



EXECUTIVE

Date: Wednesday, 12 June 2019

Time: 2.00pm

Location: Shimkent Room, Daneshill House, Danestrete

Contact: Lisa Jerome (01438) 242703

Members: Councillors: S Taylor OBE, CC (Chair), Mrs J Lloyd (Vice-Chair),
L Briscoe, R Broom, J Gardner, R Henry, J Hollywell and J Thomas.

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 14 MAY 2019

To approve as a correct record the Minutes of the meeting of the Executive held on 14 May 2019 for signature by the Chair.

Pages 3 – 6

3. MINUTES OF THE OVERVIEW & SCRUTINY AND SELECT COMMITTEES

To note the following Minutes of the Overview & Scrutiny and Select Committees–

Environment & Economy Select Committee – 28 February 2019

Environment & Economy Select Committee – 13 March 2019

Overview & Scrutiny Committee – 18 March 2019

Community Select Committee - 26 March 2019

Community Select Committee – 1 April 2019

Overview & Scrutiny Committee – 30 April 2019

Overview & Scrutiny Committee – 16 May 2019

Pages 7 – 34

4. APPOINTMENT OF COMMITTEES OF THE EXECUTIVE

To establish the Executive Committees and other bodies of the Executive with delegated powers and to appoint Members and Chairs/Lead Members for each.

Pages 35 – 42

5. DECENT HOMES REFURBISHMENT CONTRACT PROCUREMENT OPTIONS APPRAISAL (INVESTMENT)

To seek approval to commence procurement of a Decent Homes Internal Works Contract, in order to maintain the Council's housing stock in line with the Decent Homes standard.

Pages 43 – 50

6. HERTFORDSHIRE HOME IMPROVEMENT AGENCY - 12 MONTH REVIEW

To provide information on the first year operation of the Hertfordshire Home Improvement Agency (HHIA) and to propose that the Council remains a member of the HHIA to give an opportunity for new arrangements to be in.
Pages 51 – 88

7. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent.

8. EXCLUSION OF PRESS AND PUBLIC

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

9. STEVENAGE BUS INTERCHANGE

To update the Executive on the project to provide a new bus interchange for Stevenage in line with the Future Town Future Transport Strategy, and to approve the process for constructing the facility ahead of the SG1 proposals.
Pages 89 - 108

10. TOWN CENTRE REGENERATION - THE TOWN SQUARE AND NORTH BLOCK

To provide a progress update on the Town Square North Block and Town Square Public Realm proposals and to seek approval for the projects to proceed to the next stages of design and construction.
Pages 109 - 130

11. URGENT PART II BUSINESS

To consider any Part II business accepted by the Chair as urgent.

NOTE: Links to Part 1 Background Documents are shown on the last page of the individual report, where this is not the case they may be viewed by using the following link to agendas for Executive meetings and then opening the agenda for Wednesday, 12 June 2019 –

<http://www.stevenage.gov.uk/have-your-say/council-meetings/161153/>

STEVENAGE BOROUGH COUNCIL

EXECUTIVE MINUTES

Date: Tuesday, 14 May 2019

Time: 10.00am

Place: Shimkent Room, Daneshill House, Danestrete

Present: Councillors: Sharon Taylor OBE CC (Chair), Mrs Joan Lloyd (Vice-Chair), Rob Broom, John Gardner, Richard Henry and Jackie Hollywell.

Start / End Time: Start Time: 10.00am
End Time: 10.30am

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

An apology for absence was received from Councillor J Thomas.

There were no declarations of interest.

2 **MINUTES - 30 APRIL 2019**

It was **RESOLVED** that the Minutes of the meeting of the Executive held on 30 April 2019 are approved as a correct record for signature by the Chair.

3 **STEVENAGE BOROUGH LOCAL PLAN: PRE-ADOPTION DRAFT**

The Executive received a report which detailed the outcomes of consultation with the Overview and Scrutiny Committee (OSC) on the initial proposals set out in the 30 April 2019 Executive Report.

The Portfolio Holder Environment and Regeneration advised the Executive that discussions at OSC had been positive with constructive points being raised with regard to the removal of references to a 'new' railway station and the removal of the words 'at least' in relation to the provision of 30% affordable housing.

It was noted that Members from all political parties were in agreement that the current railway station failed to meet the expectations of a key gateway to the town and it was expected that regeneration of the site would be progressed.

With regard to the provision of affordable housing it was noted that given the Council's commitment to providing such accommodation it would be unlikely that the amendment to the wording of the plan would make a difference to the number of properties provided.

The Leader commented that the phrase 'Affordable Housing' was open to interpretation and that there was a need to communicate the meaning that the

Council gave to the expression to avoid any misunderstandings.

In reply to questions raised at the previous Executive the meeting was advised that the Holding Direction had a negative impact on delivery of approximately 240 Affordable Homes by delaying delivery of the north of Stevenage site and that the costs of the Holding Direction in terms of QC and shared legal fees and senior officer time was estimated to be in the region of forty to forty five thousand pounds.

Members debated the other possible negative impacts on the town of the delay which included the delay of other planning objectives, such as enforcement, and a potential lack of confidence in the town for investors.

The Leader requested that thanks be extended to the QC for providing such clear and unequivocal advice.

The Leader then referred to a letter that had recently been received from a local resident concerning the impact of the Local Plan on biodiversity and the environment. She informed the meeting that the resident's concerns had been heard and considered by the Inspectorate the Public Examination hearing sessions and reiterated that the Council took its environmental responsibilities seriously. A reply would be sent to the resident and the Leader requested that an e-mail be sent to all Members advising of the course of action the Council intended to take.

Finally the Leader requested that thanks be recorded to the Overview and Scrutiny Committee for their discussion and points raised, the Planning Team and to the Portfolio Holder Environment and Regeneration.

It was **RESOLVED** that:

1. the outcomes following consultation with the Overview and Scrutiny Committee are noted,
2. Council is recommended to accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications (as attached at Appendix B to the report) and associated Policies Map, and
3. Council is asked to revoke the District Plan Second Review 2004.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

4 **URGENT PART I BUSINESS**

None.

5 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as described in paragraphs 1 to 7 of Part 1 of Schedule 12A of the Act, as amended by SI 2006 No. 88;
2. That having considered the reasons for the following item being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

6 **URGENT PART II BUSINESS**

None.

CHAIR

This page is intentionally left blank

STEVENAGE BOROUGH COUNCIL

ENVIRONMENT & ECONOMY SELECT COMMITTEE MINUTES

Date: Thursday, 28 February 2019

Time: 6.30pm

Place: Autun Room - Daneshill House, Danestrete

Present: Councillors: Michael Downing (Chair), Lloyd Briscoe, Jim Brown, Lizzy Kelly, Andy McGuinness and Adam Mitchell CC.

Also Present: Councillor Ralph Raynor (Portfolio Holder for Economy, Enterprise & Transport)
Mr Phil Hutchinson (Head of Strategic Planning, Govia Thameslink Railway)
Mr Paul Codd (Stakeholder Manager, Govia Thameslink Railway)
Mr Neil Henry (Head of Operations South, Network Rail)
Mr Ken Mason (Infrastructure Projects Manager, Network Rail)

Start / End Time: Start Time: 6.30pm
End Time: 7.55pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Jamie Fraser, Sarah-Jane Potter and Simon Speller (due to a Mayoral commitment).

It was also noted that apologies for absence had been submitted by the Stevenage Rail user Group.

There were no declarations of interest.

2 **MINUTES - 31 JANUARY 2019**

It was **RESOLVED** that the Minutes of the Environment & Economy Select Committee meeting held on 31 January 2019 be approved as a correct record and signed by the Chair.

3 **STEVENAGE RAIL STATION SERVICE UPDATE**

The Govia Thameslink Railway (GTR) and Network Rail representatives gave a presentation on performance statistics, enhanced services (including the summer timetable), proposals for the future, and the plans for the Stevenage Turnback Facility.

The Select Committee was informed that GTR operated the Southern, Thameslink, Great Northern and Gatwick Express services. There were over 1 million journeys per day, on 3,600 trains. GTR employed over 7,000 staff. In delivering the

enhanced Thameslink Programme, GTR had implemented a management contract for the Department of Transport, in order to transform north-south travel, which included 20 trains per hour in both directions through the London core.

The GTR representatives drew attention to a number of performance statistics, including 87% of all services running at the Public Performance Measure target of service arriving at final destination within a 5 minute window; and 59% of all services arriving exactly on time at every station. The May 2019 timetable was being tuned for punctuality, in line with a new right time railway initiative with an ambition of 70%+ trains arriving on time at every station.

In terms of the Summer (May) 2019 timetable, the GTR representatives advised that there would be an additional 31 new weekday train services, including 28 extra Brighton to Cambridge services (an additional 1 or 2 trains per hour in both directions). There would be approximately 180 new train services on Saturdays and approximately 100 new train services on Sundays (precise details were summarised in two powerpoint slides).

Building on the delivery of the improved Winter 2018 timetable, the GTR representatives stated that 2,000 smartphones would be issued to station team members; timetables would be available online and in print; passenger awareness campaigns, including posters, web updates, e-mails and wider marketing; and introduction of station support volunteers.

In respect of the Stevenage Turnback Facility (5th Platform), the Network Rail representatives advised that this would result in more trains per hour and improved reliability on the Hertford Loop, building on the benefits of the new 717 fleet of trains, and increasing connectivity at Stevenage for destinations on the East Coast Main Line.

The Select Committee noted that replacement bus services would be essential during the Turnback works, although it was hoped to escalate the programme of works to meet a completion date of late 2020 or possibly earlier (currently scheduled for a September 2021 completion).

The Network Rail representatives explained that journeys from Watton-at-Stone to Hertford North and further south would not be affected, but there would be 2 replacement buses per hour each way between Stevenage and Hertford North and 1 replacement bus per hour each way between Stevenage and Watton-at-Stone. Details of the replacement buses to be used on both routes were provided, together with the bus stops to be used at all 3 stations.

In terms of passenger communications regarding the Turnback Facility works, the Select Committee was informed that details were currently on the website and posters had been displayed. Leaflets and advertising was pending, as were drop-in sessions at Hertford North station and public engagement through social media and wider marketing channels.

During the course of the presentation, the following issues were considered:

- The Cambridge Rail User Group had engaged effectively with Network Rail and GTR over network/timetabling issues; Network Rail / GTR had arranged two meetings with the Stevenage Rail User Group, but unfortunately the Group had been unable to attend on both occasions.
- Pocket size fold out timetables would be produced, but there were no plans to produce timetable booklets.
- The regrettable problems experienced following the introduction of the May 2018 timetable had largely been addressed, including the issue of driver training and operatives being in the right place at the right times.
- The GTR representatives would respond to Members of the Committee regarding a query raised in respect of the 82% Public Performance Measure relating to the percentage of trains which had run to schedule.
- With particular reference to Finsbury Park station, the Network Rail/GTR representatives acknowledged the difficulties caused by last minute platform changes. They explained the reasons for such changes, and would be working to improve communications so that the process in future was much slicker.
- The Select Committee was advised of ticketing promotions, such as Key Go / Key Card / Oyster Card, together with the possibilities for extending the use of these forms of ticketing.
- It was noted that the King's Cross Signalling facility was over 40 years old, and that plans were in progress for the remodelling of this facility, which would entail disruptive weekend works from late June 2019, with peak disruption from December 2020 to March 2021.
- In terms of the works relating to the Stevenage Turnback facility, the GTR representatives undertook to respond to Select Committee Members on the possibility for the replacement buses to be adapted to take full size bicycles, and possible discounted fares for those using replacement buses during the construction works, and to clarify the situation with regard to the use of replacement buses during weekends throughout that period.

It was **RESOLVED**:

1. That, notwithstanding the absence of representatives from the Stevenage Rail User Group, the developments in the timetabling of trains be noted, and it be hoped that Network Rail and Govia Thameslink Railway's continue consultation with users and SBC Members over future timetabling development.
2. That Network Rail's plans for the Stevenage Turnback Facility (5th Platform), including the temporary replacement bus services whilst works take place and the escalated plans for completion of the project, be noted.
3. That the Select Committee continue to take note of events and outcomes relating to GTR timetabling issues and the Stevenage Turnback Facility.
4. That the GTR representatives provide responses for circulation to Select Committee Members in respect of the following outstanding issues:
 - Public Performance Measure (PPM) Targets and actual performance;

- Buses – possible adaptation to take full size bicycles;
- Fares – possible discounted fares for those using replacement buses during the construction works on the Stevenage Turnback Facility; and
- Clarity with regard to the situation with the use of replacements buses during weekends throughout the construction works on the Turnback Facility.

4 **URGENT PART 1 BUSINESS**

None.

5 **EXCLUSION OF PUBLIC AND PRESS**

Not required.

6 **URGENT PART II BUSINESS**

None.

CHAIR

STEVENAGE BOROUGH COUNCIL

ENVIRONMENT & ECONOMY SELECT COMMITTEE MINUTES

Date: Wednesday, 13 March 2019

Time: 6.00pm

Place: Shimkent Room, Daneshill House, Danestrete

Present: Councillors: Michael Downing (Chair), Matthew Hurst (Vice-Chair), Lloyd Briscoe, Jim Brown, Lizzy Kelly and Adam Mitchell CC.

Start / End Time: Start Time: 6.00pm
End Time: 7.15pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for Absence were received from Councillors Sarah-Jane Potter and Simon Speller.

Councillor Michael Downing declared a non-pecuniary interest in Item 2 – Environment and Economy Select Committee – Work Programme – Paragraph 5.1.6 relating to the Transport Strategy as Chairman of the Bus User Group (BUGS).

2 ENVIRONMENT AND ECONOMY SELECT COMMITTEE - WORK PROGRAMME

The Committee considered a report by the Council's Scrutiny Officer, which invited the Committee to agree its Scrutiny Work Programme for the 2019/2020 Municipal Year. The report highlighted Members responses to a Scrutiny survey, suggestion by Members and residents for future Scrutiny Reviews, Monitoring Reviews of Recommendations and Policy Development Scrutiny work to be undertaken by Portfolio Holder Advisory Groups. With regard to suggestions by residents, Members were informed that responses had been provided to the respective residents.

Members discussed the suitability of the topics proposed and whether the Committee was of the view that the scrutiny process could add value to their consideration.

It was **RESOLVED**:

1. That Scrutiny Members' feedback on ideas for improving Scrutiny as set out in section 4 of the report be noted.
2. That having considered ideas put forward by individual Members, the following matters be added to the list for consideration, prioritisation and scoping as possible Environment and Economy Select Committee Scrutiny Work Programme items for 2019/2020:

- **Post Office Provision across the Town:** The review should

include coverage across the Town, ownership, the relationship between post offices and the shop operators, consideration of where the Post Office would be in five years time. Members also agreed it would be useful to speak to affected staff about how terms/conditions and training had changed.

