Housing Department.

This was an overview for the end Quarter 4.

Rent Collection

In November 2017 Brentwood was moved over to Full Service Universal Credit ('UC'). Tenants receiving this are responsible for making direct payments, which increases the level of risk to the Council as the landlord. There has been an increase in the level of arrears due to the roll-out of Full Service Universal Credit.

During this quarter resource issues were experienced which impacted on rent collection. The management team had focussed on ensuring this issue was not replicated in the next quarter. Tenancy management issues were not impacted on during the above period. Additional payment methods had been introduced to enable tenants to make payments more easily in an effort to empower them, for the purpose of improving rent loss.

Re-Let Periods

There had been an increase in the average re-let time due to the requirement for an asbestos management survey to be carried out whilst a property is void [and asbestos removal where necessary]. Compliancy must be the primary focus, which had led to an average 3 day addition to the void period. To mitigate against any unforeseen delays, we had introduced a priority system by having weekly void meetings to focus on those properties that could be more immediately ready to let.

Whilst overall, there had seen an decrease in the average re-let time due to the requirement for an asbestos management survey to be carried out whilst a property is void the overall average re-let time for general needs housing had reduced slightly. Whilst this had reduced we will strive to continue to reduce the overall turnaround time for general needs properties.

Whilst there had been an increase in the average re-let time for sheltered accommodation, partially due to the requirement for an asbestos management survey to be carried out whilst a property is void we had also continued to have difficulty re-letting sheltered accommodation, which may be due to several factors, which include, the overall public perception of sheltered housing and the overall condition of the properties.

Temporary Accommodation

The amount of households housed in temporary accommodation had remained relatively static across the year, with focus being given to prevention work to avoid homelessness.

Gas servicing

We had increased the servicing level for Gas servicing following a review to streamline the process. We expected to see the servicing regime return to 100% by the end of quarter 1.

Customer Satisfaction

Wates – Customer satisfaction levels had increased slightly in Q4. We were continuing to work closely with the contractor to improve customer satisfaction level further.

Oakray – Customer satisfaction levels had maintained in Q4. We were continuing to work closely with the contractor to improve customer satisfaction.

Mr Carter presented on Empty Homes to the Committee.

The Empty Homes Strategy would look at properties that been empty for 2 years or more.

Looking at empty homes in comparison to the rest of Essex, Brentwood were 6th.

There were 6 properties that were empty and no activity was taking place on these properties. The Chair suggested that these 6 properties were investigated and an update on this be brought back to committee.

The Chair also discussed that the resources for investigating Empty Homes were low throughout Essex and that a letter should be sent to the Chair of EHO to create a task force throughout Essex and pool funds and resources to tackle this.

58. Co-option of Tenants Representatives

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

These representatives were agreed as Chris Price and Linda Skinner.

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

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

Tenant Talkback be invited to send two representatives to each meeting of the Community, Health and Housing Committee where housing items are to be discussed.

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.

The Housing Manager be requested to arrange appropriate training of the representatives.

59. Housing Audit Report

The report was intended to update the Community, Health & Housing Committee of the outcome of the 2016/17 and 2017/18 Audit review for Housing Services as part of the Council's approved Audit plans for 2016/17.

The outcome of the 2016/17 internal audit review was reported to the Audit & Scrutiny Committee on the 27th September 2017.

The outcome of the 2017/18 internal audit review was reported to the Audit & Scrutiny Committee on the 14th December 2017.

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

Members requested that future audit reports would include a cover page to show comparisons of what stage the risks (high, medium or low).

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

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

- 1. That the Committee receives and notes the progress made from the 5th March 2018 committee report in addressing the contents of both Audit reports.**
- 2. That the Committee agree that a further report on progress made on implementing the recommendations is presented to the next Committee.**

Reasons for Recommendation

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

60. Housing Fire Safety Policy

The report set out the proposals for a new Fire Safety Policy to be implemented within the Housing Department.

The Policy provided the council with the ability to effectively manage Fire Safety and fire awareness within all its residential blocks.

The Policy also met the Council's statutory requirement to have a Fire Safety Policy.

All tenants would be written to and notices to be displayed once the policy was approved.

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

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

- 1. Committee is asked to approve the Housing Services Fire Safety Policy.**
- 2. Committee is asked to approve the use of Evacuation Notice's for General Needs accommodation and Sheltered Schemes.**

Reasons for Recommendation

It was a statutory requirement for the Council to have a Fire Safety Policy. Failure to have one would leave the Council in a vulnerable position should a fire occur.

61. Housing Garage Sites Report 2018

Housing Services were reviewing the usage of Council-owned Housing Revenue Account ('HRA') garage sites across the entire estate. The review focused on anti-social behaviour hotspots ('ASB') and garage account arrears.

The report set out the background and recommendation for Committee to direct a formal scoping exercise in relation to the above. A formal exercise would allow for a more focussed, systemic and transparent approach to service provision and revenue protection.

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

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

- 1. That Housing Services undertakes a formal scoping exercise for a full report to be submitted to the next Community, Health and Housing Committee.**
- 2. That the Committee formally notes the statistical headline data relating to garage sites (Appendix A of the report).**

Reasons for Recommendation:

Option 1 was recommended as the most transparent for the Council and fully supported the existing ASB and income-protection strategies. It would allow

for a more detailed assessment of how garage sites could be utilised to maximise opportunities for asset development, parking and housing across the Borough.

The scoping exercise would feed into current specific site developments, as well as the wider corporate asset work being undertaken as part of the wholly-owned company (Seven Arches Investments Limited) and Joint Venture Partnership.

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

62. Community Safety Partnership Plan 18-19

The Community Safety Partnership (CSP) was made up of Responsible Authorities as outlined in the Crime & Disorder Act 1988 which included the Council as a key partner.

Each year the partnership had a statutory duty to carry out a Strategic Intelligence Assessment which reviewed existing priorities and identified any new or emerging priorities that the partnership should focus on.

All partners agreed the Strategic Priorities and set out in their Partnership Plan (see Appendix A of the report) how the partnership would work together over the next twelve months to tackle crime and disorder and achieve its priorities.

The CSPs Strategic Priorities for 2018/19 were:

- Protecting People
- Protecting Property
- Protecting the Community
- Protecting the Future

A set of action plans had been developed which underpinned delivery of the above priorities and set out how the partnership would work together to stimulate activity across the Borough, focusing on those activities that added value as a result of being delivered in partnership.

Ms Lilley praised the work of voluntary Neighbourhood Watch co-ordinator Peter Salmon who worked alongside the team.

Cllr Hossack alongside Ms Lilley credited Daniel Cannon for the production of the CSP Plan document.

Members endorsed the work on the Partnership Plan.

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

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

Members to endorse and support the work of the CSP through the Partnership Plan.

Reasons for Recommendation

The Council was one of the key partners within the CSP and it was vital that this was supported by Members to ensure that it remained effective in tackling local crime and disorder issues that affected our most vulnerable residents.

63. Termination of Meeting

At 9.00pm in accordance with Rule 10.1 of the Council's procedural rules, Members resolved to continue the meeting for a further 30 minutes.

64. Leisure Strategy

The Leisure Strategy was one of the key strategies as set out in the Vision for Brentwood 2016-19 document. The Council had ageing facilities and needed to ensure that its leisure facilities were not only fit for purpose but for the future.

The Strategy and action plan set out the vision, what the Council needed to achieve, the challenges it faced and how the priorities and outcomes had been identified. The Leisure Strategy was a large piece of work, so it had been split into workstreams to enable its delivery. The Strategy would cover a period of 10 years, but the supporting action plan would be a live document which would be reviewed and updated regularly to note the progress on the delivery of the Strategy.

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

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

- 1. That Members agree the Leisure Strategy and action plan at Appendix A (of the report).**
- 2. That Members refer the Leisure Strategy to Policy, Projects and Resources Committee on 18 September 2018 for their consideration.**

Reasons for Recommendation

As part of the Council's due diligence in delivering a successful Leisure Strategy, Members and officers needed to have a complete picture of the current associated costs, risk profiles of the Borough's Leisure facilities and identify opportunities for income generation.

Comments received from Sport England as part of the Local Development Plan consultation, stated that a Leisure Strategy was required that assessed Council owned sports and leisure facilities in order that the Council could continue to work with partners to ensure that appropriate provision was made for the residents of Brentwood. The strategy should have not only considered how the Council could provide services, but also how other partners could. The strategy should have also used current sports facility evidence to identify strategic priorities to then inform what would be included in the Council's Infrastructure Delivery Plan. Following the feasibility work, the Council would then be able to determine which projects would be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.

The Council's Asset Management Strategy 2014/15 also set out the need to obtain maximise income where possible from its asset portfolio.

65. Leisure Strategy Working Group

The purpose of the report was for the Committee to consider appointments to the Leisure Strategy Working Group (LSWG) and an indicative work plan, to enable officers to review the development and delivery of the Council's Leisure Strategy.

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

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

- 1. That any necessary changes to the Membership of the Leisure Strategy Working Group during the Municipal Year 2018/19 are made in accordance with paragraph 4.2 of the report.**
- 2. That Members note the indicative work plan in Appendix A for the review of Leisure Strategy, during the 2018/19 Municipal Year.**
- 3. Agree that the Leisure Strategy Working Group will report to the Audit and Scrutiny Committee with any recommendations.**

Reasons for Recommendation

The Council's need to ensure that options for each of the workstreams were fully examined, reviewed and prioritised and that the Leisure Strategy delivers Value for Money, was sustainable and met the needs of Brentwood residents.

66. Play Area Strategy - Working Group

As Members were aware, Councillors approved the draft Leisure Strategy at the Community, Health and Housing Committee on 5th March 2018.

The strategy was an overarching document that drew together all the Council's leisure and recreation opportunities within the Borough and how this

could be supplied and improved to meet current and future demand of residents.

One element of the strategy was to review the provision, supply and condition of play areas within the Borough. This work stream was identified early within the working process of producing the leisure Strategy and had been highlighted in previous update reports.

Whilst the Leisure Strategy took a holistic view of the Boroughs leisure and recreation facilities it did not identify the specific work programmes that were required to address supply, demand and condition within each workstream.

To achieve this, supporting strategies were needed that focused more on the detail of the workstream. To this end it had been identified by Officers that there was a need to produce a Play Area Strategy focusing specifically on the provision, supply and condition of play areas within the Borough.

Cllr Hossack **MOVED** and Cllr Hossack **SECONDED** to approve the recommendations in the report subject to the following amendments:

- 1. The current leisure strategy working group aids the development of a new play area strategy to be brought back to the next committee.*
- 3. That Members instruct Officers to undertake an 'audit' of the Council's play sites to determine those areas that require more immediate attention on individual items and to report the findings of this audit back to the next committee.*

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

- 1. The current leisure strategy working group aids the development of a new play area strategy to be brought back to the next committee.**
- 2. That Members agree to and instruct Officers to commence and move forward with the refurbishment of the toddler area at Courage Playing Field, outside of the work stream for the Play Area Strategy. That this be achieved using existing resources within the capital works programme.**
- 3. That Members instruct Officers to undertake an 'audit' of the Council's play sites to determine those areas that require more immediate attention on individual items and to report the findings of this audit back to the next committee.**

Reasons for Recommendation

To ensure that the Council had a robust strategy in place for the future provision and refurbishment of its play facilities around the Borough.

To ensure that resources, both financial and staffing could be adequately planned for as part of the Council's medium to long term financial plan.

To ensure that the existing play area at Courage Playing Fields was refurbished and remains fit for purpose and use for the residents of Shenfield and the surrounding area.

67. Request By Shenfield Cricket Club for Additional Fixtures of Courage Playing Fields Park Field

The Council had been approached by Shenfield Cricket Club with regard to playing additional fixtures on the park field and cricket square at Courage Playing Fields.

The club had been using two fields at the site, the first was the clubs original field on the land and is the field named in the 1950 deed of gift as the "Cricket ground situate upon the property".

The second field was the main park field and permission was granted by the Council via the Leisure, Recreation and Arts Committee on the 27th September 1993 for the club to establish a second cricket square on site due to the increase in playing members at the club.

The permission was granted with conditions, two of which were that the facility should be used for cricket on one day of the weekend and the other that the permission be reviewed at a later date [min. 304].

The later condition had never been carried out and the current arrangement had not been reviewed since 1993.

The club had requested to use the park field for additional fixtures for the season that would result in the field being used for more than one day a weekend, therefore the Chair had requested that the item be brought before members for consideration as per the original permission.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** to approve the recommendations in the report subject to the following amendments:

2.1 That members agree the request for additional use on the second fields as per Appendix A. that any further action required be delegated to the Chief Operating Officer in consultation with the Chair and Ward Members.