- **Fairlands Valley Park:** it was agreed that this item should be taken in conjunction with the review of leisure facilities and parks detailed at paragraph 5.1.2 of the officer's report. The Assistant Director (Direct Services) suggested that the broader, strategic scrutiny could be undertaken by the Environment and Economy Select Committee with the more detailed Fairlands Valley Park scrutiny being undertaken by the Community Select Committee. The link with other Council strategies such as the Healthy Stevenage Strategy should also be considered.
- **Impact on Brexit on the Local Economy:** It was noted that the Senior Leadership Team was monitoring this on a daily basis and that the Council was actively tracking the developments on a Business Continuity basis so it would not be suitable to include the issue in the Committee's Work Programme.
- **Town Centre Regeneration/SG1 Project:** Agreed that this was in the remit of the Planning and Development Committee.
- **Emerging Transport Strategy:** The Planning Policy Manager advised that the consultation on the Strategy had been extended until the end of March. Responses would then be evaluated and a report would be submitted to the Executive and then on to the Overview and Scrutiny Committee in the Summer. An update on the Strategy could be provided to the Committee at a later date.
- **Outcome of the Local Plan:** Agreed that this was in the remit of the Planning and Development Committee.
- **Climate Change:** The Planning Policy Manager agreed to circulate to Members the Climate Change Strategy that was produced by the Council in 2009. The Assistant Director (Direct Services) suggested that this issue could be aligned with the Corporate Asset Management Strategy.
- **Non-Domestic Rate Income:** it was agreed that this should be suggested as a scrutiny item for the Overview and Scrutiny Committee.
- **Impact on Schools of the Academisation Programme:** it was agreed that this should be suggested as a scrutiny item for the Overview and Scrutiny Committee.
- **Local Neighbourhood Centres:** It was agreed that this be the Committee's main review item for the year commencing in the Autumn 2019.
- **Fly-tipping of Bulky Goods:** officers agreed to ask the Assistant Director (Housing and Investment) to circulate the relevant policy to Members.
- **Offer from Govia Thameslink Railways:** agreed that this should be an ongoing issue for the Committee including the involvement of London North Eastern Railway (LNER).

- **Play Areas:** An update will be provided to the Committee on the unsupervised Area Play Equipment Programme which was currently underway.
 - **Cycling:** officers confirmed that this would be linked to the Transport Strategy along with other relevant plans and strategies.
3. That the following items which were the subject of previous studies be included in the work programme for an update on the issues:
- Maintenance of trees, hedges and shrub beds linked to fly tipping;
 - Business Technology Centre Review;
 - In relation to the review of open spaces, it was noted that this would be included in the review referred to in recommendation 2 above.
4. That the following issues be included in the work programme for the Portfolio Holder Advisory Group (PHAG) meetings to carry out policy development work for 2019/2020 (Paragraph 7.1 to the report referred):
- Review of Bring Back Recycling Sites scheduled for Executive in July 2019, PHAG meeting in June 2019
 - Design Guide Supplementary Planning Document (SPD) to be scheduled for Executive in 2019/20, PHAG meeting to be scheduled in 2019/20
 - Parking Supplementary Planning Document (SPD) to be scheduled for Executive in 2019/20, PHAG meeting to be scheduled in 2019/20
 - Economic Development Strategy to be scheduled for Executive in 2019/20, PHAG meeting to be scheduled in 2019/20
 - Town Centre Parking Strategy to be scheduled for Executive in 2019/20, PHAG meeting to be scheduled in 2019/20.

3 **URGENT PART 1 BUSINESS**

None.

4 **EXCLUSION OF PUBLIC AND PRESS**

Not Required.

5 **URGENT PART II BUSINESS**

None.

CHAIR

This page is intentionally left blank

STEVENAGE BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE
MINUTES

Date: Monday, 18 March 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

Present: **Councillors:** Lin Martin-Haugh (Chair), Philip Bibby CC (Vice-Chair), Sandra Barr, Jim Brown, Michael Downing, James Fraser, Michelle Gardner, Lizzy Kelly, John Mead, Sarah Mead, Adam Mitchell CC and Robin Parker CC.

Start / End Start Time: 6.00pm
Time: End Time: 8.20pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

The meeting opened with a one minute silence in memory of the victims of the shootings that took place at mosques in Christchurch, New Zealand on 15 March 2019.

Apologies for absence were received from Councillors J Hanafin and S-J Potter.

There were no declarations of interest.

2 MINUTES - 18 FEBRUARY 2019

A Member sought clarification on the reason for not including the Leader's New Homes Bonus Funding Initiatives for 2019/20 on the agenda. Officers informed the Committee the funds for the Leader's Initiative had been accounted for in the 2019/20 Budget and the amount was below the threshold for Key Decisions. It was indicated that officers were preparing briefing note for all Members.

It was **RESOLVED** that the Minutes of the Overview and Scrutiny Committee held on 18 February 2019 are approved as a correct record and signed by the Chair.

3 PART I DECISIONS OF THE EXECUTIVE

Minutes of the Executive – 13 February 2019

The Committee noted the comments of the Executive.

Minutes of the Overview & Scrutiny Committee and Select Committees

The Committee noted the comments of the Executive.

Third Quarter Revenue Monitoring Report 2019/20 – General Fund and Housing Revenue Account

The Committee noted the comments of the Executive. In response to a question regarding rent loss from increased voids for the Indoor Market, Members were informed that the Council had introduced a number of initiatives such as flexible opening times, parking charge variations and spaces for casual traders. Officers assured the Committee that a Liaison Officer will be in place in time for Phase Two of the Kenilworth Close development.

Third Quarter Capital Monitoring Report 2019/20 – General Fund and Housing Revenue Account

The Committee noted the comments of the Executive. Members sought clarification on underspend for works to the Timebridge boiler and indoor market. Officers reported that there was an equal split of costs between Timebridge and Hertfordshire County Council. It was highlighted that works related to lighting, heater replacements and electrical distribution board had been carried out at the Indoor Market at a lower cost and without compromising the quality of work.

Housing Revenue Account Asset Management Strategy

The Committee noted the comments of the Executive.

Corporate Performance for Quarter Three 2018/19

The Committee noted the comments of the Executive. Members raised the following issues:

- Handling of customer documents
- New website features
- IT resources
- Customer complaints
- Third-party absence management provider (FirstCare)

The Assistant Director (Corporate Services and Transformation) advised that:

- The Council had procured of a new website platform
- A new website was due to be launched in the summer
- A cross-party group was working on IT solutions including a customer service management solution
- The Document Management System was scheduled to go live at the end of March 2019. The system will improve document management for customers and SBC teams
- There was a steady improvement in call handling as a result of customer care training and collaborative working
- Telephone call statistics are cumulative from the beginning of the financial year
- The customer services team escalates customer queries to relevant officers –

- if necessary
- Members will be able to access the internal telephone directory once the interactive features of the intranet become fully functional
 - The introduction of the third-party absence management provider (FirstCare) had been held back pending consideration of the Sickness Management review and liaison with the Portfolio Holder
 - The Council had earmarked projects for the IT underspend
 - A soft launch will be used to test the new website and this will precede the hard launch
 - The Customer Relationship Management System, Housing Portal and other IT services will plug into the new website
 - The Council had identified future IT staffing requirements based upon current anticipated operations and developments
 - Like many others, the Council faced an issue of retaining experienced IT staff
 - There is likely to be a twelve week leading in period prior to the implementation of FirstCare

Co-operative Neighbourhood Management Programme Delivery 2018/19

The Committee noted the comments of the Executive. The Committee raised questions regarding boundaries, neighbourhood wardens and community development officers. Officers advised that there were four area-based teams. Each team was led by a Community Development Officer. There were plans for practical area based teams comprising of Communities & Neighbourhoods, Housing and Stevenage Direct Services officers. Members enquired about recent resignations from the Community Development team.

Members were optimistic that the introduction of the Community Engagement Framework will improve resident engagement. Members commended the work of neighbourhood wardens particularly those based in St Nicholas, Martins Wood and Shephall. It was confirmed that names, job descriptions and working arrangements of neighbourhood wardens were previously provided to Members. The Committee assured officers that Members want to be more involved in community engagement matters.

It was **RESOLVED:**

1. That the Indoor Market Review report be circulated to the Committee
2. That Cooperative Neighbourhoods Manager sets up meetings to introduce Members to their respective neighbourhood wardens

4 OVERVIEW & SCRUTINY COMMITTEE - SCRUTINY WORK PROGRAMME 2019/20

The Committee considered the Scrutiny Work Programme for the Municipal Year 2019-20. The Scrutiny Officer reported that the draft Overview & Scrutiny Committee Work Programme 2019-20 was based on Members feedback on ideas for improving Scrutiny and ideas put forward by Individual Members and the public.

It was noted that the process for deciding section 106 (Town and Country Planning Act 1990) arrangements and Members refreshments were reviewed in recent years. The Assistant Director (Corporate Services and Transformation) informed the Committee that refreshments for Members could be included in the scope of the Independent Remuneration Panel (IRP) review. Members were advised that a Portfolio Holder Advisory Group meeting involving the O & S Committee will be scheduled to consider the (Information and Communications Technology) ICT Strategy and Investment Programme.

The Committee discussed reviews on planning consultations and complaints handling. Members also highlighted Scrutiny training requirements. It was noted that the Planning & Development Committee was quasi-judicial and this could limit the scope of a review on planning consultation. In relation to training, the Scrutiny Officer stated that Members had previously attended scrutiny training course run by the Local Government Association, Centre for Public Scrutiny, Birmingham University and the Local Government Information Unit.

It was **RESOLVED**:

1. That the Overview & Scrutiny Committee Work Programme 2019-20 is noted
2. That Complaints Handling be the main review subject for the Overview & Scrutiny Committee for the 2019-20 Municipal Year

5 **SBC SICKNESS MANAGEMENT REPORT**

The Committee considered the draft report and recommendations for the Sickness Management Scrutiny Review. Members sought clarification on arrangements for the proposed wellbeing policy staff survey, formal and informal sickness management interviews and the Absence Management service provider (FirstCare).

Officers reported that they were currently reviewing several wellbeing policy staff survey templates. Members were re-assured that the starting point for officers when assessing sickness/absence cases was that they are genuine. The Council has a duty though to protect public sector resources while providing compassion to officers. There was a trigger point for initiating informal sickness absence interviews. However, the trigger points were not just statistically based and managers were encouraged to exercise discretion. The Human Resources (HR) team monitors sickness absence management and liaises with Assistant Directors to ensure consistency. It was confirmed that current staff policies cover issues such as dealing with an employee's multiple absences for several unrelated reasons. The Council offered a suite of support initiatives including referral to occupational health specialists. It was reported that employees were offered the opportunity to talk to another manager about the reasons for their absence if they felt more comfortable doing so (i.e. if the employee wanted to speak to a manager of the same sex) not obliged to have an informal interview with their direct manager. Employees had a right of appeal to a third party independent manager after any informal absence interview.

The Scrutiny Officer informed the Committee that the Sickness Management

Scrutiny Review report will be brought before the next O & S Committee meeting for approval. The report will be submitted to the Portfolio Holder (Resources) and relevant officers for comment.

It was **RESOLVED**:

1. That the draft report is noted
2. That Recommendation 2.1.8 be amended to reflect the fact that the HR team and not Councillor John Mead will be providing an update on the suitability of a monthly wellbeing staff survey template
3. That the following recommendations be added to the report:
 - a. That officers consider amending the existing policy to address the issues raised by officers from Customer Service Centre and Housing Investment detailed at 4.1.14 to 4.1.26 to address the following issues:
 - (i) Providing flexibility to Managers to use discretion when managing sickness and inconsistencies across the organisation
 - (ii) That planned medical operations/procedures and accidents be treated differently from other sickness reporting
 - (iii) That the offer from CSC and Housing Investment be tied in with the option of a wider staff questionnaire/survey at Recommendation 8
 - (iv) That managers have access to past Return to Work Interviews, sickness data and reasons for informal/formal meetings all in one place
 - (v) That officers consider clarifying the trigger points between formal and informal interviews

6 URGENT PART 1 DECISIONS AUTHORISED BY THE CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE

Future High Street Fund: Expression of Interest

The Committee noted the comments of the Executive. It was reported that unfortunately the Old Stevenage High Street did not meet the criteria for the submission of an expression of interest. However, it was hoped that other funding sources could be identified for investment in the Old Town High Street area. Officers confirmed that the submission of expression of interest will not jeopardise the town centre regeneration projects. Projects for the Future High Street Fund will be identified if Stevenage was successful in the first phase of the bidding process.

7 URGENT PART 1 BUSINESS

None.

8 **EXCLUSION OF PUBLIC AND PRESS**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88
2. That having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure

9 **PART II MINUTES - 18 FEBRUARY 2019**

It was **RESOLVED** that the Part II Minutes of the Overview and Scrutiny Committee meeting held on 18 February 2019 are approved as a correct record and signed by the Chair.

10 **PART II DECISIONS OF THE EXECUTIVE**

The Committee noted the comments of the Executive.

11 **URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

None.

12 **URGENT PART II BUSINESS**

None.

CHAIR

STEVENAGE BOROUGH COUNCIL

**COMMUNITY SELECT COMMITTEE
MINUTES**

Date: Tuesday, 26 March 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

Present: Councillors: Sarah Mead (Chair), Adam Mitchell CC (Vice-Chair), Sandra Barr, Jim Brown, Liz Harrington, John Mead and Sarah-Jane Potter.

Start / End Start Time: 6.00pm
Time: End Time: 7.40pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were submitted on behalf of Councillor Tom Wren.

There were no declarations of interest.

2 MINUTES - 12 FEBRUARY 2019

It was **RESOLVED** that the Minutes of the meeting of the Community Select Committee held on 12 February 2019 are approved for signature by the Chair.

3 THE SOSAFE COMMUNITY SAFETY ACTION PLAN 2018/19 AND EMERGING PRIORITIES FOR 2019/20

The Community Safety Manager presented a report and gave a visual and oral presentation to the Committee setting out the agreed priority themes for 2018/19:

- Anti-Social Behaviour (ASB)
- Safeguarding, Hate Crime and Domestic Abuse
- Modern Slavery and Child Sexual Exploitation (CSE)
- Alcohol and Drug Related Crime and Disorder
- Knife Crime
- Scams and Fraud

The Committee was informed that the Partnership had performed well and all actions had been completed, in some cases having exceeded expectations eg Modern Slavery.

The Committee was advised that the additional funding obtained by the Service totalled £279,108.00. This included funding for the successful partnership working undertaken with North Herts District Council.

The Community Safety Manager reported on a number of events held in 2018 including a quarterly PSPO event, Modern Slavery awareness conference, Online safety advice event, National Personal Safety Day and Silver Street Meets.

In response to a question about Silver Street Meets, officers agreed to provide upcoming dates to the Ward Councillor for St Nicholas.

Members sought clarification on the 2018/19 crime/ASB figures referred to in the report. Officers advised that as a result of the introduction of a new software system and a change in how data was reported there had been problems in receiving the information. Officers agreed to check the figures after the meeting and advise Members of any differences. They did advise, however, that the priorities were based on the priorities of the police, officers and members rather than the data received.

The Portfolio Holder for Communities, Community Safety and Equalities advised that she would raise the issue at the next police and Crime Panel meeting.

Officers advised the Committee that the Partnership consultation for the 2019/20 Action Plan, which would be ratified by the Responsible Authorities Group at its meeting on 15 April, commenced on 4 March 2019.

Officers informed Members of the efforts made by the Service to tackle anti-social behaviour and homelessness including the issue of using communal areas in tower blocks for rough sleeping and also the support and engagement with the known homeless people around the Town.

The Committee then watched a video showing aspects of the work of the Community Safety Team.

The Chair thanked the Community Safety Officer and her Team for their work and commitment in all aspects of the Service.

It was **RESOLVED**:

1. That the report is noted;
2. That the Community Safety Manager provides details about the crime statistics referred to in the report;
3. That the Community Safety Team be thanked for their hard work and congratulated on their achievements.

4 **URGENT PART 1 BUSINESS**

None.

5 **EXCLUSION OF PUBLIC AND PRESS**

Not required.

6 **URGENT PART II BUSINESS**

None.

CHAIR

This page is intentionally left blank

STEVENAGE BOROUGH COUNCIL

COMMUNITY SELECT COMMITTEE MINUTES

Date: Monday, 1 April 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

Present: Councillors: Sarah Mead (Chair), Adam Mitchell CC (Vice-Chair), Sandra Barr, Jim Brown, Liz Harrington, John Mead and Sarah-Jane Potter.

Start / End Time: Start Time: 6.00pm
End Time: 7.00pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Cllr T Wren.

There were no declarations of interest.

2 **COMMUNITY SELECT COMMITTEE - SCRUTINY WORK PROGRAMME 2019/2020**

The Committee considered a report by the Council's Scrutiny Officer, which invited the Committee to agree the Scrutiny Work Programme for the 2019/2020 Municipal Year. The report was based on responses from all Members involved in the scrutiny process regarding current scrutiny arrangements and possible scrutiny topics. It was noted that the public had not raised any issues for consideration.

The Committee discussed the following potential Scrutiny reviews items for 2019/2020:

The length of time that Housing assets (Bathrooms and Kitchens) go without being replaced – The Assistant Director (Housing & Investment) informed Members that details of the lifetime of housing assets were included in the recently approved Asset management Strategy which could be circulated to Members.

Use of Local Community Budget (LCB) funding – Members noted that the use of LCB funding was thoroughly reviewed in recent years. It was highlighted that LCB cannot be used for ongoing expenses.

Homelessness – It was reported that homelessness in Stevenage was not on the increase. However, officers were finding it difficult to provide meaningful support to a small group of hard-to-help individuals. The Assistant Director (Housing & Investment) informed the Committee that there were plans to carry out a publicity campaign focussing on myth busting and raising awareness of Council initiatives to tackle homelessness. A Homelessness and Rough Sleeper Strategy was due to be

considered by the Executive in July 2019 and a Portfolio Holders Advisory Group meeting would take place beforehand.

Stevenage Leisure Limited, Fairlands Valley Park and Sports & Leisure across Stevenage – It was acknowledged that there could be merit in reviewing the combined private, public and voluntary leisure and cultural services offer for Stevenage to help inform the next Leisure Management Contract. Members were of the opinion that the sailing centre at Fairlands Valley Park appeared to be attracting relatively few participants from Stevenage. The sailing centre was being sustained by revenue from other amenities in Fairland Valley Park. This could be used to inform the development of SBC's future Leisure Management Contract and could contribute more broadly to the Cultural Strategy. Consideration would have to be given to the resourcing of such a piece of work should Members wish for it to proceed.

Museum Review – Members were informed that the Museum received new equipment after the review in 2016. Officers were looking at relocation options for the Museum as part of the town centre regeneration.

Neighbourhood Wardens – The Assistant Director (Communities & Neighbourhoods) informed the Committee that a number of sessions were being scheduled to introduce Members to their respective neighbourhood wardens. It was hoped that the briefing sessions will provide clarity on the role of neighbourhood wardens. Members indicated that a review on Neighbourhood Wardens could incorporate the proposed area-based working model, interviews with neighbourhood wardens, comparison of working arrangements in Stevenage wards and benchmarking against other local authorities.

The Healthy Hub – The Committee agreed that the 2018/19 Public Health session was beneficial because it covered topical issues such as obesity and diabetes awareness. Members were informed that the Hertfordshire Stop Smoking Service started working with Stevenage Food Bank as a follow up to the public health scrutiny session. It was noted that the Committee was still awaiting an update from Hertfordshire County Council Director of Public Health regarding funding for diabetes courses. Members may wish for the Healthy Hub to receive further focus as part of the next years Health focused scrutiny session.

Fly-tipping of bulky goods in Stevenage housing blocks – The Assistant Director (Housing & Investment) informed Members that a number of security cameras had been installed at flat blocks to monitor fly-tipping and other cases of anti-social behaviour. It was confirmed that the Council could exercise the option to prosecute fly-tipping cases.

Members put forward the following issues as additional potential scrutiny items:

- Council's IT services
- The perceived concern of "digital exclusion" for the town's low-income groups, including older people and those with disabilities. It was suggested that the Council's Welfare Reform Group Chair provide an update re action taken in conjunction with partners to seek to address this matter.

It was **RESOLVED:**

1. That Scrutiny Members' feedback on ideas for improving Scrutiny (see section 4 of the Scrutiny Officer's report) be noted
2. That the Assistant Director (Housing & Investment) circulates to the Committee:
 - a) A copy of the diagram in the Asset management strategy which shows the life cycle of each element
 - b) Email address that can be provided for Members and for customers to contact to understand when an element might be replaced
3. That the issue of homeless people living with family and friends be clarified in the Homelessness & Rough Sleeper Strategy that is due to go to the Executive in July 2019
4. That the Assistant Director (Housing & Investment) provides the Committee:
 - a) A written response on current arrangements for fly-tipping recharges
 - b) An update on issues relating to digital exclusion that were highlighted in preparation for the introduction of Universal Credit
5. That the Assistant Director (Communities and Neighbourhoods) provides updates on the following:
 - a) Current guidelines on the use of LCBs
 - b) Cultural Strategy & Stevenage Museum
6. That the Assistant Director (Stevenage Direct Services) provides an update on the roll out of the new play areas across the town
7. The Healthy Hub be a key focus for the 2019/20 annual Public Health session
8. That having considered ideas put forward by individual Members the following matters be added to the list for consideration, prioritisation and scoping as possible Community Select Committee Scrutiny Work Programme items for 2019/2020
 - a) Stevenage Leisure Limited, Fairlands Valley Park and Sports & Leisure across Stevenage (Paragraphs 5.1.5, 5.1.6, 5.1.14 and 5.1.16 to the report referred). This would be covered under the heading of "Sports & Leisure in Stevenage"
 - b) Neighbourhood Wardens (Paragraphs 5.1.8 and 5.1.15 to the report referred)
9. That, the following statutory and standing items also be provided for within the Committee's Scrutiny Work Programme for 2019/2020:

- a) Crime and Disorder Committee (Statutory Committee)
- b) Public Health Meeting (Standing Item)

10. That the following Portfolio Holder Advisory Group meetings to carry out policy development work identified so far be noted (Paragraph 7.1 to the report referred):

- a) Homelessness & Rough Sleeper Strategy (June 2019)
- b) Housing Older Persons Strategy (June 2019)
- c) Housing Service Charge Review (October/November 2019)
- d) Community Centres Review (October 2019)
- e) Rent Policy (December 2019)
- f) Tenancy Strategy
- g) Customer Strategy

3 URGENT PART 1 BUSINESS

None.

4 EXCLUSION OF PUBLIC AND PRESS

Not required.

5 URGENT PART II BUSINESS

None.

CHAIR

STEVENAGE BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE
MINUTES

Date: Tuesday, 30 April 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

Present: Councillors: Lin Martin-Haugh (Chair), Sandra Barr, Jim Brown, Michael Downing, Jody Hanafin, Michelle Gardner, Lizzy Kelly, Sarah-Jane McDonough, John Mead, Sarah Mead, Adam Mitchell CC and Robin Parker CC.

Start / End Time: Start Time: 6.00pm
End Time: 7.00pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

An apology for absence was received from Councillor Phil Bibby, CC.

There were no declarations of interest.

2 MINUTES - 18 MARCH 2019

It was **RESOLVED** that the Minutes of the Overview and Scrutiny Committee held on 18 March 2019 are approved as a correct record and signed by the Chair.

3 PART I DECISIONS OF THE EXECUTIVE

Minutes of the Executive – 14 March 2019

The Committee noted the comments of the Executive.

Local Development Scheme (LDS)

The Interim Assistant Director (Planning and Regulatory) advised that the Council's existing Local Development Scheme (LDS), approved in July 2016, needed to be updated to reflect the delay in adoption of the Stevenage Borough Plan as a result of the recent lifting of the Secretary of State's Holding Direction. The proposed revised LDS now showed an anticipated adoption date for the Local Plan of 22 May 2019, as well as timetables for the Railway Station Area Action Plan and the introduction of the Community Infrastructure Levy (CIL), as well as a programme for reviewing the Council's Statement of Community Involvement.

In response to questions raised by Members, the Portfolio Holder for Environment and Regeneration and officers responded as follows:

- Why were the Community Infrastructure Levy (CIL) rates for Stevenage low in comparison with other Hertfordshire Local Authorities? The Community Infrastructure Levy (CIL) rates for Stevenage had been determined according to evidence produced by an external specialist consultant in this field. There were certain viability issues relating to development in the town, and viability was likely improve further with the regeneration of the town centre. However, officers were keen to bring in CIL in as early as possible to ensure the Council captured Local Plan schemes. The Council had committed to a review of the CIL rates 12 months after adoption, where any changes in viability could be addressed. In any event, the proposed CIL rates would be subject to examination by an Independent Inspector, who would review the rates in full;
- When did the Council receive notification of the lifting of the Holding Direction? The letter from the Secretary of State for Housing, Communities and Local Government lifting the Holding Direction was undated, but it was confirmed that the letter had been received by the Council on 25 March 2019; and
- Would the Council be able to reclaim its costs associated with work on the Judicial Review application? Officers confirmed that the Council would be seeking to reclaim its legal costs associated with work on the Council’s Judicial Review application, and undertook to provide Members of the Committee with figures relating to these legal costs, together with an estimate of officer time spent over the past 18 months on matters relating to attempts made to obtain a lifting of the Holding Direction. Officers indicated that costs could be made publically available.

Stevenage Borough Local Plan: Pre-Adoption Draft

The Interim Assistant Director (Planning and Regulatory) provided the background and history to the Local Plan, as set out in Section 3 of the Executive report, leading up to the Secretary of State’s issuing of a Holding Direction in November 2017, which had remained in force for over 16 months.

The Portfolio Holder for Environment and Regeneration advised that the Executive had been informed that the Council was now at the stage where it could either adopt the Stevenage Borough Local Plan, incorporating the Main Modifications recommended by the Inspector, or must withdraw it completely. There was no opportunity to open up for discussion issues previously considered during earlier consultation processes on the Plan or at the Examination in Public held in early 2017.

In response to questions raised by Members, the Portfolio Holder for Environment and Regeneration and officers responded as follows:

- Was there any significance in the Secretary of State’s requirement that reference in the Plan to a “new” Railway Station should be removed? The Secretary of State’s requirement that reference in the Plan to a “new” Railway Station should be removed was of no major significance to the Local Plan. Both amendments were minor modifications. It had always been the intention of the Council to press for an improved and regenerated Station, which had received

support from residents and local businesses.

In relation to the above matter, the Leader of the Opposition commented that he had always agreed with the Council's position regarding the Railway Station and was now pleased that the Local Plan would refer to a "regenerated" rather than a "new" Station and would enable those involved to move forward with the regeneration of the Station and surrounding area;

- Could planning matters not covered by the Local Plan be considered by the Council? The Plan outlined the use for various areas of land, but the details of each development would be matters for consideration by the Planning and Development Committee. All major site allocations would be subject to the production of Master Plans. The Plan would not preclude planning applications to be considered by the Planning and Development Committee for sites and matters not contained within it;
- Why had the Planning Inspector removed the words "at least" from "at least 30%" in respect of the level of affordable housing relating to Policy HO3 (Land North of Stevenage)? Main Modification 57 (MM57) regarding removal of the words "at least" in relation to 30% affordable housing, was put forward by the Planning Inspector. In her view, Policy HO3 (Land North of Stevenage) should not be seeking an affordable housing level above those rates set out in Policy HO7 (Affordable Housing Targets). The Council would still be able to push for a greater proportion of affordable housing, but would not be able to insist upon it.
- Officers undertook to provide Members of the Committee with details of any potential loss of affordable housing provision in the Borough as a result of the prolonged imposition of the Holding Direction.
- The Committee had no other comments on the Executive's initial proposal to recommend to Council to accept the Inspector's recommendation to adopt the Stevenage Borough Local Plan, incorporating main and minor modifications attached as Appendix C to the Executive report, and associated Proposals Map, and also to revoke the District Plan Second Review 2004 (BD1 to the report).

A Member commended and thanked the Portfolio Holder for Environment and Regeneration, other relevant Members and officers for their determination and perseverance over the past few years which had finally led to current position.

4 **URGENT PART I BUSINESS**

None.

5 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED:**

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as

described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88.

2. That having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

6 **PART II MINUTES - 18 MARCH 2019**

It was **RESOLVED** that the Part II Minutes of the Overview and Scrutiny Committee meeting held on 18 March 2019 are approved as a correct record and signed by the Chair.

7 **PART II DECISIONS OF THE EXECUTIVE - 30 APRIL 2019**

It was **RESOLVED** that the following Part II decision of the Executive meeting held on 30 April be noted:

- Part II Minutes of the Executive – 14 March 2019.

8 **URGENT PART II BUSINESS**

None.

CHAIR

STEVENAGE BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE
MINUTES

Date: Thursday, 16 May 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

Present: Councillors: Lin Martin-Haugh (Chair), Philip Bibby CC (Vice-Chair), Jim Brown, Michael Downing, Michelle Gardner, Lizzy Kelly, Sarah-Jane McDonough, John Mead, Sarah Mead, Adam Mitchell CC and Robin Parker CC.