2.2 That a report be made to a future committee regarding the process of the future approval of the clubs fixtures.

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

- 1. That members agree the request for additional use on the second fields as per Appendix A. that any further action required be**

delegated to the Chief Operating Officer in consultation with the Chair and Ward Members.

- 2. That a report be made to a future committee regarding the process of the future approval of the clubs fixtures.**

Reasons for Recommendation

To establish the Council's position with regard to the request for additional cricket fixtures at Courage Playing Fields on the park field.

68. Request for Licence to Occupy by Brentwood Youth AFC - Larkin Playing Field

Larkins Playing Fields was one of the Council's larger and principle open spaces in the Borough and was located in the Pilgrims Hatch ward along the Ongar Road.

The site had, since 2016, been the home of Brentwood Youth AFC. The club came into being when Brentwood Athletic and Kelvedon Hatch decided to merge. This created a new club within Brentwood with over 400 members.

The site had three football pitches of varying sizes marked out to support the club at, what was, its home ground.

There was also an area of unused ground that could accommodate a further two pitches, however this lay wet during the winter months rendering it unusable in its current condition.

The club resided at the site on an unofficial basis with no secure tenure, their residency was secured each season via the hiring of pitches from the council for the winter sports season. This allocation was not guaranteed each year.

In order to allow the club to create a permanent base at Larkins Playing Field club representatives had approached the Council with regard to securing a licence to occupy the site on a more formal and permanent basis.

The site was designated as public open space and also had a number of restrictive covenants placed on it as part of the deed of gift when the site was given to the Council by the Larkin family.

The designation coupled with the restrictive covenants meant that there could be complications in issuing the club a licence to occupy, therefore it was felt that legal advice should be sought prior to responding to the club.

Cllr Hossack **MOVED** and Cllr Poppy **SECONDED** the recommendations subject to an amendment to 2.2 :

2.2 That the findings of this investigation be reported back to the next committee along with associated recommendations

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

- 1. That members instruct Officers to investigate the legal implications and restrictions that may be present in the issuing of a licence to occupy to Brentwood Youth AFC for Larkins Playing Fields.**
- 2. That the findings of this investigation be reported back to the next committee along with associated recommendations.**

Reasons for Recommendation

To allow Officers to establish the legal position of issuing a licence to occupy for Brentwood Youth AFC at Larkin Playing Fields.

69. Urgent Business

There were no items of urgent business and the meeting ended at 9:05pm.

11th September 2018

Community, Health & Housing Committee

Chair's update report

Report of: *Zoey Foakes – Governance and Member Support Officer*

Wards Affected: *All Wards*

This report is: *Public*

Members to note updates from Officers set out below.

Health and Wellbeing

There has been no recent progress in that we have broken away from our joint arrangements with Basildon to share a public health practitioner.

We are in the process of recruiting a practitioner, part time, for the role in Brentwood. We have had 12 applications for the post and are in the process of arranging interview.

Essex county Council have only just recently released this year's funding allocation for both the public health practitioner post and relevant projects.

A work plan has been written to spend the funding allocation on our health and wellbeing priorities of ageing well, mental health and wellbeing, and tackling obesity through improvements in physical health.

The health and wellbeing board have not met in the past six months. Our next meeting is to be arranged once a practitioner is in post.

Larkin Playing Fields

As Members will be aware the Council has been approached by Brentwood Youth AFC with a view to obtaining a 'home base' for the club at Larkin Playing Fields. As the site has a number of covenants relating to it under the conveyance with which it was gifted to the Council it has been necessary to seek legal advice regarding this proposal. We are currently awaiting this advice.

In parallel to this Officers, at the request of the club and Essex FA, have attended two on site meetings to determine what can be achieved to improve the condition of pitches at the site and also to bring the currently underused piece of land to the south

of the site into use as additional football pitches. The meetings were positive and further discussions are anticipated with both the Essex FA and Football Foundation as to how these improvements may be realised and achieved.

Play Area Strategy

There is a report before members tonight which sets out the recommendations from the Leisure Strategy Working Group which met in July and were agreed at Audit and Scrutiny Committee on 25 July 2018. One of the recommendations from the working group was to undertake an audit of the play areas which will identify the capital programme of investment required for each of the play areas together with the ongoing revenue expenditure, the proximity to alternative play areas and the current usage of the play areas.

An on-line consultation with the public has been launched alongside some face to face consultation as part of the Family Fun Days which asks residents how they use the local play areas and type of equipment they prefer. Feedback from this consultation will be completed at the end of September and maps have been developed which look at a 15minute walk time to play areas in the same vicinity. The information will be used to inform the Council's Play Strategy which will come back to Committee for consideration.

Empty Homes

A meeting has been held with members of Ingatestone & Fryerning Parish Council and Brentwood Housing Trust to focus on long term empty property in the Ingatestone area. It is hoped to concentrate on empty homes in this part of the Borough in collaboration with the Parish Council, with assistance being given by the Housing Trust to manage property and assist landowners to bring properties back into use. It is hoped that this will enable resources to be more targeted and act as a trial for wider activities within the Borough.

Basildon Council are being asked to provide updated data on current empty homes in the Borough and in Ingatestone to provide information for these activities. Officers throughout Essex have also been contacted to look at a county wide solution.

Garage Sites

At the July Committee it was approved by Members that Housing Services undertakes a formal exercise to review current usage of Housing Revenue Account ('HRA') garage sites. The purpose of the review is to provide a strategic approach for asset management. Key priorities are the reduction of anti-social behaviour, combating void loss and working towards greater affordable housing provision.

Housing Services have been developing this project and are working closely with the cross-departmental Housing Strategy Team to identify suitable options relating to core sites across the Borough, to bring detailed recommendations back to future Committee.

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11 September 2018

Community Health and Housing Committee

Leisure Strategy – King George’s Playing Fields

Report of: *Kim Anderson, Partnership, Leisure and Funding Manager*

Wards Affected: *Brentwood South/Warley*

This report is: *Public*

1. Executive Summary

- 1.1 This report provides an update to Community, Health and Housing Committee on the progress of the Leisure Strategy on the King George’s Playing Fields project. Alliance Leisure Services were appointed to develop a sustainable business plan for the park.

2. Recommendation(s)

- 2.1 To note the progress on the King George’s Playing Fields Project**

3. Background

- 3.1 At the 5 March 2018 Members agreed to the draft Leisure Strategy and Action Plan which was subsequently referred to Policy Projects and Resources Committee on 12 March for their consideration. The Strategy was sent for consultation and the final strategy and action plan has been agreed by Community Health and Housing Committee on 3 July and has been referred to Policy, Projects and Resources Committee on 18 September.
- 3.2 At the 12 March Policy, Projects and Resources Committee the budget was agreed, and delegated authority was given to the Chief Executive in consultation with the Chair of Community Health and Housing Committee and the Leader of the Council to appoint a Leisure Development Partner to develop a sustainable business case for the improvements to King George’s Playing Fields.
- 3.3 Alliance Leisure Services were appointed to develop the sustainable business case and a number of meetings have been undertaken with them to develop the vision for King George’s Playing Fields and agree the brief for the project.

- 3.4 As part of the project brief Alliance Leisure Services were asked to examine the current use of the park, current income and expenditure, current lease arrangements and key stakeholders.
- 3.5 A number of key desirables for the site were also identified which included improvements to the pavilion building, provision of some indoor play, outdoor adventure play and a wet play offer.
- 3.6 Alliance Leisure Services have completed surveys of the park, an assessment of the current and future demographics, identify potential future income streams and concept plans are currently being developed.
- 3.7 Whilst the full business plan has not yet been completed, Officers have undertaken a pre-application meeting with the Leisure Development Partners architect and the planning development department to identify any conditions and restrictions from a planning perspective.
- 3.8 There are a number of factors that still need to be agreed and identified such as agreement on the funding for the project, including any external funding opportunities. Planning considerations and restrictions to be identified through the full business plan.

4 Issues, Options and Analysis of Options

- 4.1 The Leisure Strategy is one of the key strategies as set out in the Vision for Brentwood 2016-19 document. To deliver a successful Leisure Strategy, Members and Officers need to have a complete picture of the costs of the current provision, how it measures in value for money terms, the future options available to them, together with any risk profiles associated with its leisure facilities.
- 4.2 One of the key workstreams under the Leisure Strategy looked at built facilities and it was agreed by Members at the 12 March Policy, Projects and Resources Committee to focus on King George's Playing Fields and work with a Leisure Development Partner to develop a sustainable business plan for the park.
- 4.3 The business plan would examine potential commercial opportunities that could help support the free community offer in the park, the development of new outdoor adventure play and a wet play offer to replace the paddling pools.

- 4.4 The Council also needs to consider this project as one of a number of projects that it is currently or will be delivering so that appropriate funding, and resource is available to deliver it and all associated risks are identified.

5 References to Corporate Plan

The Leisure Strategy sits under two main strands of the Vision for Brentwood 2016-19: Environment and Housing Management to develop a Leisure Strategy to provide strong and sustainable leisure facilities for residents and businesses; and Community and Health - to work with community and voluntary organisations to develop the priorities for community development. There are also strong links for the priorities of the Council's Health and Wellbeing Strategy 2014-2017, the Local Development Plan, Active Brentwood/Essex and the Council's Asset Management Strategy 2014/15.

6 Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Deputy S151 Officer

Tel & Email: 01277 312829 /

jacquelinevanmellaerts@brentwood.gov.uk

- 6.1 There are no direct financial implications arising from this report. Further diligence is still required on the determining of the funding required for the project as well as considering any VAT implications that will feed into any future budget plans.

Legal Implications

Name & Title: Assaf Chaudry, Governance Solicitor – Deputy Monitoring Officer

Tel & Email: 01277 3125703/ assaf.chaudry@brentwood.gov.uk

- 6.2 There are no legal implications arising directly from this report.

7 Background Papers

- 7.1 None.

Report Author Contact Details:

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11 September 2018

Community Health and Housing Committee

Leisure Strategy Working Group Report

Report of: *Phil Ruck, Chief Executive*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 This report submits the report and recommendations of the Leisure Strategy Working Group which met on 9 July 2018, for consideration by the Audit and Scrutiny Committee. The Members of the Working Group consists of the following Members: Cllrs Hossack, Poppy, Tierney, Davies and Barrett and they are supported by the following Officers: Philip Ruck, Kim Anderson and Stuart Anderson. The Leisure Strategy Working group reports to the Council's Audit and Scrutiny Committee for consideration and is then referred on to the Council's Community Health and Housing Committee.

2. Recommendation(s)

- 2.1 To note the Leisure Strategy Working Group minutes and consider the recommendations that were agreed at Audit and Scrutiny Committee on 25 July 2018.**

3. Background

- 3.1 The Leisure Strategy Working Group (LSWG) was established to inform and assist the Community, Health and Housing Committee in agreeing recommendations on each of the three phases (now revised to six workstreams) of the Leisure Strategy.
- 3.2 The LSWG will review the report submitted by 4Global which undertook a Value for Money Review and Options Appraisal of the Council's Leisure and Cultural facilities together with other relevant information and reports provided by officers and then agree the workplan and next steps for officers for each of the workstreams and inform recommendations that will come back to the Audit and Scrutiny Committee.

- 3.3 Ensure that the Leisure Strategy delivers Value for Money, provides a sustainable and fit for purpose leisure provision for the residents of Brentwood by:
- Reducing revenue and capital expenditure to Brentwood Borough Council in its leisure facilities
 - Increase capital investment in leisure facilities
 - Explore alternative operational management opportunities
 - Reduce the risk to the Council
 - Increase sport and leisure participation in Brentwood
- 3.4 The focus in this report is the future development of King George's Playing Fields and Warley Playing Fields. It was noted by Members of the Leisure Strategy Working Group that the official opening of the play area in Warley Playing Fields was on the 10 July 2018.

4 Reasons for Recommendation

- 4.1 As part of the Council's due diligence in delivering a successful Leisure Strategy, Members and officers need to have a complete picture of the current associated costs, risk profiles of the Borough's Leisure facilities and identify opportunities for income generation.
- 4.2 Comments received from Sport England as part of the Local Development Plan consultation, stated that a Leisure Strategy is required that assesses Council owned sports and leisure facilities in order that the Council can continue to work with partners to ensure that appropriate provision is made for the residents of Brentwood. The strategy should not only consider how the Council can provide services, but also how other partners can. The strategy should also use current sports facility evidence to identify strategic priorities and to then inform what will be included in the Council's Infrastructure Delivery Plan. Following this feasibility work, the Council will then be able to determine which projects will be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.
- 4.3 The Council's Asset Management Strategy 2014/15 also sets out the need to obtain maximise income where possible from its asset portfolio.