Also Present: Councillor John Gardner (Executive Portfolio Holder for Environment & Regeneration).

Start / End Time: Start Time: 6.00pm
End Time: 6.07pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Sandra Barr and Jodie Hanafin.

There were no declarations of interest.

2 MINUTES - 30 APRIL 2019

It was **RESOLVED** that the Minutes of the Overview and Scrutiny Committee held on 30 April 2019 are agreed as a correct record and signed by the Chair.

3 PART I DECISIONS OF THE EXECUTIVE

The Committee had before it the agenda and reports from the meeting of the Executive held on 14 May together with the Notice of Decisions as published after the meeting.

This report had not been circulated to Members five clear days before the meeting nor had it been made available for public inspection. The Chair determined however that given the short period of time left before the end of the call-in period on 21 May 2019, it be considered on this occasion.

Minutes of the Executive – 30 April 2019

The Committee noted the comments of the Executive.

Stevenage Borough Local Plan: Pre-Adoption Draft

The Committee was advised that the Executive were grateful for the comments

provided from the meeting of the Overview and Scrutiny Committee held on 30 April.

The Committee thanked Officers for the details provided in respect of the costs associated with the Holding Directive.

In reply to a question it was confirmed that the letter referred to in the Executive Notice of Decisions from a local resident was the one that had been received by all Members. It was further confirmed that the Council's response to that letter would be circulated to all Members.

There were no further comments.

It was **RESOLVED** that the following Part I decisions taken by the Executive at its meeting on 14 May 2019 are noted:

- Minutes of the Executive 30 April 2019.
- Stevenage Borough Local Plan: Pre-Adoption Draft

4 **URGENT PART I BUSINESS**

None.

5 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED** that:

1. Under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as described in paragraphs 1-7 of Part 1 of Schedule 12A of the Act as amended by SI2006 No.88.
2. Members having considered the reasons for the following report being in Part II and determined that the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

6 **URGENT PART II BUSINESS**

None.

CHAIR

Meeting: EXECUTIVE

Portfolio Area: The Leader

Date: 12 JUNE 2019

APPOINTMENT OF EXECUTIVE BODIES

Author: Jackie Cansick Ext. No. 2216

Lead Officer: Matt Partridge Ext. No. 2456

Contact Officer: Jackie Cansick Ext. No. 2216

1. PURPOSE

- 1.1 To establish the Executive Committees and other bodies of the executive with delegated powers and appoint members and chairs/lead members for each.

2. RECOMMENDATIONS

- 2.1 That the following Executive Bodies be established with the terms of reference and membership* as set out in Section 3 below and Chairs/Lead Members be appointed for each –

Appeals, Grievances and Litigation Committee
Housing Development and Regeneration Committee
Stevenage and East Herts. Joint Executive Revenues and Benefits
Shared Service Committee

*Only Executive Members may be appointed to serve.

- 2.2 That the terms of reference and membership of the Stevenage, North Herts, East Herts and Hertsmere Joint CCTV Committee as agreed by the Leader (shown at paragraphs 3.6-3.7) be noted.

3. BACKGROUND

3.1 Appeals, Grievances and Litigation Committee

Membership: Chairman - Portfolio Holder for Resources and three members of the Executive

Quorum - three

Terms of Reference –

Except where matters fall to be considered by any other body -

1. To hear and determine appeals against dismissal or disciplinary action in the case of Officers employed on Chief Officer Terms and Conditions.

2. To hear and determine grievances under the final stage of the grievance procedure in the case of Officers employed on Chief Officer Terms and Conditions; or, in the case of other officers, where no Strategic Management Board is able to hear the grievance.

3. To receive reports and opinions on litigious and potentially litigious matters whether or not the matter under consideration has been referred to the courts or any tribunal.

4. To authorise the Borough Solicitor to commence legal proceedings or defend or settle, if so required in any case on terms, any litigation matter or potentially litigious matter.

3.2 For information, the Membership of this Panel in 2018/2019 comprised –

Councillor Mrs Joan Lloyd (Chairman)
Councillor J Gardner
Councillor R Raynor
Councillor S Taylor OBE CC

3.3 **Housing Development and Regeneration Committee**

Membership: Chair - Leader of the Council
Portfolio Holder for Housing, Health and Older People
Portfolio Holder for Resources
Portfolio Holder for Environment and Regeneration
Portfolio Holder for Neighbourhoods & Co-operative Council

Quorum – Three

The purpose of the committee is to oversee and support the delivery of the Housing Development and Regeneration programmes.

HOUSING DEVELOPMENT

1. To consider and approve documents relating to Development Strategy, Design Standards and a Pipeline of schemes that will form the strategic core of the Council's Housebuilding Programmes.

2. To consider and approve the financial resources of the programme in light of the individual schemes being delivered and their outputs in relation to:

- a. Scheme Design & Unit mix
- b. Scheme Quality
- c. Scheme Mile stones
- d. Consultation programme &
- e. Scheme Costs & financial appraisals

3. To authorise an envelope of funding for officers to bid for and complete on new sites and development opportunities that will enhance the Council's pipeline for new housing or form part of the land assembly required to deliver approved schemes.
4. To consider outline designs, individual scheme concepts and scheme appraisals on which to approve the submission of detailed planning applications, and/or if more appropriate outline planning applications, by the Council's appointed contractors, consultants or officers .
5. To invite Ward Members to attend meetings of the Committee, or other consultation events noted in the consultation programme when potential development sites in their ward are under consideration, and to provide an opportunity for Ward Members to provide comments on proposed developments.
6. To authorise officers to commence procurement of delivery partners/contractors for sites that have achieved planning permissions and are considered to be contributing towards a viable development programme.
7. To delegate authority for the appointment of contractors to deliver approved schemes to the Strategic Director for small to medium sized projects up to a construction value of £4m. The subcommittee will approve all other contract awards over £4m.
8. To approve, and include within financial appraisals, the use of the following sources of funding for the development of individual sites within the Council's Housebuilding Programme:
 - (a) The agreed Housing Capital Programme Budget for the Housebuilding Programme;
 - (b) Capital receipts made available through the Council's Agreement with the Ministry of Housing, Communities and Local Government allowing the use of Receipts from additional Right to Buy (RTB) sales as a result of the Government's increase in the maximum RTB discount to be spent on House Building;
 - (c) Financial contributions received from developers or other sources for the provision of Affordable housing within the borough, in lieu of on-site affordable housing provision, in compliance with Section 106 Planning Agreements; and other eligible grant from new sources
 - (d) Grant funding received from Homes England (HE)
 - (e) Development support income generated through private sale homes, land disposals and shared ownership homes on schemes and land identified in the programme.
9. To monitor and report to the Executive on an annual basis the progress with the Council's Housebuilding Programme; and expenditure on the Housing Capital Programme Budget for the Council's Housebuilding Programme, ensuring the use (within the required Deadlines) of the capital receipts made available through the Council's Agreement with the Ministry of Housing, Communities and Local

Government allowing the use of receipts from additional Right to Buy (RTB) sales as a result of the Government's increase in the maximum RTB Discount to be spent on house building.

10. To approve applications to HE (or any successor body) to obtain Investment Partner Status (or similar), in order to enable the Council to seek funding from HE, and to approve funding bids to HE for development within the Council House Building Programme.

11. To consider and approve the future use of any potential development site previously identified by either the Committee or Executive as having possible development potential for Council House Building where it either does not gain planning consent, is deemed inappropriate to develop by the Committee for whatever reason or where the development appraisal identifies that the site is economically undevelopable.

12. To decide, where necessary, the names of developments undertaken through the Council House Building Programme, following consultation with Ward Members.

13. To decide the name of the Council's wholly owned Housing Development Company [WOC].

14. To receive an annual summary and accounts of the WOC's performance against key performance measures

15. To consider the annual revised versions of the first Business Plan produced by the WOC, and any subsequent Business Plans for additional housing schemes, and to make recommendations to Executive in relation to them.

16. To consider any requests from the WOC to acquire any property or otherwise trade outside the Council's administrative area and to make recommendations to Executive in relation to them.

REGENERATION

17. To consider and approve projects relating to Stevenage Central Framework, and any further opportunities or schemes that will support the strategic vision for the regeneration of Stevenage Town Centre.

18. To engage and shape the communication and marketing strategy for the regeneration of the town. To consider consultation and engagement arrangements for different regeneration schemes.

19. To authorise officers to commence procurement of delivery partners/contractors for schemes that are considered to be contributing to the vision for the town centre in accordance with the Council's Constitution.

20. To monitor and report to the Executive on an annual basis the progress within the Council's overall regeneration programme; including project progress, future planning and commissioning of projects, funding options and future bidding rounds.

21. To review progress of schemes being progressed via Development Partnerships or joint ventures with commercial partners. To consider individual scheme concepts or schemes to be brought forward through these commercial arrangements.

22. To receive an annual report regarding the Queensway regeneration scheme from the Queensway LLP (“the LLP”), consider and approve the LLP’s Business Plan and hold the Council’s officer representatives on the LLP to account for delivery of the Business Plan. To authorise an operational expenditure cap of up to £100k per annum for LLP spend which is supplementary to the agreed Business Plan. To receive a regular progress report from the Council’s officer representatives on the LLP and delegate the signing off of LLP accounts, appointment of auditors and change of representatives to the Chief Executive having consulted with the Portfolio Holder for Environment and Regeneration.

23. To highlight and support bidding opportunities which will aid delivery of the Stevenage Central Framework vision for the town centre.

24. To consider, guide and authorise additional strategies and concepts which will support the regeneration of Stevenage Town Centre.

3.4 Stevenage and East Herts. Joint Executive Revenues and Benefits Shared Service Committee

SBC Membership: Lead Member – Portfolio Holder for Resources (serving as Chairman when appropriate) and the Portfolio Holders for Housing, Health and Older people and one other.

Quorum - three Members (at least one from each constituent Authority)

Terms of Reference -

1. To approve the annual Service Plan for the Share Revenues and Benefits Service.
2. To receive explanations of variances in service performance against the agreed Service Plan.
3. To approve the budget of the Shared Service and where so delegated determine requested virements within that budget.
4. To give initial consideration to future development of the Shared Service and any changes in legislation that may affect service delivery and make recommendations thereon to the Executive or Officers.
5. Where it is considered appropriate, report to the Executives of the Constituent Councils.

3.5 The SBC Membership of this Joint Committee in 2018/2019 comprised –
Councillor Mrs Joan Lloyd (Chairman)

Councillor J Thomas
Councillor R Raynor
Substitute – Councillor J Hollywell

3.6 **Stevenage, North Herts, East Herts and Hertsmere Joint CCTV Committee**

The first meeting in the 2019/2020 of this Committee was held on 5 June 2019. The Leader was therefore approached to confirm the terms of reference and the Stevenage membership in advance of this meeting.

The terms of reference were agreed as follows –

SBC Membership: Lead Member - Portfolio Holder for Community, Community Safety and Equalities (serving as Chair when appropriate) and two Members of the Executive

Quorum - four Members (one from each constituent Authority)

Terms of Reference -

1. To agree the strategy and policy relating to the jointly operated CCTV Control and Monitoring service.
2. To receive the CCTV Annual Report, Independent Inspector's Report and other relevant reports.
3. To deal with all matters defined under the code of practice as the responsibility of the Executive Board.
4. To consider expansion and contraction proposals for the control room monitoring service.
5. To consider and agree minor changes to the Code of Practice.
6. To consider and recommend significant changes in the Code of Practice.
7. To ensure that the Independent Inspection regime is set up and maintained.
8. To consider complaints regarding breaches of the Code of Practice and recommendations for disciplinary action and actions, or changes to prevent reoccurrence.

9. To deal with any matters as identified under the Joint Agreement as requiring the actions of the Executive Board; in particular:

To require reports from the Authorising Officer on management and operational matters

To consider matters referred to the Authorising Officer under the Joint Agreement disputes procedure

To consider proposals to incur additional control and monitoring room cost as a result of expansion within the allocated camera expansion capacity of one party.

10. To make recommendations on any of the above to the Officer Management Board.

3.7 The following membership was also agreed -

Councillor J Hollywell - SBC Lead
Councillor Mrs Joan Lloyd
Councillor R Henry

BACKGROUND DOCUMENTS

BD 1 - The Council's Constitution

<http://www.stevenage.gov.uk/about-the-council/councillors-and-democracy/17074/>

APPENDICES

None.

This page is intentionally left blank

Meeting: EXECUTIVE
Portfolio Area: Housing and Investment
Date: 12 June 2019

DECENT HOMES REFURBISHMENT CONTRACT PROCUREMENT OPTIONS APPRAISAL (INVESTMENT)

KEY DECISION

Author	Martin Keenan	Ext. No 2381
Lead Officer	Matt Partridge	Ext.No.2456
Contact Officer	Martin Keenan	Ext.No.2358

1. PURPOSE

1.1 To seek approval to commence procurement of a Decent Homes Internal Works Contract. The current contract is due to end in December 2019. This contract is key to maintaining decency of the Council's stock in line with the Decent Homes standard.

2. RECOMMENDATIONS

- 2.1 That approval be given for officers to procure a contract to conduct essential refurbishment work to various HRA properties as identified in the Asset Management Strategy.
- 2.2 That a single Contractor is appointed to undertake the works for reasons as set out in section 4.1 of this report.
- 2.3 That the contract be offered to market at an estimated contract value of £1.7m per annum for a term of three years, with the option to extend the term by an additional three years.
- 2.4 That the price and quality aspects of the tender are evaluated based on a ratio of 40/60 (price/quality).
- 2.5 That the procurement route is through a restricted process for reasons set out in section 4.4 of this report
- 2.6 That the Strategic Director be given delegated authority to award and finalise the terms of the contract with the winning bidder after officer evaluation of tenders received and having consulted the Portfolio Holder – Housing, Health and Older People.

3. BACKGROUND

- 3.1 This Procurement report has been prepared following the early termination of the Contract for Decent Homes, comprising kitchen, bathroom, heating, rewires and disabled adaptation works that commenced on 4 October 2016.
- 3.1 Following the end of the contract with Axis in December 2017, Stevenage Borough Council entered into a short term contract with United Living under an existing Framework agreement. While this approach has ensured continuity of service and value for money it was not intended to provide a long term solution to the requirements and will end, subject to two 6-month extensions, in December 2019.
- 3.2 The Asset Management plan has identified the need for a programme of refurbishment works to approximately 300-450 homes within the Borough. The total value of the contract is estimated to be approximately £1.7m per annum and it is proposed that the contract commences in February 2020 and is offered to market as a three year contract with an option to extend for a further three years. The option to extend would be subject to funding and both parties agreement. The budget provision for these works is included in the approved capital programme.
- 3.3 The work is necessary to ensure that the stock remains well maintained, compliant with regards to statutory obligations towards electrical installations as well to ensure compliance with the Housing Health and Safety Rating System.
- 3.4 The work is also critical in order for SBC to maintain the “Decent Homes” standard. The Decent Homes standard is being reviewed as part of the Social Housing Green Paper. It is not anticipated that, as part of this review, any changes in the standards will have an impact on this proposed procurement and programme of works. The Decent Homes target is for 90% of the stock to be classified as decent at the end of each year.
- 3.5 The scope of works for the contract includes;
- Electrical rewires;
 - Boiler and central heating installations;
 - Replacement bathrooms and associated decorations;
 - Replacement kitchens and associated decorations;
 - Level access showers;
- 3.6 As part of the review of the scope of works the In-house Repairs & Voids team will continue to carry out low-level aids and adaptations works. At this stage more complex works are assessed and carried out on an individual basis through the Councils quotation or tender process.

3.7 Procurement Project Team

A project team comprising officers from Housing and Investment and Corporate Procurement has been formed to steer the procurement.

3.8 Resourcing Arrangements

It is considered that existing resources are sufficient to effectively manage the contract. The ongoing management of this contract will also be factored into the forthcoming Housing and Investment Business Unit reviews.

3.9 The ability of the winning supplier to provide a sufficient, capable and professional management team will form a key part of the tender process.

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

4.1 Number of contracts/Contractors

4.1.1 In preparing this Procurement Strategy consideration has been given to alternative approaches to packaging the works into different trade based or area based contracts and whether more than one Contractor should be engaged.

4.1.2 The scope of works required as set out in section 3.6 would be within the capability of a wide range of Contractors and therefore packaging the works into different trade based contracts does not appear to offer any benefits. In addition a combination of multiple works elements are required for a significant number of properties and delivery of these works through various Contractors would be likely to add delays, cause communication and coordination difficulties and ultimately result in a negative customer experience.

4.1.3 Appointing two or more Contractors would provide some mitigation for failure (i.e. if a contract fails the other Contractor can continue to deliver their work stream). However it should be noted that, under procurement regulations, works cannot be allocated on an ad-hoc basis and, in the event of failure of a Contractor to deliver, re-procurement would be required. The use of more than one Contractor may encourage a positive competitive approach.

4.1.4 Previous soft-market testing indicates that separating the works into two or more contracts would result in less attractive contract(s) from the market perspective and would likely reduce interest and increase pricing. Appointing two Contractors would result in higher Contractor management (preliminaries) costs. Typical preliminary costs would be 7.5% of the contract sum. It would also result in greater demand on existing SBC management resource as each Contract will require separate contract management.

- 4.1.5 The scope and value of the annual programme is relatively small and could easily be delivered by a single Contractor. The single Contractor would likely be a main Contractor using subcontracted labour and could be encouraged to utilise the Stevenage Works programme to advertise employment opportunities. This approach would more likely result in an increased social value offer.
- 4.1.6 Additional mitigation would include robust contract management arrangements with a range of key performance indicators and close monitoring of works.
- 4.1.7 In consideration of the above factors it is recommended that a single Contractor is appointed.

4.2 In-house services

- 4.2.1 For all contracts procured through Housing & Investment consideration is given to whether the works could be carried out in-house by our Repairs & Voids service. The Repairs & Voids service have produced a roadmap which sets out the timescales and a plan for carrying out suitable works in-house. The roadmap has helped inform the suggested contract duration and an assessment will be made during the latter stages of the first 3 years about carrying out works in-house at the end of this contract.

4.3 Contract Duration

- 4.3.1 Contracts of this nature typically exceed 4 years in duration. This ensures sufficient market interest and enables Contractors to invest in the contract and provide added value through Social Value initiatives and the like.
- 4.3.2 A variety of arrangements could be proposed for Contract duration. The recent approach with Housing and Investment has been to let a four or five year contract with the option to extend for a further two years.
- 4.3.3 As indicated in 4.2.1 there is potential for these type of works to be considered for the Council's in-house services in 3 or 4 years time.
- 4.3.4 To check if a reduction in the contract term from four to three years would have any impact representations were made with the incumbent Contractor and two other Contractors that currently work with SBC and offer similar services. All three Contractors advised that, if the overall potential term including optional years remained at six years, there is likely to be little or no impact on costs.
- 4.3.5 In this case it is recommended to let a three year contract with a three year extension provision.

4.4 Procurement Route

- 4.4.1 There are 2 approaches to compliant procurement for works of this nature:

- Procurement of a bespoke contract as set out in 4.4.2.
- Adoption of a pre-existing Framework as set out in 4.4.5.

4.4.2 For the procurement of a bespoke contract there are two procedures that could realistically be adopted for these works. The key features are:

- Open Procedure – any interested organisation may bid; both selection and award criteria are included in the evaluation process and the successful Bidder is selected on the pre-determined criteria, typically price and quality.
- Restricted Procedure – a shortlist of potential Bidders are selected through a pre-qualification process. The shortlisted Bidders are then invited to tender and the successful Bidder is selected on the pre-determined criteria, typically price and quality.

4.4.3 The circumstances under which the open or restricted Procedures can be adopted are set out in the Public Contracts Regulations 2015. While both the Procedures could be adopted the costs to both the potential Bidders and the Council of adopting the Open Procedure may be prohibitive as there are potentially a large number of potential Bidders that may respond that would require full assessments.

4.4.4 If a bespoke approach was followed it is recommended that the Restricted Procedure is adopted as this will enable the Council to shortlist suitable organisations on the basis of a focused but limited set of requirements.

4.4.5 The second approach would be the adoption of a pre-existing Framework. Under this arrangement the early stage of pre-qualification has been carried out by the Framework provider and the Council is able to go straight to tender without the pre-qualification phase. This approach will result in time benefits which will typically be in the order of 2 – 3 months with consequent savings on Officer time and cost.

4.4.6 Officers have identified a number of Frameworks that include the appropriate scope of works which include shortlisted Contractors that would be suitable, although it should also be noted that this approach would exclude other Contractors from tendering.

4.4.7 Adoption of a Framework route does not involve any direct cost to SBC although there is a levy on the successful Contractor of between 2% and 4% (dependent upon the Framework Provider) which is recovered through the rates and prices.

4.4.8 Under a Framework arrangement SBC would typically undertake a 'mini-competition' with those pre-qualified Contractors from the Framework that want to bid. Dependent on the specific framework the competition can be price only (as the quality element has been determined through the Framework Provider's Pre-Qualification process) or a mixture of Price and Quality.

- 4.4.9 If a Framework route is adopted Officers recommend that both quality and price should be evaluated to ensure the Stevenage specific requirements are included.
- 4.4.10 The Council has developed bespoke contracts through the delivery of three previous contracts for works of this nature delivered between 2008 and 2019. In doing so Officers are confident that the Council's specifications and pricing models are robust, accurately reflect the Councils standards and requirements and do not lend themselves towards bidder gaming/abnormally low tenders.
- 4.4.11 In consideration of the above it is recommended that the tender of a bespoke contract is advertised using the restricted procedure.

4.5 Evaluation Weighting & Criteria

- 4.5.1 Based on previous experience Officers would expect approx. 25 Standard Selection Questionnaire submissions. Procurement regulations require a minimum shortlist of 5 bidders be invited to tender and we propose an option to include up to two additional bidders if the scores are extremely close.
- 4.5.2 It is recommended that officers prepare an Invitation to Tender Document (ITT) that evaluates potential Bidders on a 60% Quality and 40% Price split, which is normal practice and is typical of the approach adopted by SBC for contracts of this nature.
- 4.5.3 The split of 60/40 reflects the importance of the Contractors approach and capability in working with the Council in building a long term relationship. The qualitative evaluation will focus upon those areas where the Contractor's approach can enhance service delivery and reflect the importance of working with residents.
- 4.5.4 The commercial evaluation will be based upon a bespoke schedule of 'Archetype' rates for complete elements e.g. Kitchen Replacements and will incorporate a robust schedule of additional items that can be used for significant changes together with the NHF Schedule of Rates for unforeseen items.

4.6 Commercial Model

- 4.6.1 As noted above the Commercial Model will be based upon rates and prices submitted for Bespoke 'Archetype' and rates for commonly occurring additional items. Rates and prices will only be amended upwards to reflect indexation provisions. In the event rates and prices are required that are not included within the original tender these will be agreed on a pro-rata or open book basis that is normal practice.
- 4.6.2 The indexation provisions are included to ensure that the risk profile for the programme does not result in inflated initial prices or a long term risk to the sustainability of the submitted tender.

4.7 Design responsibility

- 4.7.1 The basis of the procurement is that the Contractor will fulfil the role of Principal Designer under the CDM Regulations and retain full responsibility for all designs that it has prepared or have been prepared on its behalf.

4.8 Contract Terms & Conditions

- 4.8.1 It is recommended that the Contract will be procured using an amended version the Term Partnering Contract (TPC) 2005 (amended 2008). The contract will include bespoke amendments intended to reflect the Council's specific requirements and provide a more robust model for contract management.
- 4.8.2 SBC are familiar with the provisions and working practices included in the TPC form of Contract and are experienced in delivering contracts under the form, with all other long term and high value Capital Works programmes currently being delivered using this contract form.

4.9 Timetable

- 4.9.1 The current indicative timetable based upon adoption of a restricted process is set out below

Date	Event
12 June 2019	Approval to Proceed
24 June 2019	SSQ Issued
24 July 2019	SSQ Submission Date
31 October 2019	ITT Submission Date
2 December 2019	Intention to Award by Delegated Authority
5 – 19 December 2019	Standstill
December 2019 – January 2020	Mobilisation
17 February 2020	Commencement on Site

4.10 Social Value

- 4.10.1 As the contract is for 'Works' there is no formal requirement to include the provisions of the Social Value Act 2012. However, officers recognise the importance of social value and provisions will be included within the contract for the Contractor to support the Council's Social Value Objectives and in particular it's Stevenage Works Programme which focuses on provision of training, employment and community outreach opportunities.

4.11 Stakeholder Consultation

- 4.11.1 The whole approach to consultation will be created jointly with residents. A consultation strategy will be produced to provide a framework for consultation that will begin pre-procurement and will last for the life-span of the project.

4.11.2 The Strategy will identify the key-stakeholders in the scheme (certainly to include residents, members, staff and suppliers) to map-out common needs and to also provide for bespoke needs.

4.11.3 It is envisaged that, subject to consultation, “Steering Groups” will form the core of the engagement package. These groups will involve members from each of the key stakeholder groups. They will be bonded by Terms of Reference and will be offer over-sight across all of the key areas of the project.

5 IMPLICATIONS

5.1 Financial Implications

5.1.1 The contract is estimated to have an annual value of £1.7m for three years, with the possibility of a further three year extension, giving a contract value of between £5.1m and £10.2m. The provision for this project is within the approved capital programme and included in the current HRA Business Plan.

5.2 Legal Implications

5.2.1 As with the procurement of all large public contracts, there is a risk that procurement may be delayed due to ‘challenges’ made during the procurement process.

5.2.2 Shared Legal Services have been appointed to over-see the production of contract documentation and to support the procurement process.

6.3 Leaseholder Implications

6.3.1 As all of the works will be delivered within tenanted properties there are no Section 20 implications.

BACKGROUND DOCUMENTS

None

APPENDICES

None

Meeting Executive
Portfolio Area Housing Health and Older People
Date 12 June 2019



HERTFORDSHIRE HOME IMPROVEMENT AGENCY - 12 MONTH REVIEW

KEY DECISION

Authors Maurice Clay | 2175
Lead Officers Chris Berry | 2954
Contact Officer Chris Berry | 2954

1 PURPOSE

- 1.1 To provide information on the first year operation of the Hertfordshire Home Improvement Agency (HHIA).
- 1.2 To propose that the Council remains a member of the HHIA to give an opportunity for new arrangements to be in.

2 RECOMMENDATIONS

- 2.1 That the Executive notes the performance of the HHIA over the last 12 months and the Recovery Plan now in place.
- 2.2 That the Executive endorses the Council's continued participation in the HHIA.

2.3 That a further review report is brought to Executive in May 2020.

3 BACKGROUND

3.1 The HHIA is a joint agency of five Hertfordshire district councils and Hertfordshire County Council. The agency is governed through a formal Partnership Agreement that sets out the purpose of the partnership and the operating framework. Management oversight is provided by a board consisting of representatives of the member authorities; it is currently chaired by Watford Borough Council and located within the County Council's offices; the County Council provides support services.

3.2 At its meeting on 13th March 2018 the Council's Executive resolved that;

- Stevenage Borough Council should join the HHIA in April 2018.
- The Council's functions under the Housing Grants, Construction and Regeneration Act 1996, and any other functions relating to the delivery of the services provided by the HHIA, be delegated to Hertfordshire County Council.
- The Strategic Director be authorised to execute all documents required for the Council to join the HHIA.
- The Assistant Director (Planning and Regulation) be nominated, and in his absence his nominated deputy, as the Council's representative on the Board of the HHIA with authority to take appropriate decisions on behalf of the Council.
- The Council reviews the performance of the HHIA twelve months post joining to determine whether it should remain a member of the authority and consider the potential for the Repairs and Voids team to bid for HHIA work.

3.3 In accordance with the final resolution of the Executive of 13th March 2018, this report sets-out to summarise the operation of the HHIA over the year since the Council joined and seek the endorsement of Members for the Council's ongoing participation.

Purpose of the HHIA

3.4 The Housing Grants, Construction and Regeneration Act 1996 requires Local Housing Authorities (LHAs) to provide financial assistance to people with disabilities who require adaptations to their home to enable them to live independently. This assistance is generally provided by way of a Disabled Facilities Grant (DFG).

3.5 Upon receipt of a request from a resident, the County Council's occupational therapist carries out an assessment and recommends the adaptations that

the client requires. The HHIA receives the referral, undertakes a means test to determine whether the client is required to make a contribution, approves the grant and makes payment on satisfactory completion of the works.