5 References to Corporate Plan

- 5.1 The Leisure Strategy sits under two main strands of the Vision for Brentwood 2016-19: Environment and Housing Management to develop a Leisure Strategy to provide strong and sustainable leisure facilities for residents and businesses; and Community and Health - to work with

community and voluntary organisations to develop the priorities for community development. There are also strong links for the priorities of the Council's Health and Wellbeing Strategy 2014-2017, the Local Development Plan, Active Brentwood/Essex and the Council's Asset Management Strategy 2014/15.

6 Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Deputy S151 Officer

Tel & Email: 01277 312829 /

jacquelinevanmellaerts@brentwood.gov.uk

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

Legal Implications

Name & Title: Assaf Chaudry, Governance Solicitor – Deputy Monitoring Officer

Tel & Email: 01277 3125703/ assaf.chaudry@brentwood.gov.uk

6.2 There are no legal implications arising directly from this report.

7 Background Papers

7.1 None.

8 Appendices to this report

Appendix A – Leisure Strategy Working Group Report that was presented to the Audit and Scrutiny Committee on 25 July 2018.

Report Author Contact Details:

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Date 25 July 2018

Audit and Scrutiny Committee

Leisure Strategy Working Group Report

<p>Working Group Members Cllr Hossack Cllr Poppy Cllr Tierney Cllr Davies Cllr Barrett</p>
<p>Supporting Officers Phil Ruck, Chief Executive Kim Anderson, Partnership, Leisure and Funding Manager Stuart Anderson, Countryside and Open Space Supervisor</p>
<p>Scope</p> <ol style="list-style-type: none">1. Review the approach to the delivery of the Leisure Strategy.2. Review the outcome of the consultation with residents and visitors on options of new activities for King George's Playing Fields.
<p>Methodology</p> <ul style="list-style-type: none">• Cross party working group meetings• Consultants reports• Presentations from leisure providers• Consultations• Local data analytics such as health profiles
<p>Meeting Dates 9 July 2018 24 September 2018 November 2018 (tbc) w/c 13 February 2019 (tbc)</p> <p>Attached as Addendum 1 are the notes of the 9 July meeting</p>
<p>Terms of Reference</p> <p>The Working Groups Terms of Reference are attached at Addendum 2.</p>

1. Report Recommendations

The report recommendations of the working group are set out in full below.

R.1 Officers benchmark any proposed car parking charges for King George's Playing Fields with similar parks across Essex and that these are fed into the wider Car Parking Strategy.

R.2 Officers undertake an audit of the play areas as agreed at Community Health and Housing Committee which will identify the capital programme of investment required, the repair and maintenance costs, the current accessibility and proximity to alternative play areas and the current usage of the play areas.

R.3 That the Officers undertake a market engagement exercise with five of the six community halls and review the present arrangements with Essex County Council in relation to Willowbrook Hall.

2. Introduction

The Council needs to ensure that it has a clear vision in respect of the Leisure Strategy to ensure that it delivers value for money, is sustainable and fit for purpose for the future needs of the residents of Brentwood. It was agreed at Policy, Projects and Resources Committee on 20 June 2017 that the Leisure Strategy work will be split in three separate phases to allow officers and members to thoroughly explore the options available to them. This approach was subsequently amended to 6 workstreams to allow for greater flexibility in the delivery of the Leisure Strategy.

The focus within this report is the progress of the sustainable business plan for King George's Playing Fields. The scope of the Play Areas strategy audit and any other identified works that identified emerging implications to the Council.

The Leisure Strategy Working Group noted the good progress being made on the sustainable business plan for King George's Playing Fields. The outcome of the face to face and online consultation further informed type of play desired and the indicative travel time and mode of transport to the park. Initial concept designs for the pavilion building, the indoor play and outdoor play were also looked at. Members queried the possible car parking charges for the park as they may well be additional pressure on the parking with the introduction of new and improved facilities.

Members agreed the direction of travel for the Play Area Strategy audit and for officers to ascertain the capital cost requirements in the development of 'destination' play areas, current repairs and maintenance costs, proximity to alternative play areas and the usage of the existing play areas. It was also agreed that officers develop an on-line survey for residents to complete to identify usage of the play areas.

Members were also updated on the current community halls arrangement with Brentwood Leisure Trust which is due to expire at the end of March 2019. It was recommended that officers undertake a market engagement exercise with five of the six community halls to ascertain if there is any interest for an alternative third-party provider to manage the halls on the Council's behalf. Willowbrook Hall was not included as it is owned by Essex County Council. It was therefore recommended that Officers liaise with Essex County Council about future arrangements.

Members were invited to the official opening of the Warley Play Area on 10 July 2018.

3. Purpose

The purpose of the Leisure Strategy Working Group (LSWG) is to inform and assist the Community, Health and Housing Committee in agreeing recommendations on each of the three phases (now six workstreams).

The LSWG will review the report submitted by 4Global which undertook a Value for Money Review and Options Appraisal of the Council's Leisure and Cultural facilities together with other relevant information and reports provided by officers and the agree the workplan and next steps for officers for each of the workstreams and inform recommendations that will come back to the Audit and Scrutiny Committee.

Ensure that the Leisure Strategy delivers Value for Money, provides a sustainable and fit for purpose leisure provision for the residents of Brentwood by:

- Reduce revenue and capital expenditure to Brentwood Borough Council in its leisure facilities
- Increase capital investment in leisure facilities
- Explore alternative operational management opportunities
- Reduce the risk to the Council
- Increase sport and leisure participation in Brentwood

The focus in this report is the future development of King George's Playing Fields and Warley Playing Fields.

4. Key Findings

- The Council needs to develop a clear vision for King George’s Playing Fields and Warley Playing Fields.
- Short and long-term priorities for both sites need to be agreed and any immediate actions for the play areas need to be undertaken
- Explore options of private/public partnerships and alternative operational management opportunities. Members needs to agree whether one partner or a hybrid approach is appropriate
- Agree requirements for any pavilion buildings on both sites
- Financial implications to the Council to be identified for any development
- That use is made of existing trails and paths to link the Council’s leisure facilities
- Any development plans ensure that all facilities are accessible (including paths), sustainable/eco-friendly and sympathetic to its surroundings
- That Officers liaise with other authorities to identify opportunities and issues in respect of their own leisure facilities and explore external funding models.
- On completion of the refurbished play area in Warley Playing Fields, representatives are invited to the official opening.

5. Explanation of Recommendations

<p>Recommendation 1</p> <p>Officers benchmark any proposed car parking charges for King George’s Playing Fields with similar parks across Essex and that these are fed into the wider Car Parking Strategy.</p>
<p>Explanation</p> <p>With the planned improvement to the facilities in King George’s Playing Fields the Council needs to ensure that the car parking charges for King George’s Playing Fields with the planned improvement of facilities are in line with similar parks in the immediate vicinity but that any charges will be in line with the Council’s Car Parking Strategy</p>
<p>Recommendation 2</p> <p>Officers undertake an audit of the play areas as agreed at Community Health and Housing Committee on 3rd July 2018, which will identify the capital programme of investment required, the repairs and maintenance costs, the current accessibility and proximity to alternative play areas and the current usage of the play areas.</p>

Explanation

The Audit will identify those play areas that are in need of capital investment so that a capital investment programme is developed for the play areas. Current Repairs and maintenance costs are also identified. The Audit will also identify the proximity of sites and if there is rationalisation that there will be no more than a 15minute walk time to a play area. Officers as part of the audit will undertake a usage survey via social media and ask the following questions:

- a) Where do you live? (please provide postcode)
- b) What's your favourite park?
- c) Why is it your favourite park?
- d) How often do you visit (daily, weekly, monthly or less frequent)?
- e) How do you get there (car, cycle or walk)?
- f) What is the age of your child(ren)?

Recommendation 3

That the Officers undertake a market engagement exercise with five of the six community halls and review the present arrangements with Essex County Council in relation to Willowbrook Hall.

Explanation

The current halls management agreement is with Brentwood leisure Trust. It was recommended that officers undertake a market engagement exercise so that the Council can ascertain any there is any other external interest in the management of the Community Halls. Willowbrook Hall is not owned by Brentwood Borough Council and as it is within Willowbrook School and has a number of limitations for use during school times. It was recommended that officers liaise with Essex County Council to ascertain if they will manage the hall directly.

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11th September 2018

Community, Health and Housing Committee

Mandatory licencing of HMOs (houses in multiple occupation)

Report of: David Carter

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 The Government has introduced changes to the requirements for mandatory licensing of houses in multiple occupation (HMOs) with effect from 1st October 2018
- 1.2 The effect of the change is to require mandatory licencing of all HMOs occupied by five or more persons in two or more households. Previously mandatory licencing was required for properties of three storeys or more.
- 1.3 Brentwood Borough Council therefore needs to incorporate the additional properties into the existing system for HMO licencing

2. Recommendation(s)

- 2.1 Members approve the proposal to incorporate licencing of additional HMOs under the changes to mandatory licencing into the existing system**

3. Introduction and Background

- 3.1 Mandatory licensing of HMOs was introduced in 2006 and originally applied to properties of three storeys or more with five or more people making up two or more separate households living in them. Approximately 60,000 large HMOs have been licenced in the country, with currently 25 licenced properties in Brentwood.
- 3.2 Demand for HMO accommodation has increased nationally with more two storey properties being used as HMOs. Following consultation, the Government decided to extend the requirement for mandatory licensing to

all properties with 5 or more people in two or more households, incorporating a minimum bedroom size and provision of refuse disposal.

4. Issue, Options and Analysis of Options

- 4.1 Guidance has been issued by the Government on the reforms to HMO licensing under the Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018, the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, and the Housing Act 2004.
- 4.2 From 1st October 2018 mandatory licensing will no longer be limited to three or more storey properties, but will also include properties with one or two storeys
- 4.3 Licences are currently issued for a period of five years. The fees for a new licence and for renewal of licences was set at £840 and £570 respectively from 1st April 2018.
- 4.4 It is proposed that the licences for properties that now require a mandatory licence from 1st October 2018 are set at the same level as previously charged as the process will remain the same for these properties. We will also continue to operate the same checks and inspections as previously undertaken.
- 4.5 Landlords of HMOs that fall under the new definition will be committing a criminal offence if they fail to apply for a licence or temporary exemption by 1st October 2018.

5. Reasons for Recommendation

- 5.1 To comply with the changes to legislation and to facilitate processing of new applications for one and two storey properties

6. Consultation

- 6.1 The Government has undertaken extensive consultation prior to the introduction of the new licensing provisions

7. References to Corporate Plan

- 7.1 Planning and Licensing

- 7.2 Provide advice, support and enforcement to ensure that Brentwood is a safe place to live

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts Interim Finance Officer

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- 8.1 Fees and charges have already been set for this financial year 2018/19, this report proposes no changes to the agreed fees, but requires a mandatory Licence set at the same fee, to incorporate the additional requirements.

Legal Implications

Name & Title: Surinder Atkar, Solicitor – Legal Services

Tel & Email: 01277 312500/ surinder.atkar@brentwood.gov.uk

- 8.2 The 2018 Order changed the definition of an HMO requiring licensing to premises occupied by 5 or more persons and occupied by persons living together in 2 or more separate households and which satisfy various standards contained in the Housing Act 2004, effectively widening the types of properties subject to local authority licensing requirements as set out in section 55 of the 2004. The recommendations of this report are therefore a legal obligation of the Council.

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 identified

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

- 9.1 None

10. Appendices to this report

- 10.1 None

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11th September 2018

Community, Health & Housing Committee

Housing Audit Update Report

Report of: Angela Abbott, Interim Head of Housing

Wards Affected: All

This report is: Public

1. Executive Summary

- 1.1 This report is intended to update the Community, Health & Housing Committee of the outcome 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 reported to the Audit Committee on the 27th September 2017 ("Audit Report 1 – May 2017").
- 1.3 The outcome of the 2017/18 internal audit review was reported to the Audit Committee on the 14th December 2017 ("Audit Report 2 – June 2017").
- 1.4 Both Audit reports will enable the Housing Service to concentrate on specific areas highlighted by the Audit recommendations to implement the essential service improvements as part of the ongoing transformation programme.

2. Recommendation(s)

- 2.1 **That the Committee receives and notes the progress made from the 3rd July 2018 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 & Maintenance. Accordingly, the second audit review was specifically requested by Housing to assist and support in identifying gaps or service failures and to provide recommendations for improvement. These areas primarily centred around contract management, information recording and compliance.

3.3 The table below summarises the two Audit Report Management Updates and provides a snapshot of overall progress to date.

Section	Recs Total	Risk type			Status		
		High	Medium	Low	In Progress	Complete	% Complete
May-17	43	23	18	2	19	24	56
Housing (All)	2	1	0	1	1	1	50
Housing Options/Tenancy Services	8	5	3	0	1	7	88
Repairs	18	15	3	0	7	11	61
Tenancy Services	7	1	6	0	3	4	57
Tenancy Services/Leasehold	8	0	7	1	6	2	25
Total	43	22	19	2	18	25	58
Nov-17	31	9	21	1	12	19	61
Housing (All)	4	3	1	0	2	2	50
Tenancy Services	14	6	7	1	4	10	71
Housing Strategy	6	0	6	0	3	3	50
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
Total	31	9	21	1	12	19	61

4. Issues, Options and Analysis of Options

4.1 Not applicable.

5. Reasons for Recommendation

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

6. Consultation

- 6.1 Not applicable

7. References to Corporate Plan

- 7.1 Good financial management, risk management and internal control underpin all priorities within the Corporate Plan.

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts – Interim Chief Finance Officer
Tel & Email: 01277 312500 jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 No direct financial implications arising from this report. Any costs associated to implement the recommendations have been met from existing resources within the Housing Revenue Account.

Legal Implications

Name & Title: Surinder Atkar, Solicitor – Legal Services
Tel & Email: 01277 312500 surinder.atkar@brentwood.gov.uk

- 8.2 None specific arising from the report recommendation.

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

- 8.3 None

9. Background Papers

- 9.1 None

10. Appendices to this report

Appendix A – Audit Report Update (Extract)

Report Author Contact Details:

Name: Angela Abbott, Interim Head of Housing

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Ref	Recommendation	Section	Finding	Risk Rating	Original completion date	Current status	Revised Date for completion	Previous update	Current update	Responsible Manager
May-17										
1										
	a	All	Training is provided to relevant staff on Housing Fraud identification.	High	Dec-17	Complete		There has been a delay in implementing a tenancy audit protocol due to the significant staff resources that would require an annual tenancy audit. However, interim measures are in place for tenancy checks for tenants that (a) require a transfer (b) amendment to tenancy (c) are in significant credit balances and (d) in rent arrears that require a home visit. A UDC has been created on Orchard to identify when a tenancy audit has been completed and reports can be generated in order to monitor the number of audits that have been carried out.	Mandatory fraud identification risk training held on the 26th September 17 for all Housing Staff	NM/SDM
	b	Housing Options/Tenancy Services	Protocols for tenancy audit checks on tenant are determined, to include secure tenants.	High	Dec-17	Complete			Interim measures are in place (as b), further discussion is required with BDO due to the significant staff resources required for an annual tenancy check.	NM/SDM
	c	Housing Options/Tenancy Services	Photographs are obtained to identify all tenants	High	Dec-17	Complete			Photographs are obtained for any tenancy change request, new applicants, transfer applicants, mutual exchanges.	NM/SDM
	d	Housing Options/Tenancy Services	Consideration is given to using photographs held for periodic verification of all tenants. This may require consideration of the scope of contracts and data sharing protocols (see also page 19 regarding Fair Processing Notices)	High	Dec-17	In progress	TBC		Under review corporately	NM/SDM
	e	Housing Options/Tenancy Services	The Housing Team and the Fraud officers agree protocols for investigation which ensure potential fraud investigations are overseen by a suitably trained person	High	Dec-17	Complete			All potential fraud cases identified are referred to Fraud for further investigation	NM/SDM
	f	Housing Options/Tenancy Services	Housing staff are reminded of the requirements of the Regulation of Investigatory Powers Act in relation to surveillance and investigation activity.	High	Dec-17	Complete			Staff advised of activities that fall within RIPA. Staff request authorisation and refer to Fraud	NM/SDM
	g	Housing Options/Tenancy Services	Protocols for checking and copying identify documents are established.	High	Dec-17	In progress	Oct-18		Identity Protocol drafted and being reviewed for compliance across service teams	NM/SDM
	2									
	a	Repairs	Written procedures are prepared to define protocols and procedures for Compliance checks	High	Apr-18	In progress	TBC	(A) Following completion of the external review of gas and asbestos, a fire management review has been conducted and a fire management policy is due to be presented to the C, H & H committee on the 3/7/18. (B) In progress - The external review of our gas compliance procedures has been completed and was found to be robust and appropriate. The external consultants are confirmed to be appointment for 1 month in-house to carry out further reviews and upskill key staff. (C) Complete, (D) complete, (E) in progress. The data cleansing is ongoing, further configuration/upgrade to keystone is required which has been authorised. Staff resource is being provided under managed repairs service with Basildon BC. (F) Complete, (H) complete	Fire Management Policy approved at C, H & H committee	RB/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			As previous update	RB/NM
	c	Repairs	In the absence of direct access to contractor systems by the Council, Contractors are required to provide copies of all current gas and electrical safety certificates	High		Complete			As March update - hard copies of documents are now received	RB/NM
	d	Repairs	Effective contract management is undertaken to ensure the contractors provide interfaces enabling Council access to systems and certificates as required by the contract.	High		Complete			As March update - Both contracts end in June 19 and a direct interface is no longer a viable option. Procurement of the new contract is underway and proposal is to use the incoming contractor system thereby not requiring an interface. Wates & Oakray provide regular information and on request	RB/NM
	e	Repairs	The housing management system is used for recording information relating to Compliance checks	High		Complete			The keystone system is now live and fully functional	RB/NM
	f	Repairs	Training is provided as required to ensure officers are able to maximise use of the housing management system.	High		Complete			Provided in accordance with the managed service provided by Basildon BC	RB/NM
	g	Repairs	Consideration is given to the inclusion of requirements for contractor provision of exception reporting on pending and overdue Compliance checks in future contracts.	High		Complete			As March update - We are currently undergoing the procurement exercise for the new R&M contract. Requirements for contractor provision of exception reporting on pending and overdue compliance checks are included in the tender documents.	RB/NM

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Appendix A

	h	Tenancy Services	The Council determines arrangements for notifying the contractor of any sold properties for which compliance checks are no longer the Council's responsibility and for charging leaseholders where the Council retains any residual responsibility for these checks.	High		Complete			As March update - An automated housing asset list is issued to both contractors on a monthly basis. In addition the RTB Officer also notifies both contractors when a property is subject to RTB and then sold.	RB/NM
	i	Repairs	Risk assessments are carried out and recorded to ensure fire safety checks on blocks are scheduled at appropriate intervals.	High		In progress	Dec-18		Risk assessments for all high rise blocks and sheltered stock now complete. A programme of risk assessments for communal areas are now currently in progress. A Safety 1st programme is being prepared for 18/19.	RB/NM
	j	Repairs	Asbestos checks are carried out on all properties and records retained of the checks.	High		Complete			A 3 year programme for asbestos checks for all council properties is currently being prepared	RB/NM
	k	Repairs	The Council ensures that water risk assessments are carried out as required and that records are maintained of these checks for all housing types.	High		In progress	Dec-18		Water risk assessments are carried out on sheltered accommodation on a weekly basis. Water tanks have been identified at all flatted accommodation and a programme of inspections are due to begin	RB/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	In progress	Ongoing	We now have a managed repairs service with Basildon BC, who have responsibility for all aspects of contract management. Interim arrangements have been made until the new Brentwood team are in place who will be employed by Basildon BC anticipated for September 18. We also have additional staffing resources based at Basildon provided, which include Asset Management, Compliance Management and I.T resources.	Progress being made on the Managed Repairs Service as advised in the Repairs report referred to Sept C, H & H committee	Progress being made on the Managed Repairs Service as advised in the Repairs report referred to Sept C, H & H committee
	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	In progress	Ongoing		Progress being made on the Managed Repairs Service as advised in the Repairs report referred to Sept C, H & H committee	Progress being made on the Managed Repairs Service as advised in the Repairs report referred to Sept C, H & H committee
	c	Repairs	Payments to contractors should reflect the extent of provision of service against the agreed contract terms.	High		Complete			All payments are checked and authorised by the Repairs/Project Managers	Progress being made on the Managed Repairs Service as advised in the Repairs report referred to Sept C, H & H committee
	d	Repairs	Benchmarking of rates and uplifts is undertaken and where appropriate consideration is given to contract options (including negotiation or termination.)	High		In progress			Both contractors notified of Keegans being engaged to undertake an open book review	
4	a	Housing Options/ Tenancy Services	Pre-tenancy and in-tenancy check policies are established which include protocols to address tenancy fraud risks (covering application, subletting, succession, key selling, right to buy and right to acquire fraud), and which ensure compliance with Data Protection Act requirements.	Medium		Complete		Pre-tenancy checks are already in place and have recently been revised to include additional I.D checks. These new protocols have also been incorporated into other tenancy areas. Existing policies & procedures have been re-drafted and circulated to all staff	NA	AA/NM
	b	Housing Options/ Tenancy Services	Policies are communicated to staff, tenants and any delivery partners	Medium		Complete			As previous update	AA/NM

5	a	Tenancy Services	Arrears reporting is developed to include the age of debts, the cases at each key stage of recovery and additional management information is provided accordingly.	Medium	Oct 17	In progress	Oct-18	Debt Recovery Officer recruited who will have responsibility for developing and implementing processes around former tenant debts.	As previous update and 5b (below)	NM
	b	Tenancy Services	Management determine recovery protocols (to recover or write off former tenant arrears). This decision should be supported by additional management information on age of debts and action already taken and consideration could also be given to check against Council tax records or credit checks to enable tracing of former tenants.	Medium		In progress	Sep-18		Former Tenant Debt recovery policy drafted. Referred to September C, H & H committee for approval	NM
	c	Tenancy Services	The impact of delays in processing benefit claims and changes in circumstances is identified and where appropriate raised with the service provider.	Medium		Complete			With the introduction of Full Service Universal credit, as we now have a shared Revs&Bens service we have priority for access to the LA portal	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-18		Working towards full compliance	NM
	b	Tenancy Services	Access permissions to the Housing Management system are reviewed to enable appropriate staff to identify the status of applications.	Medium		Complete			n/a	NM
7	a	Tenancy Services	Consideration is given to performing checks on previous Right to Buy applications to verify the applicant's entitlement to the Right to Buy discount.	Medium	Oct 17	Complete		Checks in process as recommended. All RTB applications are referred to the Council's Fraud Officer when submitted in order to assist in the prevention of fraudulent applications.	n/a	AA/NM
8	a	Repairs	Update the contract with the contracted surveyor visiting the property to record improvements made by the tenant, so that they undertake initial identity checks as part of this visit and report back their findings to the housing team.	Medium	Sept 17	Complete		The Council has recently appointed external surveyors/valuers which will also carry out RTB valuations/surveys	The Council's Fraud Officer carries out home visits for every RTB application and carries out the I.D checks	AA/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	Oct-18	Revised services charges - complete. In progress - Leaseholder module. The old version of the leaseholder module on Orchard will be deactivated w/b 18/6/18. Additional upgrading of the system will be included with the work that is currently underway with ICT which will create additional benefits to the module. A new arrears reporting system has been created which is automatically generated, which allows us to quickly highlight arrears cases.	Working towards full compliance	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-18		Working towards full compliance	AA/NM
	c	Tenancy Services/Leasehold	Where adjustments are made to leaseholder service charges, these are identified clearly in all records to ensure transparency and enable reconciliation.	Medium		In progress	Oct-18		Working towards full compliance	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		In progress	Oct-18		Working towards full compliance	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		In progress	Oct-18		Working towards full compliance	AA/NM
	f	Tenancy Services/Leasehold	A Policy is maintained to enable determination of appropriate management service charges for apportionment	Medium		Complete			Service charge policy approved at September 17 committee	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-18		Working towards full compliance	AA/NM
10	a	Repairs	The Council reviews the scope of the compliance manager role and essential qualifications required to perform this role.	Medium	Apr-18	Complete		The BBC's Contracts Administrator reviews all requests for day to day repairs works exceeding £250.	Compliance Management is now provided by Basildon BC and external consultants.	RB/NM

	b	Repairs	Clear records are maintained of all surveys and inspections carried out, and these are retained in an accessible form (Such as on the Housing Management System)	Medium		Complete			All documents are now retained on the Keystone system	RB/NM
	c	Repairs	Where queries are raised for entries made on an EICR a process is developed to ensure they are followed up (and either the work or alternative work is commissioned, or the item is recorded as determined to be not required).	Medium		Complete			Compliance Management is now provided by Basildon BC and external consultants.	RB/NM
11	a	All	Enhance the Fair Processing Notice for matters relevant to the administration of social housing.	Low	Sep-17	In progress	Oct-18	The draft 'Fair Processing' statement has been drafted and is awaiting corporate approval	The draft 'Fair Processing' statement has been drafted and is awaiting corporate approval.	AA/SDM
12	a	Tenancy Services/Leasehold	Right to buy information and application forms are made available for download via the Council's website. Further efficiency could also be gained through integration between submitted applications and the Housing Management systems.	Low	Nov-17	Complete		The website page has been updated and a PDF form is available to download on line for tenants.	n/a	AA/NM