- 3.6 The agency provides a 'one stop shop', through its trusted assessors, for provision of stair lifts, over bath showers and level access showers where there is no ongoing medical or social care need. This takes the client through the whole process from initial assessment through design, grant application and contractor procurement to delivery of the adaptation.
- 3.7 Due to demographic changes the demand for adaptations is significant and rising in Hertfordshire and this trend is predicted to continue. Reflecting this, the level of grant distributed by central government to support DFG activity has increased significantly in recent years. In most cases adaptations represent a cost-effective alternative to rehousing or placement in residential care. The participating authorities believe the HHIA shared service model offers the potential for economies of scale as well as the added benefit of a single end-to-end customer service.
- 3.8 The aims of the HHIA are:
- To ensure that all individuals in Hertfordshire who need housing adaptations to support independent living will have access to an appropriate service that is timely, accessible, equitable and fit for purpose to address rising demographic pressures.
 - To deliver a fully standardised service, enhancing operational efficiency, customer satisfaction and improving value for money.
 - To implement robust monitoring arrangements against key performance indicators.
 - To improve service resilience through joined-up working, adopting common methodology and service standards, sharing staff knowledge, skills and expertise.
 - To open up future opportunities to expand into private sector adaptations and align to wider Clinical Commissioning Group activity in order to maximise income generation, efficiency and value, and impact of the DFG element of the Better Care Fund.
- 3.9 DFG expenditure is fully met by capital grant from the Ministry of Housing Communities and Local Government (MHCLG) which is paid to the County Council as part of the Better Care Fund with a requirement to passport the grant to first tier authorities who administer their own DFGs. Those authorities which are members of the HHIA no longer receive the grant as they have formally delegated DFGs to the County Council to administer through the HHIA on their behalves.

- 3.10 Stevenage Borough Council aims to ensure that best value and return is achieved for Stevenage residents who may benefit from eligible adaptations, thereby enabling them to stay in their homes for longer. This ambition has been communicated very clearly to HHIA management.

Performance

- 3.11 In relation to Stevenage Borough Council's area specifically, the table below gives a comparison of DFG activity in the final year of in-house service provision compared with the first year of delivery by HHIA:

	2017-18 – in-house service provision	2018-19 – HHIA service delivery
Number of DFG enquiries handled	138	176
Number of applications withdrawn/rejected	65	67
Number of applications in process during the year	51	89
Number of DFGs completed and paid	34	20
Average time taken to process an application from referral to completion in weeks	14	12
Total DFG spend on the year's completed applications	£288535	£118254
Average spend per DFG	£8310	£5913

- 3.12 It can be seen that overall activity in terms of numbers of initial enquiries has increased which may reflect improved promotion of DFG availability by the agency. This is mirrored in the larger number of applications handled by the agency compared with last year.

- 3.13 However the grant completion rate does not compare as favourably. This is likely to be due in part to staffing difficulties which are briefly outlined in paragraph 3.16 below, as well as transitional arrangements that were in place at the agency in respect of grants that had been transferred by the other member authorities. This year's reduced completion rate is a reflection

of the total DFG spend by the HHIA in Stevenage which is some way short of the previous year's figure. It should also be noted that the reduced average spend per DFG is likely to mirror a different mix of individual schemes and a comparatively small sample.

- 3.14 The agency has only been collating customer feedback since January 2019 and at present is unable to analyse the data by local authority. Customer satisfaction data will be the subject of a future report back to members.
- 3.15 The potential for SBC Repairs and Voids team to bid for HHIA work will be considered through the broader emerging in-sourcing programme within Stevenage Direct Services.

Present situation

- 3.16 This report seeks to develop a position for SBC in light of HHIA activities over the year. As with any new service, contract or shared service, there is often a level of complexity which can affect performance in the start-up phase. In the case of the HHIA, recruitment to key positions has led to capacity and skills deficits. This has resulted in a strong dependency on temporary staff and a consequential variation in consistency and speed of delivery.
- 3.17 The HHIA Board drafted a Recovery Plan in January 2019 with the aims of resolving the recruitment and retention problem, improving productivity and increasing government grant spend. The plan recommended that additional management capacity and oversight be provided, that a review of the governance and systems of the HHIA be carried out and that the HHIA's casework management system be reviewed and reconfigured.
- 3.18 A series of actions were implemented as follows:
- The HHIA has been re-located to sit within the County Council alongside the Hertfordshire Equipment Service (HES) and line-management has been moved to the Head of HES. Taking effect from 18th March 2019, this is already meeting the identified need for additional management capacity and oversight.
 - A review of the governance and systems of the HHIA to ensure compliance in respect of grant assessments and means test, specifications, tenders and financial forecasts. This work is in progress and initial findings will be presented to the next Board meeting on 28th June 2019.
 - Modification of the casework management system to ensure data reporting and data capture is fit for purpose and is able to

support the production of accurate information that can be reconciled with purchase and works orders, tenders and spend. A business analyst was commissioned to support this work in mid-February 2019 on a task and finish basis.

- 3.19 As a result of the above actions performance is already improving, while governance arrangements have continued to evolve and are focused on identifying and addressing key issues. It is evident that strategic support from partners will continue to be required to assist the HHIA in achieving a financially viable and sustainable operation.
- 3.20 Indicative dates for continuing improvements are set-out in the Recovery Plan and these will form the basis for a review of the Business Plan. Additionally an internal audit of the service has been conducted by the County Council and the recommendations will be incorporated in the revised Business Plan.
- 3.21 All Board members are confident that the changes underway will lead to increased government grant spend and the other four district partners are content to continue on this basis. The new management arrangements and active participation of the Board increase the likelihood of substantial improvement in performance over the coming year.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 HHIA management has acknowledged that the initial approved business case may have been over-optimistic in terms of modelled grant activity and failed to anticipate the recruitment difficulties which have been experienced. However, the shared service model offers the potential for economies of scale with the added benefit of a single end-to-end customer service and one team handling all aspects of a case following referral. These benefits were articulated in the original business case and remain strong reasons for SBC to continue as a partner in the agency, particularly in light of the trend towards increased government support.
- 4.2 The service has the potential, due to its developing expertise, to generate income by offering other housing services, for example to people wanting adaptations who do not qualify for a disabled facilities grant. Whilst it is intended that the service will contribute to other health and social care integration projects, an aspiration that remains integral to the business case, the priority in the short-term is on improving the flow of DFG activity. In due course the agency aims to promote independent living more generally by offering residents housing related services, such as a handyperson service and home improvements

- 4.3 The HHIA had intended to have a contractor framework in place by 1st April 2018 for the most common adaptations (stair lifts, level access and over bath showers, modular ramping and door widening). Due to the staffing issues outlined at paragraph 3.16 above, implementation has been delayed but the framework went live in May 2019. This is expected to bring about a saving as well as speeding up the process for applicants.
- 4.4 The HHIA Board continues to consider future improvements to the agency. A number of recovery actions have been discussed in principle by the Board to ensure that the HHIA can operate on a revenue positive basis while using capital to improve housing, and meet health and social care priorities in the partner authorities' areas.
- 4.5 An alternative course of action would be for the Council to revert to the administration and delivery of DFGs through in-house arrangements. The previous service operated successfully and was able to maintain close control over delivery and quality of service. However a significant element of staffing resource was relinquished when the Council joined the HHIA, and this, as well as related procedures and systems, would need to be re-instated.
- 4.6 Returning to in-house provision would result in residents missing out on the expedient and efficient service that the agency is predicted to provide. Furthermore, the opportunities to improve resilience, reduce costs and provide additional services would also be lost.
- 4.7 Withdrawal from the agency would require twelve months' notice, and would be subject to consultation with remaining partners. SBC leaving within the first 3 years of the Agreement would trigger a consultation between the other parties to ensure that the HHIA is put in no better or worse a position by SBC withdrawing than if it had not done so within the first 3 years. If the HHIA was shown to be in a worse position then SBC would be liable to pay the amount required to remedy that position and the termination would not take effect until such payment had been made.
- 4.8 Based on the Recovery Plan in place for the HHIA it is recommended that SBC continues as a member of the HHIA and that a further report is brought to Executive, reviewing performance and progress against the plan, in May 2020.

5 IMPLICATIONS

Financial Implications

- 5.1 The Government continues to significantly increase funding to LHAs year-on-year, via the Better Care Fund, to assist home adaptations and other services to support independent living. The allocation for Stevenage specifically has increased from £634 120 in 2017-18 and £691 843 in 2018-19 to £746 540 for 2019-20; the grant is ring-fenced.
- 5.2 Current forecast outturn for 2018-19 represents grant activity of £40,000pw on average. At 80% of next year's available grant (approximately £3.6m across the five district partners) weekly spend will need to increase by at least 50% to £75,000 on top of existing grant activity.
- 5.3 SBC is tasking the HHIA to put forward plans and concepts to maximise the use of grant to benefit Stevenage residents and an update on progress will be included in report back next year.
- 5.4 The business case requires clients to be charged an administration fee of 15% of the cost of the works. This fee remains unchanged; it is eligible for grant assistance.

Legal Implications

- 5.5 The Council has statutory functions under the Housing Grants, Construction and Regeneration Act 1996 ("the 1996 Act") to provide financial assistance by way of Disabled Facilities Grants to people with disabilities who require adaptations to their home to enable them to live independently.
- 5.6 Under the Partnership Agreement establishing the Hertfordshire Home Improvement Agency, Hertfordshire County Council is responsible for the delivery of the Shared Service. This requires it to exercise the functions under the 1996 Act and any other functions relating to the delivery of the services provided by the HHIA.

Risk Implications

- 5.7 Should the overall performance of the HHIA fail to improve, resulting in adaptation referrals not being progressed in a timely manner, there is an increased risk that an individual applicant's condition will deteriorate, requiring more expensive longer-term care or housing provision.

Equalities and Diversity Implications

- 5.8 The HHIA in due course will provide an improved and extended service to disabled, vulnerable and elderly residents of the borough with a view to enhancing their capacity to live independently. As the delivery of Disabled Facilities Grants currently rests with the HHIA it is for the agency to complete a full Equality Impact Assessment, but in the interim a brief form assessment is attached as Appendix B.

BACKGROUND DOCUMENTS

- BD1 Housing Grants, Construction & Regeneration Act 1996
<http://www.legislation.gov.uk/ukpga/1996/53/contents>
- BD2 The Care Act 2014
<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>
- BD3 Integration & Better Care Fund Policy Framework 2017-19 (DoH, DCLG)
<https://www.gov.uk/government/publications/integration-and-better-care-fund-policyframework-2017-to-2019>

APPENDICES

- A HHIA Disable Facilities Grants Policy
- B Equalities Impact Assessment

This page is intentionally left blank



**DISABLED FACILITIES GRANT (DFG)
POLICY**

V.1 JANUARY 2018

**Hertfordshire Home Improvement Agency
Farnham House
Six Hills Way
Stevenage
Hertfordshire
SG1 2RQ**

Contents

- A. Purpose of this Policy
- B. The Role of the Hertfordshire Home Improvement Agency
- C. Disabled Facilities Grants (DFGs)
- D. Process of Applying for, Approving, and Receiving of Grants
- E. Policy Amendments
- F. Complaints, Compliments, and Comments

Annex 1 – Eligible Works

Annex 2 – Eligible Households

Annex 3 – Homes that may be Adapted (Tenure)

Annex 4 – Homes that may be Adapted (Dwelling Type)

Annex 5 – Grant application, assessment, determination, and payment processes

Annex 6 – Test of Resources and Grant Calculation

Annex 7 – The Legal and Contractual Relationships

Annex 8 – Conditions relating to the repayment of Grant

Annex 9 – Miscellaneous Provisions

A. Purpose of this Policy

Adaptations to make homes more accessible are becoming increasingly important as the population ages. The majority of older people in Hertfordshire live in mainstream housing, but that housing often has small room sizes, steep internal stairs, baths rather than showers and steps outside. These become difficult to manage as people get less mobile with age or have to deal with sight loss or other conditions. To remain independent at home older people, their families and carers need effective ways to adapt and modify their homes.

In response to this challenge the Hertfordshire Home Improvement Agency (HHIA) came into being on 1st October 2017. It is comprised of the following local authorities and its aim is to facilitate a range of independent living solutions associated with the home:

- Broxbourne Borough Council
- East Herts District Council
- North Herts District Council
- Watford Borough Council
- Hertfordshire County Council

Hertfordshire County Council (HCC) administers this service on behalf of these councils.

The HHIA was established in order to create a streamlined and efficient service for the benefit of service users. Additional local authorities within Hertfordshire may wish to join the partnership in the future; when a new local authority joins the Partnership, this policy will come in to effect for residents within the boundary of that council.

This particular policy, including annexes, sets out how the Hertfordshire Home Improvement Agency will administer Mandatory Disabled Facilities Grants (DFGs) to those residents of Hertfordshire living within the administrative boundaries of the local authorities cited above. The administration of Disabled Facilities Grants includes, but is not limited to, the assessment, processing, approval and payment of these grants.

The Hertfordshire Homes Improvement Agency operates within the following legislative and national policy framework:

- Housing Grants, Construction and Regeneration Act 1996
- Regulatory Reform (Housing Assistance)(England and Wales) Order 2002
- Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008
- The Better Care Fund
- The Care Act 2014

The full policy document will be available online and, upon request, in printed form free of charge.

B. The Role of the Hertfordshire Home Improvement Agency

The application and implementation of Disabled Facilities Grants can be daunting to householders, particularly those that are vulnerable. In order to help disabled householders access DFGs, the Hertfordshire Home Improvement Agency was created – it aims to streamline the way in which applications are made, how they are determined, and how the authorised adaptations are undertaken.

What assistance can the HHIA offer DFG applicants ?

The HHIA will help fill in application forms, prepare detailed Schedules of Work, and establish the costs of adaptation work. Once the grant approval has been issued, the HHIA will arrange for a contractor to carry out the work, oversee the works, ensure works have been completed to a satisfactory standard, and arrange for the grant payment to be made to the appointed contractor(s).

This will see the HHIA helping the applicant with all stages of the process, making DFGs as straightforward and stress-free as possible.

Will I have to pay for this service ?

No. The HHIA will take on the role of Agent on behalf of the applicant for the agreed fee of 15% plus VAT on the gross cost of the works involved. These costs can be included within the grant amount, up to the overall grant maximum.

Do I have to use the HHIA's services ?

The agency function of HIAA is optional. Service users are legally entitled to employ their own Agent to carry out this work, or arrange the application and the works themselves. In these cases, service users can submit their completed applications to the HHIA for processing. In such cases the HHIA will assess any quotations received against known costs for the works involved. The grant will only be approved to cover the cost needed for the work - where householder's own quotations exceed this amount, they will have to fund any difference in costs. Where a family member carries out the relevant works, only the reasonable costs of the materials involved will be included in the grant approval. These measures ensure value for money and that public funds are spent effectively.

Will the HHIA's services only relate to the provision of DFGs ?

As the Hertfordshire Home Improvement Agency develops it is intended that the scope of the service will be expanded to include other forms of assistance. These could include, for example, the following:

- The provision of discretionary grants and/or loans
- The funding of a Handyperson Service
- Fast-tracked services for specific groups (for example those with a learning disability)
- Fast-tracked services for specific conditions (such as those living with Dementia)
- An Agency Service for people funding their own improvement works
- Access to subsidised assistive technology such as telecare

C. Disabled Facilities Grants (DFGs)

What is a Disabled Facilities Grant ?

These are grants processed by the HHIA in accordance with the requirements of the Housing Grants, Construction and Regeneration Act 1996, as amended. This Act places a duty on the HHIA to provide grant assistance in appropriate circumstances.