Nov-17

Page 46	1	a	All	Introduce robust information and records management in accordance with ICO guidance, including development of records management, policy covering retention, security, destruction, and data protection.	High	Aug 18	In progress	Dec-18	DMS system live, new records are held electronically, HPA2 live which is the homelessness module on Locata. Housing register module went live on 4/6/18, documents received in paper form are scanned onto relevant I.T system and destroyed.	Currently under wider corporate review	AA/SDM
		b	All	Identify the Housing records to be maintained and retention periods, and review arrangements for their storage and retrieval - consider use of the Housing DMS or a Corporate alternative supporting customer relationship management. Refer to Retention guidelines for Local Authorities and policies adopted by other Local Authorities).	High		In progress			Retention periods for documents are currently being reviewed as part of the wider corporate review	AA/SDM
		c	All	Provide training and generally raise staff awareness of the Data Protection Act and the General Data Protection Regulations, in particular ensure staff do not record opinions, and that records contain appropriate information.	High	Aug 18	Complete		All Staff have completed mandatory GDPR training	n/a	AA/SDM
	2	a	Tenancy Services	Develop an Estate Management Strategy and procedure	High	April 18	Complete		Estate Management Strategy approved at March committee. Inspections carried out every 6 weeks, which are reviewed at the following inspection. The HM and H&S Manager will be considering the use of an alternative I.T solution for inspections/monitoring by the use of an app based Housemark system and Keystone.	n/a	AA/NM
		b	Tenancy Services	Determine Estate Management inspection protocols and carry out inspections accordingly	High	April 18	Complete			n/a	AA/NM
		c	Tenancy Services	Train Housing Staff to conduct Estate Management inspections	High	April 18	Complete			n/a	AA/NM
		d	Tenancy Services	Prepare checklists to support Housing Staff conducting inspections (including for first day of tenancy (such as ensuring a working fire alarm) and for ongoing checks	High	April 18	Complete			n/a	AA/NM
		e	Tenancy Services	Consider use of technology to improve recording of issues identified, sharing data as appropriate, and monitoring of resolution	High	April 18	In progress	TBC		Working towards compliance	AA/NM
		f	Tenancy Services	Develop reporting arrangements for other Council staff already working in the borough to report estates issues	High	April 18	Complete			n/a	AA/NM
	3	a	Housing Strategy	A working protocol is agreed between the Housing Team and the Asset team to enable an approach reflecting the needs of both teams, and providing clarity on the impact of actions by teams on other areas of the Council's operations	Medium	Sept 18	In progress		The asset review is still ongoing. The keystone configuration has been completed and a data cleansing exercise is ongoing. Further IT configuration is required, and a staff resource has been identified to carry out this work.	Working towards compliance	AA/NM/VP
		b	Housing Strategy	Determine the rules of Council land and property assets are to be allocated between the HRA and the General Fund	Medium	Sept 18	In progress			Working towards compliance	AA/NM/VP

	c	Housing Strategy	Review all Council land and property assest are to be allocated in accordance with above.	Medium		In progress			Currently under wider corporate review	AA/NM/VP
	d	Housing Strategy	Review options for maintenance of Asset related records, to determine feasibility of implementing a combined system, or links between systems to enable efficient update of records	Medium		Complete			Working towards compliance	AA/NM/VP
	e	Housing Strategy	Build resilience by ensuring the Assets system records are capable of being accessed by more than one member of staff. If access issues relate to the system no longer being supported or incompatible with current Council technology, an alternative system should be sought (in line with (d)).	Medium		Complete			Working towards compliance	AA/NM/VP
	f	Housing Strategy	If records continue to be maintained separately, ensure there is a regular check between the Assets team records and the Housing system	Medium		Complete			n/a	AA/NM/VP
	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			Working towards compliance	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		Managed repair service now live. Keystone information is currently being data cleansed and system upgdgraded to provide future programmes. Interim measures now in place to develop work programmes and appropriate Basildon staff in place. A number of reviews have been carried out which include gas , asbestos and fire management. The review for legionella is about to commence. From the reviews carried out to date, these have informed the preparation of work programmes where compliancy is the immediate priority.	Ongoing cross-departmental work	Sue White (Risk and Insurnace officer)
	b	Repairs	Develop system reports to reflect defined protocols.	Medium	Sept 18	In progress			Ongoing cross-departmental work	Kim Anderson (Partnership Leisure and Funding Manager)
	c	Repairs	Ensure remaining Stock Condition Survey information is received and uploaded, and reports produced as finined in (a)	Medium	Sept 18	Complete			N/A	NM/RB/VP
	d	Repairs	Agree timetable with contractors to resolve issues relating to links between the Council and Contractor systems to ensure the Council has current information on works completed	Medium	Sept 18	Complete			N/A	
	e	Repairs	Develop processes for monitoring against protocols for cyclical and responsive repairs.	Medium	Sept 18	Complete			N/A	
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		All ASB issues that are estate or tenancy related are referred to the ASB Officer (secondment), these are investigated jointly with the Housing Officers/Manager.	Ongoing cross-departmental work	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			Ongoing cross-departmental work	NM/TL
	c	Tenancy Services	Consider use of a system (such as the Uniform system) for the recording of ASBs, and develop linking of ASB and Housing system data to enable reporting on tenancy issues and ASBs to facilitate improved management of the source of issues.	Medium	Sept 18	In progress			Ongoing cross-departmental work	NM/TL
6	a	All	Add indicators to the Housing Management system to clearly flag vulnerable tenants and those for whom Power of Attorney is inacted.	Medium	Jan 18	Complete		Complete	n/a	AA/NM/VP
	b	Tenancy Services/ Housing Options	Where Power of Attorney has been enacted, correspondence name fields on the Housing system are addressed to XX PoA for YY.	Medium	Jan 18	Complete			n/a	AA/NM/VP

7	a	Tenancy Services	Automate the process of uploading All Pay payments to the cash receipting system.	Medium	Sept 18	Complete		Complete	n/a	AA/NM/VP
8	a	Tenancy Services	Housing staff are informed that accounts in credit are a potential indicator of fraud.	Medium	April 18	Complete		Complete	n/a	AA/NM/VP
	b	Tenancy Services	Periodic checks are made on credit accounts by Housing staff, giving consideration to fraud risks.	Medium	April 18	Complete		Complete	n/a	AA/NM/VP
	c	Tenancy Services	The process for transferring credits is reviewed to identify options for efficiency through automation and streamlining.	Medium	April 18	Complete		Complete	n/a	AA/NM/VP
9	a	Tenancy Services	The Housing team document the regular reports run from the Housing system, identifying the recipient(s), to ensure checks and provision of management information is continued following the departure of the officer currently running these reports	Low	Jan 18	Complete		Complete	n/a	AA/NM/VP

11th September 2018

Community, Health and Housing Committee

Progress Update on Housing Asset Management, Investment Programme and Compliance

Report of: *Angela Abbott, Interim Head of Housing*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 In accordance with the shared service agreement Basildon Borough Council has undertaken a comprehensive asset review including the import of Brentwood Borough Council's asset data into the Basildon Borough Council Keystone Asset Management system. This has provided a central asset register for stock condition information, the development of an asbestos register, centralised compliance data and use as investment planning tool.
- 1.2 This report provides an update to the Committee on the work proposed and currently being undertaken in accordance with the new arrangements.

<h4>2. Recommendation</h4>

<h5>2.1 To note the contents of the report.</h5>

3. Introduction and Background

- 3.1 The Keystone Asset Management System (AMS) is used by both Brentwood and Basildon Borough Councils. The AMS has much functionality with regard to asset register, compliance, programmed works, energy and related documentation. Modules within Keystone allow automation of routine tasks, reporting and analysis of data at various levels.
- 3.2 This functionality was not being utilised by Brentwood Borough Council to its full capabilities and not all modules were kept updated. The system required an owner or "System Administrator" to manage and maintain accurate records and data integrity.

3.3 A new stock condition survey has been undertaken recently to 100% of Brentwood Council's housing stock. This has provided an opportunity for investment planning and planned preventative maintenance programmes. The data is currently being validated and discrepancies reviewed by desktop analysis or resurvey.

3.4 In accordance with the shared services arrangement in regard to the management data Basildon Borough Council are required to:

- Provide a "Systems Administrator" for Brentwood asset data
- Move the Brentwood stock survey data to the Basildon Keystone environment
- Provide a comprehensive asset review to ensure the asset list is up to date and maintained
- Validation of stock survey data – based on desktop review
- Update survey configuration to align with the Basildon model
- Identify key components for programmed works
- Review location and extent of compliance related information available and identify gaps
- Set up compliance information into Keystone
- Provide exception reporting on the data
- Provide business planning reports and short-term programmes
- Provide information for budgeting purposes and identify key areas of spend
- Provide 30-year cost model for business planning

3.5 In order to fulfil these requirements, the system is now fully administrated by the Basildon Keystone and ICT teams. Access to the system is provided to Brentwood users via Citrix Remote Access in a standard set-up.

3.6 2018/19 Capital Programme

Following analysis of survey and compliance data, the following works will be undertaken over the current and next financial years.

Block Refurbishments to:

- Chichester House (Sheltered) – 5 storey
- Drake House – 10 storey
- Mayflower House – 6 storey
- Gibraltar House – 14 storey

- Masfield Court – 14 storey
- 3.7 Works will be comprehensive and although not all blocks will require the same work it is intended to bring them all up to the same standard.
- 3.8 Block refurbishments will include:
- communal entrances and screening
 - compartmentation
 - signage
 - communal lighting
 - any works arising from survey and inspection of mechanical & electrical elements
- 3.9 Works to individual flats in the blocks will include:
- fire doors
 - electrical testing and upgrades
 - heating
 - kitchens and bathrooms
- 3.10 Other ad-hoc works is also planned with works to improve drainage and the sewerage system in Snakes Hill a key item.

3.11 Compliance

In order to benchmark compliance activity and provide an action plan for activity, Basildon Borough Council has worked with external consultants to undertake a comprehensive gap analysis with regard to compliance data.

- 3.12 The gap analysis has been undertaken on all seven major areas of compliance activity: asbestos, gas safety, fire safety, electrical safety, legionella and lifts. These areas have been RAG rated and an action plan put into place.
- 3.13 A general overview of the situation is that record keeping has been ad-hoc with a lack of overall management. Contractors have historically been relied upon to undertake functions and adhere to legislative requirements without input from Brentwood. Particular concern was with asbestos surveying and the asbestos register; however, this is being resolved by using the Keystone asbestos module and employing an asbestos surveying company.
- 3.14 The Fire Safety Policy was approved on 3 July 2018 through the Community, Health and Housing Committee and this provides staff a

framework with which to operate and have a consistent approach to apply procedures to high risk areas. This was a key priority following the gap analysis and formulation of the policy demonstrates the approach that will be applied on other areas of activity.

- 3.15 A monthly report is produced and distributed to senior housing managers outlining key activities and areas of concern. A co-ordination meeting is also held to monitor progress on the compliance action plan.

3.16 New Housing Repairs Contract

Brentwood Borough Council is currently procuring a new strategic asset management contract that will cover all responsive, cyclical and planned works to Council owned housing. This contract is due to go live on 19 June 2019.

3.17 New Team Structure

In accordance with the shared service agreement, the asset management function, including the management of repairs and maintenance services are currently being delivered by Basildon Borough Council. In regard to the management of the repairs and maintenance service, a dedicated delivery team is currently being recruited to, who will be supported by Basildon Borough Council's Asset Strategy team.

4. Issue, Options and Analysis of Options

- 4.1 N/A

5. Reasons for Recommendation

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

6. Consultation

- 6.1 N/A

7. References to Corporate Plan

- 7.1 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.

- 7.2 The shared service with Basildon Borough Council demonstrates Housings commitment to transformation through use of alternative methods of delivery. The service level agreement in place between the two Borough's is key to delivery of the Housing Property Services and brings in key skills to the department.

8. Implications

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

- 8.1 Housing revenue Account is currently working with a Budget of £3,115,000 for Decent Homes within the Capital programme. It is expected that some of this will slip into future years to carry out the refurbishments stated in the report. The housing repairs and maintenance contract is currently in progress and so no financials can be disclosed at this point in time.

Legal Implications

Name & Title: Assaf Chaudry, Governance Solicitor – Deputy Monitoring Officer
Tel & Email: 01277 3125703/ assaf.chaudry@brentwood.gov.uk

- 8.2 The report provides an update to the Committee on the shared service arrangement for the Asset Management system provided by Basildon Borough Council consequently there are no legal implications arising from this report.

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

- 9.1 None

10 Appendices to this report

None

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11th September 2018

Community, Health and Housing Committee

Parking Order Report

Report of: *Nicola Marsh, Housing Manager*

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1** The inclusion of Housing owned car parks in the parking order will enable the Council to enforce parking measures to prevent non-residents parking in the limited number of bays available to residents of specific blocks.

2. Recommendation(s)

- 2.1** That the Committee approves the inclusion of the listed car parks to be included in a parking order (Appendix A), to enable enforcement and relieve pressure on parking for Council Tenants and Leaseholders.
- 2.2** That a consultation takes place with residents to outline the options with regards to enforcement and take into account any preferences or requirements for specific sites.

3. Introduction and Background

- 3.1** Housing Services are tackling numerous parking issues across various sites around the Borough, including non-residents taking up already limited parking spaces, inconsiderate parking by residents, blocked access to rented garages and access issues for refuse collections due to unauthorised parking.
- 3.2** Interim measures have been attempted to help mitigate these issues, by writing letters to residents asking them to park in authorised areas only and erecting locking posts to help with bin issues which have been physically removed from the ground on certain sites.

- 3.3 A parking order was introduced at three housing sites in early 2017 as a trial, which has proved very successful and resolved parking issues in this area which has encouraged us to roll this out in other problem sites.
- 3.4 Prior to the pilot scheme Housing were in receipt of circa 10 complaints per month from various residents in Gibraltar House regarding parking during working hours from local businesses.
- 3.5 Since the implementation there have been no complaints received in regards to the Business employees parking in the car parks.
- 3.6 The scheme has also allowed the Parking Enforcement Team, alongside Housing, to reduce the hours to which permit parking only is available. This was due to residents stating it was difficult to have visitors after 5pm.
- 3.7 As office hours are 9am to 5pm, the decision was taken to allow permit parking only during this period. This provided flexibility for residents and still allowed the Council to effectively manage the parking.
- 3.8 Since April 2016 the Council have issued 321 Parking Charge Notice's and there are currently 130 permit holders across the three sites.
- 3.9 Decisions for the proposals for the new car parks have been made based on the lessons learnt during the pilot scheme.

4. Issue, Options and Analysis of Options

- 4.1 Many of the proposed sites have experienced parking issues over many years, which has been exacerbated by the increase in the number of cars per household.
- 4.2 After taking into account the success of our first parking order on housing sites, it is obvious that implementing a similar scheme on other sites will help to alleviate parking pressures and reduce the amount of complaints from Residents.
- 4.3 Some sites experience more severe issues than others, however we have decided to include all housing parking sites within the order so that if issues developed at a later date, enforcement could be implemented straight away rather than having to complete the whole process of consultation, legal notifications etc.from the start.
- 4.4 Plans have been drawn up to outline the areas of each site that will be included in the parking order (Appendix B).

- 4.5 It is proposed that the sites will have resident only parking permits at a cost in line with the annual charges, with visitors permits available for residents to purchase also. As with the previous sites there will be a limit of two permits per household.
- 4.6 Due to the location of some of the car parks, residents may attempt to sell their permits for a substantial amount of money. Therefore, every resident would be required to provide documentation to demonstrate that their vehicle is registered to the Council property address.
- 4.7 Whilst a number of car parks have been highlighted to be included in the order, not all have immediate parking issues. Appendix A shows which car parks will be immediately included in the order.
- 4.8 The car parks highlighted for non-immediate implementation have been included in this report to allow future parking enforcement to be initiated without delay should an issue occur.

5. Reasons for Recommendation

- 5.1 The Committee is asked to consider the success of those parking restrictions already in place on housing sites and the reduction of resident complaints in relation to this.
- 5.2 The Committee is asked to consider the length of time that these parking issues have been ongoing, and the lack of control that Housing has at present to address the problems without formal enforcement.

6. Consultation

- 6.1 Where necessary, Essex County Council have been consulted in relation to any queries around land ownership.
- 6.2 Consultations will be carried out with all affected residents to ensure any site specific measures can be reviewed. Residents will also be kept up to date throughout the process after initial consultation.
- 6.3 Tenant Talkback have been consulted on the proposed sites and suggested measures for these sites. No amendments were noted.

7. References to Corporate Plan

- 7.1 Community, Health and Housing Committee: Providing the best outcomes for Brentwood Residents.

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer

Tel & Email: 01277 312829 /

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- 8.1 The Council will receive a small increase in Income from issuing the Resident/Visitor Permits and Penalty Charge Notices if required, but it is not yet possible to quantify at the present time, what this increase maybe. However, the main priority of the recommendations is to help alleviate parking pressures and reduce the amount of complaints from residents which are received and not financially driven.

Legal Implications

Name & Title: Assaf Chaudry, Governance Solicitor – Deputy Monitoring Officer

Tel & Email: 01277 3125703/ assaf.chaudry@brentwood.gov.uk

- 8.2 The purpose of this report is to include Housing owned car parks in the parking order to enable the Council to enforce parking measures and prevent non-residents parking in the number of bays available to tenants and leaseholders.
- 8.3 The Council requires a statutory publication and consultation process before it implements the parking order. Failure to adhere to the statutory processes could result in potential delays and costs.

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)

- 9.1 None

10 Appendices to this report

Appendix A: List of sites to be included in the parking order.

Appendix B: Plans showing the areas within each site to be included in the parking order.

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Housing Site to be Included in the parking order

❖ Only plans for those car parks to be immediately included in the parking order have been drawn up.

Site	Immediate Enforcement	Timing or Parking bay enforcement?	Suggested enforcement	Permits Required
Elizabeth House/Cocorans	Yes	Bays only, restrict garage sites	Penalty for not parking in bay or outside a garage	No
Tendring Court	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Thaxted Bold	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Theydon Bold	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Thorpe Bold	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Thorrington Bold	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Tillingham Bold	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Tollesbury Court	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors

Colet Road/Hawksmoor Green	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
	Yes			
Masefield Court/Oldfields/Victoria Court	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Greenshaw	No	Bays only	Penalty for not parking in a bay	No
Orchard Avenue	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Railway Square	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Britannia Road	No	Bays only, restrict garage area	Penalty for parking in front of garage	No
Heseltine House	No	Rented spaces?		
Pompadour Close	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Tyrell Rise	No	Query over ownership?		
Wilmot Green	Yes	Bays only, restrict garage area	Penalty for not parking in a bay	No
Dounsell Court	No	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors

Lavenham Court	No	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Farrow House	No	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Canterbury Court	No	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes - no visitors, not enough space
Courage Court	Yes	Bays only- area in front of block	Penalty for not parking in a bay	No
Tower House	Yes	Restrict garage area	Penalty for parking in front of garages	No
Drake House	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Sir Francis Way	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Tower Court	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Mountney Close	Yes	Timings and bay enforcement	Resident permits only Monday-Friday 9-5	Yes + Visitors
Greenfields	Yes	Bay enforcement only	Penalty for parking in front of a garage	No

142-148 High Street	Yes	Bay enforcement- residents only	Resident permits only Monday-Friday 9-5	Yes + Visitors
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Appendix B

Final Car Parking Enforcement Plans

142-148 High Street



Legend

 Car Park

7th August 2018


File Name:

Location: Brentwood

Canterbury Court



Legend

 Car Park

7th August 2018


File Name:

Location: Pilgrims Hatch

Cocorans and Elizabeth House



Legend

 Car Park

7th August 2018


File Name:

Location: Pilgrims Hatch

Courage Court and Tower House



Legend

 Car Park

7th August 2018


File Name:

Location: Hutton

Dounsell Court



Legend

 Car Park

7th August 2018


File Name:

Location: Hutton

Farrow House



Legend

 Car Park

7th August 2018


File Name:

Location: Brentwood

Greenfields Close



Legend

 Car Park

7th August 2018


File Name:

Location: Warley

Greenshaw



Legend

 Car Park

7th August 2018


File Name:

Location: Brentwood

Hawksmoor Green/Colet Road



Legend

 Car Park

7th August 2018


File Name:

Location: Hutton

Heseltine House



Legend

 Car Park

7th August 2018


File Name:

Location: Warley

Lavenham Court



Legend

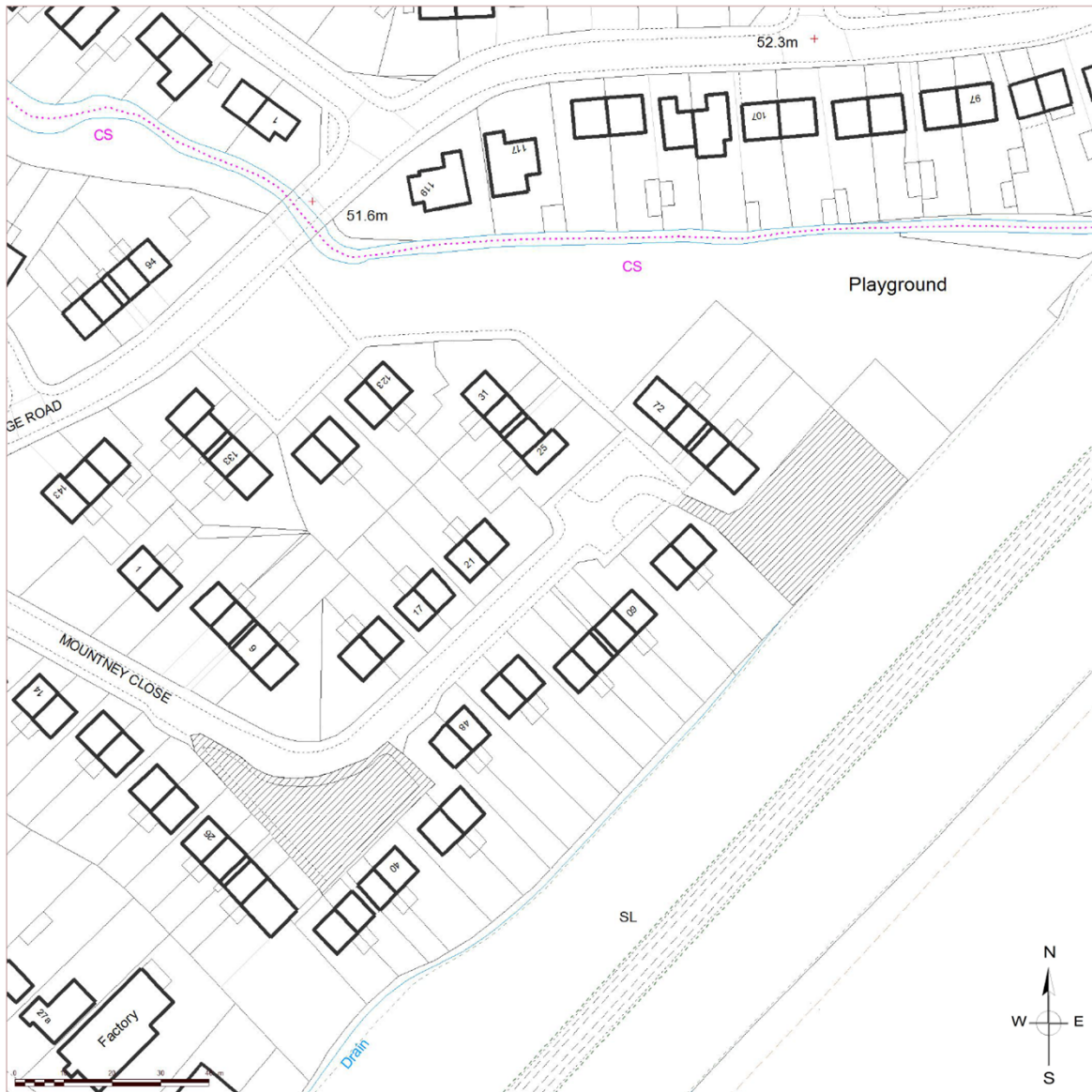
 Car Park

7th August 2018


File Name:

Location: Brentwood

Mountney Close



Legend

 Car Park

7th August 2018


File Name:

Location: Mountnessing

Orchard Avenue



Legend

 Car Park

7th August 2018


File Name:

Location: Brentwood

Pompadour Close



Legend

 Car Park

7th August 2018


File Name:

Location: Warley

Railway Square



Legend

 Car Park

7th August 2018


File Name:

Location: Brentwood

Sir Francis Way



Legend

 Car Park

7th August 2018


File Name:

Location: Brentwood

Victoria Court/Masefield Court/Oldfields



Legend

 Car Park

7th August 2018


File Name:

Location: Warley

Wilmot Green



Legend

 Car Park

7th August 2018


File Name:

Location: Great Warley

Woodland Avenue



Legend

 Car Park

7th August 2018

File Name:

Location: Hutton



Britannia Road



Drawing No. :
 Scale at A4 : 1:1250
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 Service :
 Date : 4th June 2018

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11th September 2018

Community, Health & Housing Committee

Former Tenant Debt Recovery Policy

Report of: *Angela Abbott, Interim Head of Housing*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 This report sets out proposals for a new Former Tenant Debt Recovery Policy to be implemented within the Housing Department.
- 1.2 The Policy provides the Council with the ability to effectively recover Former Tenant rent arrears as well as any arrears on sub accounts such as court costs or removal costs that are associated with closed accounts.