What adaptations can be funded by a DFG ?

These grants (“Mandatory” DFGs) are available for works to the home of a disabled person to give that person access to, and the use of, rooms and facilities within their home that may otherwise be restricted due to their disability, so improving independence, privacy, confidence, safety and dignity for individuals, and their families.

By way of example, the following works are typically funded by DFGs:

- Level access showers
- Through-floor lifts
- Ramps and handrails
- Specialist toilet or bathing facilities
- Safety glazing or railings
- Improved or re-located heating, lighting or power controls
- Adapted or lower level kitchen fitments
- Widening doorways

See [Annex 1](#) for further details of eligible works.

Who may be eligible for a DFG ?

Persons who have a permanent disability - [see Annex 2](#) for further details on the eligibility of applicants.

What is the maximum value of a DFG ?

The maximum grant amount available via a single DFG is £30,000. However, there may be some very exceptional circumstances where Hertfordshire County Council may provide a discretionary loan for the costs of work above this threshold – this is not a function of the HHIA. Each case will be assessed on its merits and subject to a specific assessment process ([see Annex ?](#)).

Can I make more than one application for a DFG ?

In some cases, a deterioration in someone’s condition or a change in their circumstances can require more than one DFG. Where a previous application has been approved for the same applicant(s), any financial contribution required at that time can be considered for subsequent applications, where they are agreed. This means that if a new application is made within five years (for a tenant) or ten years (for an owner) from the previous application(s) for which works were completed and grant paid, the contribution calculated will be reduced by the amount that was contributed to the previous grant(s).

See [Annex 7](#) for further details.

Are DFGs means tested ?

Works for the benefit of a disabled child are not means tested.

For adult disabled persons, the DFG is subject to the *Test of Resources* - the amount of grant paid depends upon the agreed cost of the eligible works and whether the client is required to make a financial contribution towards the cost of these works. Any contribution is determined by a formal Test of Resources (See Annex 5 for further details of the test of resources and grant calculation) carried out with respect of the disabled person (including any partner) having regard to regulations issued by the Government. If the client receives means-tested benefits already, they will usually be determined as having no contribution to make towards the cost of the works.

A preliminary means test can be carried out in order to give prospective applicants a better idea of how much, if any, they may have to contribute towards the cost of the works. These can be done online: <http://www.foundations.uk.com/dfg-adaptations/dfg-tools/test-of-resources/>

See **Annex 2** for further details on the DFG Test of Resources assessment.

Do you have to be an owner/occupier to be eligible for a DFG ?

Owner occupiers, private tenants, and social housing tenants (but not council tenants or tenants of public authorities) can apply for a DFG. In addition, occupiers of qualifying houseboats and mobile homes/caravans can also apply for a DFG.

The applicant must intend to live in the property to be adapted as their main home, for a period of at least five years following completion of the works. Applicants will have to sign a certificate confirming that this is their intention. In certain cases, any grant paid, or part of it, may be required to be repaid if any conditions attached to the grant are not complied with.

A landlord can apply for a DFG on behalf of a tenant who has a disability. The process is very similar, but the forms involved, etc., are different. Any landlord intending to apply for a DFG on behalf of a tenant with disabilities should contact the HHIA in the first instance to discuss their proposal(s).

See **Annex 3** for further details on the types of home that may be adapted.

What homes can be adapted ?

Not only traditionally constructed dwellings may be eligible for a Disabled Facilities Grant, but some park homes and houseboats also qualify for assistance - see **Annex 4** for further details on the types of home that may be adapted.

How will eligibility for a DFG be determined ?

For works to be eligible for a Mandatory Disabled Facilities Grant funding they must be agreed to be:

- *Necessary and appropriate* to meet the needs of the client. This is determined by an Occupational Therapist in most cases, usually employed by Herts County Council
- *Reasonable and practical* to carry out the works identified, this will be determined by the HHIA on behalf of the relevant local authority

D. Process of Applying for, Approving, and Receiving of Grants

The HHIA will approve valid applications for DFGs and make the relevant payments upon satisfactory completion of the works. These payments may be made in stages, on behalf of the Partner Authorities. In doing so the HHIA will follow the relevant legislation and good practice, having regard to an agreed Scheme of Delegation (see Appendix 5).

Making an application for a DFG

A valid application includes the completed application form, the relevant certificate of intention to occupy, proof of ownership/tenancy, financial information needed for the 'means-test' and the applicant wishes to manage the adaptations themselves, at least two written quotations for the work. The HHIA can help with filling in the forms and obtaining the quotations for the work, etc. to make the process as smooth as possible for the applicant (see below).

How an application will be considered by the HHIA

A valid application must be approved within six months of the completed application being received by the HHIA. Following assessment, the HHIA will issue a written approval that states the amount of grant that will be paid upon satisfactory completion of the specified works. In some exception cases, the HHIA may specify a date before which the grant will not be paid. This will be no later than 12 months from the date on which the application was made and details will be included in the approval document.

See [Annex ?](#) for further details on how applications will be processed.

Post determination changes

The HHIA can agree variations to the grant amount where additional or unforeseen works are identified, although the extent and cost of the works must be agreed beforehand. Similarly, the HHIA can reduce the amount of grant where the cost or amount of works required is agreed to be less.

When agreed works must be completed

Works must be completed within 12 months of the date of approval. However, the HHIA can, in some circumstances, agree an extension of time for the completion of the works.

Payment of the grant

Payment of the grant will be made upon satisfactory completion of the work and upon receipt of a proper invoice from the agreed contractor(s). No monies will be paid up-front. Interim or part-payments can be made upon satisfactory completion of parts of the work. Again, a proper invoice from the agreed contractor must be provided for the interim payment. The HHIA will determine if sufficient works have been carried in order to make an interim payment. Interim payments will not exceed 90% of the total grant amount. Other than in exceptional or pre-agreed situations, all payments will be made direct to the relevant contractor/supplier.

Once any payment is made, any conditions attached to the grant become binding.

Can the grant, once awarded, be reduced or be reclaimed by the HHIA ?

In some limited circumstances, yes. The ability for the Hertfordshire Home Improvement Agency to amend or withdraw approved expenditure is restricted by legislation to the following situations:

- due to a significant change in the circumstances of the applicant/disabled person
- due to actions outside of the rules of the DFG
- due to a disposal of an adapted property within a prescribed period

In these cases the grant may be reduced, repayment of the relevant amount of the DFG may be required. These situations are not expected to happen often, however, in such circumstances, the HHIA will determine the final outcome on a case by case basis.

See [Annex 9](#) for further details on grant repayment conditions.

E. Policy Amendments

The provisions of this policy shall remain in place until such time that it is formally amended, superseded, or deleted. Minor amendments to this policy will be agreed by the Partner Authorities (the HHIA Board) prior to their introduction. Major amendments will be considered by the Partner Authorities (the HHIA Board) prior to their formal consideration and adoption by HCC prior to their introduction.

Any Disabled Facilities Grant conditions flowing from this policy applied at the time of their formal award will remain in force unless specifically changed in writing.

F. Complaints, Compliments, and Comments

The Hertfordshire Home Improvement Agency is committed to its continuous improvement and the views of its customers provide an essential source of information on which to make decisions on how best to improve the services it provides.

Any complaints, compliments, or comments regarding the operation of this policy, or level of service received from the Hertfordshire Home Improvement Agency, should be directed in the first instance to Head of Service:

Head of Service
Hertfordshire Home Improvement Agency
Farnham House
Six Hills Way
Stevenage
SG1 2FQ

If a matter is not resolved to customer's satisfaction Hertfordshire County Council has a well established approach to the management of customer feedback – more details are available on its website:

<https://www.hertfordshire.gov.uk/about-the-council/complain-or-comment/make-a-complaint.aspx>

If after receiving the Hertfordshire County Council's response the customer is still dissatisfied, they can request an investigation by the Local Government Ombudsman: <http://www.lgo.org.uk/>

Annex 1: Eligible Works

The following is an excerpt from the Housing Grants, Construction and Regeneration Act 1996 that sets out the purposes for which a grant may be paid (Section 23):

- (1) The purposes for which an application for a grant must be approved, subject to the provisions of this Chapter, are the following—
 - (a) facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat or qualifying park home, or
 - (b) making the dwelling, qualifying houseboat or qualifying park home, or the building, safe for the disabled occupant and other persons residing with him;
 - (c) facilitating access by the disabled occupant to a room used or usable as the principal family room;
 - (d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
 - (e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
 - (f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
 - (g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a washhand basin, or facilitating the use by the disabled occupant of such a facility;
 - (h) facilitating the preparation and cooking of food by the disabled occupant;
 - (i) improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system there or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his needs;
 - (j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
 - (k) facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable him to care for a person who is normally resident there and is in need of such care;
 - (l) such other purposes as may be specified by order of the Secretary of State:
 1. facilitating access to and from a garden by a disabled occupant; or
 2. making access to a garden safe for a disabled occupant.

For this purpose, “garden” means a garden belonging to, or usually enjoyed with, a dwelling, caravan or flat occupied by a disabled occupant and includes—

- a. a balcony adjoining the dwelling of a disabled occupant;
- b. a yard, outhouse or other appurtenance within the boundaries of the land in which the dwelling or caravan of a disabled occupant is situated and belonging to it or usually enjoyed with it;
- c. a yard, outhouse or other appurtenance within the boundaries of the land in which is situated the building in which the dwelling or, as the case may be, flat, of a disabled occupant is situated and belonging to it or usually enjoyed with it; and
- d. the land adjacent to the mooring of a disabled occupant’s qualifying houseboat.

Annex 2: Eligible Households

The following is an excerpt from the Housing Grants, Construction and Regeneration Act 1996 that sets out who may be eligible for a DFG (Section 100):

Disabled persons

- (1) For the purposes of this Part a person is disabled if—
 - (a) their sight, hearing or speech is substantially impaired,
 - (b) they have a mental disorder or impairment of any kind, or
 - (c) they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise.

- (2) A person aged eighteen or over shall be taken for the purposes of this Part to be disabled if—
 - (a) they are registered in pursuance of any arrangements made under section 29(1) of the National Assistance Act 1948 (disabled persons' welfare), or
 - (b) they are a person for whose welfare arrangements have been made under that provision or, in the opinion of the social services authority, might be made under it.

- (3) A person under the age of eighteen shall be taken for the purposes of this Part to be disabled if—
 - (a) they are registered in a register of disabled children maintained under paragraph 2 of Schedule 2 to the Children Act 1989, or
 - (b) they are in the opinion of the social services authority a disabled child as defined for the purposes of Part III of the Children Act 1989 (local authority support for children and their families).

- (4) In this Part the "social services authority" means the council which is the local authority for the purposes of the Local Authority Social Services Act 1970 for the area in which the dwelling or building is situated.

- (5) Nothing in subsection (1) above shall be construed as affecting the persons who are to be regarded as disabled under section 29(1) of the National Assistance Act 1948 or section 17(11) of the Children Act 1989 (which define disabled persons for the purposes of the statutory provisions mentioned in subsections (2) to (4) above).

Annex 3: Homes that may be Adapted (Tenure)

Tenure of Applicant

The Hertfordshire Home Improvement Agency wishes to support all disabled persons wherever they live. However, the legislative framework in which the HHIA operates does differentiate between the following housing tenures and the ways in which assistance can be offered:

Tenure	Description	Application notes
Owner Occupiers	Owner occupiers include freeholders (with or without a mortgage) and leaseholders (with or without a mortgage) with at least five years remaining on their lease at the date of their completed application.	Owner occupiers should contact the HHIA to make an application for a DFG. They will need to provide evidence of their ownership and a signed 'Owner's Certificate' as a part of the application process.
Private Tenants	Private tenants include the following: (a) a secure tenant, introductory tenant or statutory tenant; (b) a protected occupier under the Rent (Agriculture) Act 1976 or a person in occupation under an assured agricultural occupancy within the meaning of Part I of the Housing Act 1988; (c) an employee (whether full-time or part-time) who occupies the home concerned for the better performance of his duties	Private tenants should contact the HHIA to make an application for a DFG. They will have to provide a signed 'Tenant's Certificate' as a part of the application process. In addition, their landlord will also have to sign an 'Owner's Certificate'(this demonstrates that the landlord is aware of, and agrees to, the works being carried out.) Both of these will have to be included within the application. In exception situations, where the HHIA consider it unreasonable in the circumstances to require one, it may accept a tenant's application without a signed 'Owner's Certificate'.
Social Tenants	Social housing tenants are tenants of registered not-for-profit landlords. These may be known as Registered Social Landlords (RSLs), Private Registered Providers (PRPs) or Housing Associations (HAs); some Arms Length Management Organisations (ALMOs), Tenant Management Organisations (TMOs), almshouses, housing co-operatives, etc., may also fall within this category. Many of these landlords will have	Tenants should initially contact their landlord regarding the adaptations required. The landlord may assess and carry out the, or they may their tenants to make an for a DFG, in which case you should contact the HHIA. If a social housing tenant applies for a DFG, they will have to provide a signed a 'Tenant's Certificate' as a part of the application process. In addition, the landlord will also have to sign an 'Owner's Certificate'(this demonstrates

	<p>an agreement in place with one of the councils that form the HHIA. These agreements may involve the sharing of adaption costs, or the allocation of a fixed annual budget to meet the needs of their disabled tenants.</p>	<p>that the landlord is aware of, and agrees to, the works being carried out.) Both of these certificates will have to be included within the application.</p> <p>In exception situations, where the HHIA consider it unreasonable in the circumstances to require one, it may accept a tenant's application without a signed 'Owner's Certificate'.</p>
<p>Local Authority Tenants</p>	<p>Local authority tenants (which includes council tenants and can include police authority, health authority, NHS Trust and other public body tenants) cannot apply for DFGs as they received funding via another route to undertake adaptions for their disabled tenants.</p>	<p>Where council tenants or other excluded public body tenants need an adaptation, they should contact their local council or public authority landlord in the first instance as they should have a procedure in place for assessing need and finding appropriate solutions.</p>

Annex 4: Homes that may be Adapted (Dwelling Type)

Type of Dwelling

Typically, Disabled Facilities Grants are used to fund adaptations to dwellings that are of a traditional construction type. However, adaptation work to non-traditional dwellings, such as houseboats or mobile homes, may be eligible for DFG assistance. The applicant will have to provide an ‘Occupier’s Certificate’ as a part of the application process. In addition, relevant land owner, or similar, of the pitch, site or mooring will also have to sign an ‘Consent Certificate’. This demonstrates that they are aware of, and agree to, the works being carried out. Both of these certificates will have to be included within the application.