Recommendation(s)

- 2.1 Committee is asked to approve the Former Tenant Debt Recovery Policy.**
- 2.2 Recommendation is made to Policy, Projects and Resources Committee for approval.**

3. Introduction and Background

- 3.1 The Council has always recovered Former Tenant debts and sub account debts. This Policy provides a detailed approach to recovering Debt and supersedes any previous Policy's in place.
- 3.2 Historically the Estates Management Team have recovered the Former Tenant Debts. However, due to the increasing pressures from Universal Credit this is no longer viable.
- 3.3 Government guidelines state that if a debt has not actively been chased or acknowledge by the debtor or collector within 6 years it can no longer be reclaimed under the Statue Barred law.

- 3.4 Therefore we recently employed a dedicated Debt Recovery Officer who has conducted a review of the service and devised a new Policy and Procedure.
- 3.5 The Former Tenant Debt Recovery Policy is robust and outlines the different methods of recovery specifically in relation to deaths, and evictions where recovery can be difficult.
- 3.6 The new Former Tenant Debt Recovery Policy will allow the Council to collect more monies owed and will assist in the financial difficulties facing the Council in the coming years.
- 3.7 The dedicated Debt Recovery Officer has been working towards chasing the current former tenant debts to ensure no accounts become Statue Barred and to ensure there is no lost revenue to the Council.
- 3.8 Since March 2018 a total of £10,154.52 has been collected in former tenant debts and a further agreement amount of £424 per month has been agreed. This figure will increase through continuous chasing of these debts at first point of termination.
- 3.9 The total Rent Arrears, held in the Housing Revenue Account are published in the Statement of Accounts at the end of each financial year, which is subject to External Audit.

4. Issue, Options and Analysis of Options

- 4.1 If the Policy was not to be in place the Council would be open to scrutiny and questioning when residents are asked to repay former tenant debts. Particularly residents who have left the borough and are now wishing to return seeking Council accommodation.

5. Reasons for Recommendation

- 5.1 To ensure the Council is equipped in recovering Former Tenant Debts, reducing the pressure on the budget restraints.
- 5.2 To provide a robust procedure that meets government guidelines on the recovery of debt.

6. Consultation

- 6.1 Tenant Talkback, a panel of both Tenants and Leaseholders, has been consulted on the proposed Policy.

- 6.2 No changes were suggested, and they welcomed the implementation of the policy

7. **References to Corporate Plan**

- 7.1 Good financial management, risk management and internal control underpin all priorities within the Corporate Plan.

8. **Implications**

Financial Implications

Name & Title: Jacqueline Van Mellaerts – Interim Chief Finance Officer

Tel & Email: 01277 312500

jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 Having a Former Tenant Debt Recovery Policy in place underpins good financial management, which in turns improves Rent Arrears that are owed to the Council within its Housing Revenue Account. The Dedicated Debt Recovery Officer has been budgeted using existing resources.

Legal Implications

Name & Title: Surinder Atkar, Solicitor - Legal Services

Tel & Email: 01277 312500 surinder.atkar@brentwood.gov.uk

- 8.2 The legal and regulatory framework that affects the recovery of the rent and arrears are prescribed in the Housing Act 1985, reinforced by the Housing Act, 1996. The Housing and Regeneration Act 2008, Localism Act 2011 and legal case law.
- 8.3 In addition to statutory regulation, housing providers are to comply with Civil Procedure Rules and Rent-Arrears Pre-Action Protocol.

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

- 8.4 None

9. **Background Papers**

- 9.1 None

10. **Appendices to this report**

Appendix A – Former Tenant Debt Recovery Policy 2018

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Housing Debt Recovery Policy/Procedures

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1 Introduction

Brentwood Borough Council aims to ensure effective, efficient and accountable management of its properties.

This policy aims, through effective but sympathetic guidance and advice, to minimise debt while maximising the income to the Council. This policy covers Former Tenant Rent Arrears and Housing Debt Recovery.

The Council will make every effort to obtain a forwarding address and contact telephone number from all tenants who are terminating tenancies and will make every reasonable effort to trace tenants who leave without giving a forwarding address.

2 Equality & Diversity

The Council is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity.

The Council will regularly review this policy for equal opportunities implications and take the necessary action to address any inequalities that result from the implementation of the policy.

3 Aims and Objectives

Brentwood Borough Council will adopt a firm but fair approach to the recovery of debt. The Council recognises having debt is stressful to tenants and seeks to deal with these matters in a nonthreatening and sensitive manner whilst communicating the seriousness of the situation.

The Council must maximise income, and therefore prevention and pursuit of arrears are given high priority.

To minimise Former Tenant Arrears, robust end of tenancy procedures will be followed. Procedures are in place that reflects the policy guidelines that support staff in delivering the aims of the policy effectively.

The rent accounting and sub account system will be accurate and up to date, and a variety of convenient payment methods will be available.

Rent arrears will be notified to the tenant at the termination of their tenancy to allow a repayment arrangement to be agreed.

Repayment arrangements will be realistic and therefore maintainable. The Council will provide advice where possible and will refer tenants to specialist organisations for debt management advice if required.

The Council will develop good working relationships and liaise with relevant organisations such as the Citizens Advice Bureau, Social Work Department, and any other appropriate agencies to try to ensure advice and assistance is available to former tenants in arrears.

Where it is identified that the former tenant may have any special requirements, the Council will take steps to provide the appropriate assistance or support.

Legal Action will be implemented for recovery of the debt, as a last resort, when all other methods have failed.

4. Prevention

The Council will maintain accurate and efficient monitoring systems to identify arrears early and clear procedures for recovering outstanding debt.

5. Former Tenant Arrears

Former Tenant Arrears accumulated for the following reasons:

5.1 Death of Tenant

The Council is usually notified of a death of a tenant from Relatives, Care Home, Legal Representative or through the 'tell us once' system.

On death of a Tenant the Council will only terminate a tenancy when a death certificate is received, and the Property keys are returned by a Relative/Legal Representative.

If a tenant is in receipt of Housing Benefit, this will cease on date of death therefore the property continues to incur rent charges.

Outstanding arrears can be recovered from the Estate (where possible) following the death of a tenant and the Council will endeavour to liaise with relatives/legal representatives of the deceased to enquire if an estate is available to cover any outstanding balance.

5.2 Tenant Moved into Residential Care Home

When the Council is notified by either the tenant, a representative or the Care Home that a tenant is moving into a Residential Care Home, a notice period of 4 weeks is required to end the tenancy. A completed 'Termination of Tenancy' form which can be accessed on-line, and property keys are necessary to be returned to end the tenancy. Rent will remain due on the property during this period and until both the form and keys are returned.

If the tenant is in receipt of Housing Benefit and is receiving Respite care, Housing Benefit will be paid for a maximum period of 52 weeks providing it is intended for the tenant to return to the property.

Once a tenant is confirmed as a 'permanent resident' in a Care Home, notice must be given immediately as Housing Benefit will only be paid for a maximum period of 4 weeks from this date. The tenant or Representative will be responsible for any rent outstanding which is recoverable.

If the tenant is incapable of dealing with their affairs and have no representative, the care home will need to confirm who has Power of Attorney for the Tenant to enable the Council to pursue the debt.

5.3 Termination of Tenancy

To terminate a tenancy, an on-line termination form needs to be completed and submitted to the Council by the tenant giving a notice period of 4 weeks. Keys to the property will need to be handed in by the termination date to avoid further rent charges as termination cannot be completed without termination form and Property keys being in the Council's possession.

When notice of "termination of tenancy" is received, the tenant is advised of the rent arrears balance as at the date of termination and any other costs which may be outstanding. If any outstanding arrears are not cleared by the end of the tenancy, the Council will pursue the debt in accordance with this Policy and the Former Tenancy Arrears Recovery Procedures.

5.4. Abandoned properties

When a tenant quits a property without notice, the property is considered to have been abandoned. The property is deemed to have been abandoned if the Council has reasonable grounds to believe that a property is unoccupied, and the tenant does not intend to return to the property to occupy it as their principle home.

The council will send the tenant a notice to quit giving 4 weeks to end the tenancy. During

this period, the Council may speak to neighbours and contact the tenant's family or employer to try to identify the whereabouts of the tenant.

5.5 Evictions

The Council will evict Tenants for the following reasons.

- **Rent Arrears** - A large amount of rent outstanding or regularly letting rent arrears build up on the account.
- **Antisocial Behaviour** - If either a Tenant, a family member or people that visit the property cause a nuisance in the neighbourhood or use the property for illegal activities such as drug dealing
- **Breaking a Tenancy Agreement** –The Tenant is provided with a written Tenancy Agreement setting out the Tenants' rights and responsibilities including paying rent on time, allowing workmen to enter to carry out necessary repairs. The council will take court action if the Tenant breaks any terms of the agreement. Abandoned properties
- **Fraudulent applications** - If a Tenant has lied about their circumstances to get the council to provide them with a Tenancy.
- **Major works** - The council may decide to evict or decant a Tenant if there are plans to demolish or reconstruct a property. The council can also decide to evict a Tenant because it needs to carry out major repairs that can't be done while the Tenant is residing in the property and the Tenant won't agree to be temporarily rehoused.

5.6 Transfers

When a Tenant transfers between properties within the Council they are required to have a clear balance on their account before transferring. However, if the Tenant is in receipt of Housing Benefit the Law only allows Housing Benefit to be paid for the property in which the Tenant resides in. If the tenancies overlap this will create an overpayment of Housing Benefit on the old property of which the Tenant will be liable for when Housing Benefit recover the overpayment from the rent account. This will create arrears on the account.

6. Garage Former Tenant Arrears

Former Tenant Garage Arrears accumulated for the following reasons:

6.1. Termination of Garage Tenancy

To terminate a Tenancy on a garage a notice period of 2 weeks is required. The Tenant will be required to complete a termination form on-line and return the keys for the Garage by the termination date.

6.2. Abandoned Garage / Eviction

When a Tenant abandons a garage or is evicted a forwarding address is generally not known. However, in the first instance a search of the database will be carried out to obtain the latest known address for the former Tenant to enable any arrears collection process to commence.

6.3. Death of a Garage Tenant

When the Council are notified of the death of a Tenant it is the responsibility of the relative/representative of the Tenant to return the keys to the Council to enable the Council to end the garage Tenancy. The Council have the right to charge rent on the garage until the Tenancy is ended.

7. Other Debts

7.1 Re-charges

A Tenant is liable to pay re-charges for bulk waste removals, the upkeeping of communal areas, unauthorised alterations and rechargeable repairs in accordance with the Re-charge Policy.

Any build-up of items which have not been disposed of in the correct manner including but not limited to: fly tipping, contaminated waste, white goods, unwanted furniture and appliances and general waste. The Council will charge the Tenant for removal of.

Re-chargeable repairs are repairs that are the result of deliberate damage or negligence to the property and/or its fixtures and fittings internally or externally by a Tenant or Leaseholder or a member/visitor of the Tenant/ Leaseholder. Re-chargeable repairs can also include where permission has been granted for the Tenant to make alterations, but the workmanship is deemed inadequate upon Council officer inspection.

Unauthorised alterations become rechargeable where permission (retrospective or prior) for works have been rejected. The Council as a responsible Landlord will conduct works to ensure the safety of the property.

7.2 Bankruptcy

A person or a creditor can apply for Bankruptcy if a person is unable to make payments to clear debts and meets the eligibility criteria for Bankruptcy. In order for a person to be made bankrupt, a court will have to issue an order against a person.

When a Tenant is declared Bankrupt, they may have included any rent arrears they have into the bankruptcy petition. Once a Bankruptcy date has been set, the Council cannot contact the Tenant to recover the rent arrears included in the Bankruptcy.

If there are sufficient assets to pay debts in the order, monies will be distributed by the official receiver. This means that the Council could receive all or part of the money due to clear the debt.

If there are insufficient assets to clear the outstanding debts, the debt will be written off by the official receiver.

When the Council receive confirmation, the debt will be 'written-off' in accordance with the 'write off' procedures.

The Council will continue to recover any outstanding debt which is not included in the Bankruptcy Order in accordance with the debt recovery procedure.

7.3 Debt Relief Order

A person can apply for a Debt Relief Order if the debtor is unable to pay his/her debts and meets the eligibility criteria's.

A Debt Relief Order lasts for 12 months during which time the Council will be unable to proceed with any debt recovery action.

At the end of the 12 Month Period the Council will proceed to take recovery action for any outstanding rent arrears or garage rent arrears which were not included in the Debt Relief Order in line with debt recovery procedures.

When the 12-month period has expired, any rent arrears debt which has been included in the Debt Relief Order will be 'written off' in accordance with the write off procedure.

7.4 Court Costs

Court Costs are accumulated when a Tenant is in arrears on a property and all means of agreements for the Tenant to make payments to clear the arrears have failed, the Council will process with legal actions. This will require the Council to apply to the court for an eviction order and incur court costs of which the Tenant will be required to pay.

7.5 TV Licence

A concessionary TV licence is offered to tenants residing in Sheltered accommodation who fit the criteria to receive this concession.

The Council will request that the scheme manager of the property completes the relevant form listing all residents that qualify. The Council will then make full Payment for a property to receive a TV licence. The payment that the Council makes will vary as it will depend on the number of residents as to the full cost of the Licence. The charge is £7.50 per Room, Flat or Bungalow within the Sheltered Residence.

When the Council receive a TV Licence for a property, the Council will then invoice each property £7.50 to cover the cost of the licence.

7.6 Removal Costs

When a Tenant moves from temporary accommodation they do not always have the finances at short notice to cover the cost of the removal of their belongings. Therefore, the Council will make payment for the removal costs and the Tenant will be charged to cover the costs.

8. Debt Recovery Procedures

Brentwood Borough Council expects rent payments to be made and for Former Tenants to clear any outstanding rent or to have a repayment agreement in place, at the end of their Tenancy. A Statement of Account advising of the level of arrears and payments methods will be issued.

In all cases, when the whereabouts of the Former Tenant are known Brentwood Borough Council's Debt Recovery Officer will contact the Former Tenant by letter, telephone, text message or e-mail.

The following actions will be initiated where rent is outstanding and the voluntary repayment arrangement is not being maintained:

8.1 Forwarding address known

1. If the debt remains unpaid 21 days after the Statement of Accounts has been sent, a reminder letter will be sent advising that the debt remains outstanding.
2. If there is no response to the above after 31 days, a further reminder letter will be sent advising that there has been no response received regarding previous correspondence and the outstanding debt is due for immediate payment.
3. Every effort will be made to contact the debtor directly to discuss the outstanding debt in order to retrieve the debt and avoid further costs.
4. If there continues to be no response regarding the outstanding debt either by full payment or an arrangement, a final letter will be sent at 42 days notifying that the debt will be referred to a debt collection agency.
5. If no response is received at 56 days the debt will be referred to a Debt collection agency for recovery of the debt which may incur additional costs.

If during any of the above stages, if the debtor agrees to a satisfactory payment arrangement and makes continuous payments to clear the outstanding debt, no further action will be taken against the debtor.

Whilst a payment arrangement is in place, the debtors account will be closely monitored to ensure the arrangement is being upheld. Any default in the payment arrangement will revert to the Recovery Process.

8.2 Forwarding Address Unknown

Where contact is not confirmed, intelligence to trace the Former Tenant will be undertaken to obtain the latest known address for the Former Tenant using a credit check agency. This process should not be carried out until a minimum of 8 weeks has elapsed in order for the Former Tenant to relocate and the information become available on the database as to their whereabouts. Brentwood Borough Council have opted to use NAFN (National Anti-Fraud Network) as a preferred credit check agency for this purpose.

On receipt of an alternative correspondence address every effort will be made to secure repayment in accordance with this Policy and the Former Tenancy Arrears Recovery Procedures.

When contact details become available the recovery process will commence (6.1).

8.3 Recovery Process - Death of Tenant

Outstanding arrears can be recovered from the Estate (where possible) following the death of a tenant and the Council will endeavour to liaise with relatives/legal representatives of the deceased to enquire if an estate is available to cover any outstanding balance. A letter will be sent to next of kin or legal representative. It will state that the Council have been advised that they are handling the financial affairs of the Former Tenant and asks them to forward payment.

If the Representative of the deceased contact Brentwood Borough Council stating that there are no funds in the Estate, the latest bank statement of the deceased will need to be provided within 4 weeks of the date of death as evidence that there are no funds in the Estates to cover the outstanding debt. If this is proven, Brentwood Borough Council will consider writing off the debt.

If it is proven that there are funds in the estate but not enough to clear the debt, the Council will make a decision to request a proportion of the Estate towards clearing the debt. In these cases, the Council will look at the case individually to determine an acceptable payment towards clearing the debt.

If there is no response from the Representative within 28 days, a reminder notice will be sent.

If no response after a period of 14 days of the reminder letter being sent, a final letter will be sent.

If there is still no response after 7 days of the final letter being sent the representative will be sent notification that the case has been referred to the debt recovery agency for collection of the outstanding debt.

8.4 Recovery Process when tenant moves into Care Home

Tenants who move to a care home to receive care are still liable for any outstanding arrears on the rent account.

In the first instance a letter will be sent to the Care Home to establish if the resident is capable of dealing with their affairs or if a representative has been appointed. It may be the care home that have taken on responsibility on behalf of the tenant or alternatively the Care Home will need to provide details of Power of Attorney.

If there is no response from either the Tenant, Tenant representative, care home or Power of Attorney within 28 days, a reminder notice will be sent.

If no response after a period of 14 days of the reminder letter being sent, a final letter will be sent.

If there is still no response after 7 days of the final letter being sent, the Care Home will be sent notification that the case has been referred to the debt recovery agency for collection of the outstanding debt.

8.5 Transfers

Transferring Tenants will be sent written notification advising them of the arrears.

If the outstanding debt is below £200 the tenant will be given written notice that the debt will be transferred to their new account to be collected alongside their current weekly rent charge.

If the debt is over £200 the tenant will be sent written notice advising them of the arrears and requesting payment in full within 14 days. If payment is not received within 14 days, the debt will be transferred to the new rent account without further warning and will be collected alongside their currently weekly rent charge.

If the Debt is below £5 a phone call will be made to the tenant to request payment or to advised that this will be transferred to new account. There will not be any letters of notification as it is uneconomical. Where an email address is provided an electronic notification letter may be sent.

9. Debt Recovery Agency

When all attempts by the Council to recover the outstanding debt have been exhausted, the debt will be referred to the Councils chosen Debt Recovery Agency.

The Council will securely send all known details of the debtor to the Debt Recovery Agency. On behalf of the Council the Debt Recovery Agency will make contact with the debtor and additional attempts to recover the debt in full or make a realistic arrangement with the debtor to cover the debt. The Debt Recovery Agency may add additional costs to the debt of which the Council has no control of the amounts added.

Once the debt has been passed to the debt agency to recover the outstanding debt, the debtor will need to contact the Debt Recovery Agency directly to make a payment, request any form of payment arrangement or to make any enquiries as at this point the Council cannot intervene with the recovery of the debt directly from the debtor.

The Debt Recovery Agency will forward monies collected from the debtor to Brentwood Borough Council.

10. Arrears Monitoring

Efficient monitoring on the Housing Management System will identify arrears outstanding and will allow for repayment arrangements to be recorded.

Follow-up contact will be maintained in timescales, which are proportionate and targeted.

11. Payment Methods

Brentwood Borough Council have made available a range of convenient payment methods for former Tenants via the 'All Pay' system, this includes:

- Payment on Smartphone using the 'All pay' App.
- Payment at the Post Office.
- Payment at any Pay Point terminal.
- Standing Order.
- Direct Debit.
- Automated Telephone Payments
- Internet Payments.
- The Council can also accept credit/debit card payments at our office and by telephone.

12. Irrecoverable Debts

Prompt and appropriate action will be taken in all cases to recover all sums overdue to the Council. However, in cases where payments are not forthcoming, and Officers are unable to trace the whereabouts of a Former Tenant, consideration shall be given to writing off the debt in accordance with financial regulations.

When a debt has been written off, it will no longer be shown as outstanding in the Council's accounts, however, the debt remains due to the Council in law and if the Tenant is subsequently traced, the debt will be re-instated.

13. Statute Barred

Former Tenant Arrears are 'Statute Barred' after 6 years under the Limitation Act 1980. The six-year period will start from the last payment made or the last acknowledgement between the Council and the tenant. If no contact or payments are made within the 6-year period, the outstanding debt should be considered for 'write off' following this period.

14. Write-Off's

Brentwood Borough Council will not write debts off without taking appropriate steps to recover them or without approval of the responsible officer. There are some circumstances where this will be appropriate:

- Where it is not economical to pursue the debt (typically this will be debts under £100).
- Tracing action has failed to find the debtor
- The External Debt Recovery Agents deem the debt irrecoverable
- The account is 'Statute Barred' (Debt over 6 years old)
- Debtor is overseas
- Recommended by management
- Bankruptcy. Individual Voluntary arrangement. Liquidation. Debt Relief Order.
- Where one partner has left the tenancy due to domestic violence (the victim will not be pursued)
- Debtor is serving a Custodial Sentence
- Vulnerable / Hardship
- Local Authority error
- Deceased (No funds in the estate)

Should an account be written off, it is possible to reactivate if the Council subsequently trace the customer, or if the customer approaches the Council e.g. in the case of a future application for rehousing.

The write off process is undertaken on a regular basis and is considered prudent financial management.

14.1 Authorisation for Write-off's

Debts not exceeding £100 (including aggregated debts for one debtor)

Where the debt is not greater than £100 and normal recovery procedures have failed to secure payment and the debt is deemed to be uncollectable or uneconomic to pursue further, the delegated authority to approve write offs lies with the Housing Principal Officer.

Debts greater than £100 but not exceeding £10,000 (including aggregated debts for one debtor) (and for all credit balances)

Where the debt is greater than £100 but no greater than £10,000, and normal recovery procedures have failed to secure payment and the debt is deemed to be uncollectable, the delegated authority to approve write offs lies with the Section 151 Officer or their Deputy. The above procedures will also apply to how credit balances are treated; irrespective of the amount involved.

Debts of £10,000 and over (including aggregated debts for one debtor)

For the write off of debts £10,000 and over, it will require a full report to be submitted by the relevant council Committee for approval. Once authority has been given by the Committee, the Corporate Debt Manager will be notified that the debt can be written off

15. Performance Monitoring

The Debt Recovery Officer will receive variation reports to monitor the overall level and trends in former tenant rent arrears.

16. Confidentiality

To maintain confidentiality Former Tenant rent arrears will not be discussed with third parties except:

- With the written permission of the Tenant.
- A Representative of a Deceased
- To the Tenant's solicitor.
- The Council's Solicitor.

17. Review

The Debt Recovery Policy and Procedures will be reviewed on an annual basis to ensure it remains relevant in accordance with other service policies.

Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Community, Health and Housing Committee

1. The functions within the remit of the Community, Health and Housing Committee are set out below

- 1) Community and Localism Initiatives including Assets of Community Value
- 2) The Voluntary Sector and community partnerships
- 3) Leisure and cultural initiatives.
- 4) Parish Council liaison
- 5) Health and Wellbeing
- 6) Grants to organisations/voluntary organisations.
- 7) Parks, open spaces, countryside, allotments
- 8) Community Safety and CCTV
- 9) Affordable housing
- 10) Housing strategy and investment programme where the Policy, Projects and Resources Committee does not decide to exercise such functions as the superior Committee
- 11) The Housing Revenue Account Business Plan where the Policy, Projects and Resources Committee does not decide to exercise such functions as the superior Committee
- 12) Housing standards, homelessness, homelessness prevention and advice
- 13) Housing needs assessment
- 14) Housing benefit - welfare aspects
- 15) Private sector housing and administration of housing grants
- 16) Tenancy Management and landlord functions
- 17) To make recommendations to Policy, Projects and Resources on the setting of rents for Council homes.

2. To take the lead on community leadership and consultation with stakeholders.

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