<p>Type of houseboats eligible for DFG assistance</p>	<p>A qualifying houseboat means a boat or similar structure designed or adapted for use as a place of permanent habitation which—</p> <ul style="list-style-type: none"> (a) has its only or main mooring within the area of a single local housing authority; (b) is moored in pursuance of a right to that mooring; and (c) is a dwelling for the purposes of Part 1 of the Local Government Finance Act 1992 (Council Tax), and includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it;
<p>Type of park homes eligible for DFG assistance</p>	<p>A qualifying park home means a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968) which—</p> <ul style="list-style-type: none"> (a) is stationed on land forming part of a protected site within the meaning of the Mobile Homes Act 1983; (b) is occupied under an agreement to which that Act applies or under a gratuitous licence; and (c) is a dwelling for the purposes of Part 1 of the Local Government Finance Act 1992 (council tax), and includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it.

Annex 5: Grant application, assessment, determination, and payment processes

The Application

The HHIA will provide you with an application form which will set out the further documentation you will need to support your application. An application is only valid if it is made on the HHIA's prescribed form and if it includes all the information required. The HHIA can help with all of the paperwork needed.

An applicant must either be the owner of the dwelling (including qualifying houseboat or park home) or be a tenant (including licensees), and be able to provide an 'Owner's Certificate' or a 'Tenant's Certificate'. This will not necessarily be the disabled person for whom the works are required. In such cases the applicant should make it clear on whose behalf the application is being made.

When applying for a grant the applicant (whether an owner occupier, tenant, or landlord) will be required to submit a certificate stating the intention that throughout the grant condition period of five years (or such shorter period as the disabled person's health and other relevant circumstances permit) the disabled person will occupy the dwelling as his or her only or main residence.

If the applicant wishes to manage the adaptation works themselves, they will have to submit at least two written quotations. The HHIA will assess any quotations received against what it believes are reasonable costs for the works involved. The grant will only be approved to cover the cost assessed to be needed for the work. Should an applicant provide their own quotations and these exceed this assessed amount, they will have to cover any difference in costs. Where a family member carries out the relevant works, only the reasonable costs of the materials involved will be included in the grant approval.

Assessment

The HHIA is required by the Housing Grants, Construction and Regeneration Act 1996 to be satisfied that the proposed works are both:

- necessary and appropriate to meet the disabled person's needs; and
- reasonable and practicable depending on the age and condition of the property.

In reaching its decision as regards the 'necessary and appropriate' test, the HHIA will consider factors such as:

- whether the works are needed to provide for a Care Plan to be implemented which will enable the disabled occupant to remain living in their existing home as independently as possible; and
- whether the works would meet, as far as possible, the assessed needs of the disabled person taking into account both their medical and physical needs; and

- distinguish between what are desirable and possible legitimate aspirations of the disabled person, and what is actually needed and for which grant support is fully justified.

Factors relevant to the 'reasonable and practicable' test include:

- Architectural and structural characteristics of the home in question
- Space available within the home (rooms and circulation spaces)
- Planning or conservation considerations
- The impact on other occupiers of the home or building

The HHIA needs to be satisfied concerning both tests, and the overall feasibility of the works, in order to legally approve a Disabled Facilities Grant. Accordingly, The HHIA is obliged to refuse a DFG if it believes the scheme is not reasonable and practicable.

The Housing Grants, Construction and Regeneration Act 1996 requires the HHIA to seek the views of Occupational Therapists and housing professionals when considering the above.

When does means testing take place ?

DFG determination

The HHIA is required by legislation to make a decision on applications within six months of the receipt of a completed and valid application, along with any additional information it may reasonably require.

Should an application be approved, the HHIA will provide written confirmation of this decision. The approval will state the amount of grant that will be paid upon satisfactory completion prescribed works. It will also specify the contractor(s) whose quotations have been used in determining the grant amount, and therefore, who should be used to carry out the works. The approval correspondence will also state any conditions relating to the grant.

In some exception cases, the HHIA may specify a date before which grant is not payable. This will be no later than 12 months from the date on which the application was made and will be included in the approval document.

Payment of the DFG

The grant will only be paid when the HHIA is satisfied that the work has been completed to its satisfaction and in accordance with the grant approval correspondence and upon production of an acceptable invoice, demand or receipt of payment for the works. The HHIA may, at its discretion, pay the grant in full on completion of the works or by instalments as the works progress.

The HHIA will pay the grant direct to the contractor(s) or provide an instrument of payment in a form made payable to the contractor. This should not affect the grant recipient's right to ensure that the contractor has completed the works to their satisfaction. If the contractor has not, the householder should notify the HHIA so that it can withhold payment pending an investigation.

Where the applicant is assessed to have a contribution towards the cost of the agreed works, this contribution must be paid to the HHIA *before* the contractor(s) can start the work. This amount will then be paid to the contractor(s) by the HHIA at the appropriate time, but before any grant is paid to the contractor(s).

An invoice is not acceptable if it is for work or services provided by the applicant or a member of his or her family. Where the works are carried out by the applicant or a relative, only invoices for materials or services that have been bought in will be acceptable.

Once a grant payment has been made, any conditions relating to the grant become binding. Once the work has been confirmed as being complete by the HHIA (the “Certified Date”) the grant conditions period starts and the conditions remain in force until the relevant grant conditions period has elapsed.

Annex 6: Test of Resources and Grant Calculation

Test of Resources

Where an application is subject to a financial assessment, there are four principal stages within the means testing process:

Stage	Description
Stage 1: Calculation of household income requirement	This is referred to as 'allowable income' and is calculated using a set of standard allowances for living costs using basic amounts of income support/pension credit and a flat rate allowance for housing costs. These figures are set by the Government
Stage 2: Assessment of actual household income	The actual income of the applicant's household income is then established. A 'tariff' income is added as regards any savings over £6,000. If the household is already in receipt of any means tested benefits, they are automatically 'passported' through and awarded a 100 per cent grant, even if they have some small surplus income according to this calculation.
Stage 3: Affordability of a loan	For those applicants not in receipt of a means tested benefit, a calculation is undertaken to establish whether there is sufficient 'surplus' household income to afford a loan to fund the agreed adaption works. The calculations assume a loan period of 10 years for owner-occupiers and 5 years for tenants at a standard rate of interest and incorporate 'tapers' (see above).
Stage 4: Calculation of grant value	The final stage of the process is the comparison between the agreed costs of the adaption works and the ability (or otherwise) of the household to finance these via a loan. If the calculated loan amount is the same or greater than the cost of the adaptations, the applicant is not eligible for financial assistance by the HHIA. If the loan amount is less than the cost of works, the amount of grant is calculated as the total cost of works minus the calculated loan amount.

Notes

- The means test does not apply where an application for grant is made by the parent or guardian of a disabled child, up to and including 16 years of age, or young person under 19 in full time education.
- The cost of the works/adaptations is obtained from the agreed quotations/costs for the eligible work plus any reasonable ancillary costs or expenses incurred solely as a part of the application. These can include, but are not limited to:

- ✓ Agency Service fees
- ✓ Architect or surveyor's fees
- ✓ Solicitor's fees

- If a contribution is required from the relevant person this must be deducted from the amount of grant which would otherwise have been paid. Therefore, if the cost of the works is above the maximum £30,000 limit the grant will be £30,000 less the contribution. If the cost of the works is less than the £30,000, the grant will be the agreed cost of the works less the contribution.

Successive Applications

Where a previous application has been approved for the same applicant(s), any financial contribution required at that time can be considered for subsequent applications, where they are agreed, providing the new application is made within five years (for a tenant) or ten years (for an owner occupier) from the previous application(s) where works were completed and the grant paid. The contribution calculated for the new application will be reduced by the amount that was contributed to the previous grant(s).

For example, where an applicant made a £5,000 contribution to a previous DFG and the test of resources for the subsequent DFG shows the contribution to be £8000, this amount would be reduced to £3,000 due to the previous applicant's contribution.

Annex 7: The Legal and Contractual Relationships

TEXT TO BE INSERTED REGARDING AGENCY MANAGED WORK

TEXT TO BE INSERTED REGARDING SELF MANAGED WORK

TEXT TO BE INSERTED REGARDING THIRD PARTY MANAGED WORK

TEXT TO BE INSERTED REGARDING CLIENTS THAT DO NOT HAVE THE CAPACITY TO ENTER INTO CONTRACTS FOR FORMAL AGREEMENTS

Annex 8: Conditions relating to the repayment of Grant

The Hertfordshire Home Improvement Agency is charged with securing value for money, ensuring that the public funds that it administers are allocated in a lawful, fair, and transparent way. The vast majority of Disabled Facilities Grants are not repayable but there are some circumstances where the HHIA may seek the repayment of part, or all, of the awarded payment:

Change in circumstances

Where a DFG has been approved (but the approved works have not been certified as complete) and the applicant ceases to be entitled to such a grant, no grant shall be paid or, as the case may be, no further instalments shall be paid, and the HHIA may demand that any instalment of the grant that has been paid, be repaid, together with interest from the date on which it was paid, until the repayment is made.

Where a DFG has been approved, but has not been certified as complete, and:

- (i) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (ii) the disabled occupant ceases to occupy the home concerned or it ceases to be the intention that they should occupy it, or
- (iii) the disabled occupant dies;

the HHIA may decide:

- (a) that no grant shall be paid or, as the case may be, no further instalments shall be paid, or
- (b) that the relevant works, or some of them, should be completed and the grant, or an appropriate proportion of it, be paid, or
- (c) that the application should be re-determined in the light of the new circumstances.

Disposal of an adapted dwelling

TEXT TO BE INSERTED

- Written certified representation
- No more than once relating to a disposal
- The HHIA decision shall be final
- Hardship shall be considered in the context of the JRF minimum income calculator

Receipt of compensation payment

Where an applicant's disability is associated with a pending compensation or insurance claim, any Disabled Facilities Grant is awarded on the condition that the applicant takes reasonable steps to pursue any relevant legal and/or insurance claim for damages.

In the event of an insurance settlement and/or the award of damages, the Hertfordshire Home Improvement Agency reserves the right to seek the repayment, in part or full, of a DFG that is associated with that insurance settlement and/or award of damages

These cases will be determined by the HHIA Board on a case by case basis.

Annex 9: Miscellaneous Provisions

Where the applicant wants additional or upgraded works (above the works agreed by the HHIA) they will need to enter into a private agreement with the agreed contractor and pay the contractor directly for these works. This will be outside of the DFG process and will not involve the HHIA.

Householders will not normally be eligible for and grant funding if works have been commenced before the HHIA has approved an application; any grant will be reduced to take account of the works already completed.

Once the work is complete, the applicant or the home owner becomes responsible for any future maintenance or up-keep of the adaptations or facilities provided. For some facilities, such as stairlifts, it is possible to obtain extended warranties, etc., in such cases the HHIA can provide guidance on the options available.

The cost of carrying out works for the benefit of a disabled person through a DFG are usually exempt from VAT, providing the applicant signs a certificate for the contractor/supplier confirming that the work/supply was for a disabled person for their own domestic use. The HHIA can help with the paperwork for this.

Multiple applications for DFGs

As a result of this, it means that it may be in the interest of applicants to proceed with an application even where it is clear that their contribution will exceed the costs of the work. Although this will lead to the approval of a `nil grant` applicants are advised that in any subsequent application the contribution will be reduced by an amount equivalent to the approved cost of works of the previous DFG, not the assessed contribution which is likely to have been greater. In order for the HHIA to approve a DFG taking in to account previous contributions it must be satisfied that the works for which the original application was submitted were completed to a satisfactory standard and the new application is within the five or ten-year time periods.

Brief Equality Impact Assessment For a minor operational change / review / simple analysis

What is being assessed?	Hertfordshire Home Improvement Agency	What are the key aims of it?	To ensure that all individuals in Hertfordshire who need housing adaptations to support independent living will have access to an appropriate service that is timely, accessible, equitable and fit for purpose to address rising demographic pressures.		
Who may be affected by it?	Elderly vulnerable or disabled service users and residents.				
Date of full EqIA on service area (planned or completed)	September 2019				
Form completed by:	Maurice Clay	Start date	31/05/19	End date	31/05/19
		Review date		30/09/19	

What data / information are you using to inform your assessment?	National trend data relating to the need for disability-related and age-related adaptations to dwellings.	Have any information gaps been identified along the way? If so, please specify	Detailed local data is not available – a full EqIA should be carried out by HHIA.
--	---	--	---

Explain the potential positive, negative or unequal impact on the following characteristics and how likely this is:			
Age	The HHIA has a positive impact on age. Good quality housing is recognised as a key factor in promoting health and wellbeing and supporting independent living, and moving towards more integrated services to prevent ill health and reduce	Race	No differential impact

APPENDIX B

	<p>dependence on health and social care services is high on the national and local agenda. The number of older people is growing and there are likely to be increasing numbers of people with complex health problems and disabilities, who may have different housing and service needs to other age groups.</p>		
<p>Disability</p>	<p>The HHIA has a positive impact on disability. Almost one in five people in the UK have a disability, with mobility being the most common impairment. At the same time there is a nationally recognised shortage of housing for people with disabilities. Around 15% of households containing at least one wheelchair user feel that their current home is not suitable for their needs, and needs adaptations. There is a growing body of evidence demonstrating that an accessible, adapted home can make a significant contribution to improving older</p>	<p>Religion or belief</p>	<p>No differential impact</p>

APPENDIX B

	and disabled people's quality of life.		
Gender reassignment	No differential impact	Sex	No differential impact
Marriage or civil partnership	No differential impact	Sexual orientation	No differential impact
Pregnancy & maternity	No differential impact	Socio-economic ¹	The HHIA has a positive impact on socio-economic status. Since low income often coincides with disability, many disabled people rely on help to adapt their home. Ensuring residents can access adaptations services is important and is a key aim of the HHIA.
Other	N/A		

Page 87

Where there is a likely positive impact , please explain how it will help to fulfil our legislative duties to:					
Remove discrimination & harassment	HHIA offers enhanced assistance with the DFG application process and a single point of contact so that clients are no longer passed between	Promote equal opportunities	HHIA aims to promote independent living by delivering grant-aided adaptations to eligible applicants. In future the service will be expanded to offer residents other	Encourage good relations	HHIA delivers a fully standardised service, enhancing operational efficiency, customer satisfaction and improving value for money.

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

APPENDIX B

	agencies to complete different staged of the process.		housing related services, such as a handyperson service and home improvements.		
--	---	--	--	--	--

What further work / activity is needed as a result of this assessment?

Action	Responsible officer	How will this be delivered and monitored?	Deadline
If a negative or unequal (high or low) impact has been identified, you should assess this further in a Full EqIA	Michelle Abraham, Head of Service HHIA	By the HHIA as part of the ongoing business planning of the service.	September 2019

Page 88



Approved by Assistant Director/ Strategic Director:
Date: 03/06/19

Please send this EqIA to equalities@stevenage.gov.uk

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank