



**Rochford District
Council**

INDEX

1996

January - December

Action Under Standing Order 18

Abandoned Vehicles 272

Allotments

Allotment Competition 1996 315,594

Association of District Councils

Essex County Liaison Committee - Proposal to Disband 215

Association of Local Government - Essex District

Arrangements 222

Association of Essex Councils 389,490

Review of South East Essex Regional Matters 492

Rochford Hundred Association of Local Councils 493,508

Budget

1996/97 - Health & Housing Services	1
1996/97 - Leisure Services Committee	3
1996/97 - Development Services Committee	5
1996/97 - Transportation Committee	6
1996/97 - Estimates Policy & Resources	10
1996/97 - Policy & Resources	12
1996/97 - Extraordinary Council	13
Budget Update 1996/97 & Strategy 1997/98	307
Standard Spending Assessment - Government Review	308
Devolved Fees for Building Control	463
Essex Challenge Bids	464,556,570,574
Locally Determined Budget 1996/97	458
Budget 1996/97 and 1997/98	482
Consultation with Chambers of Trade	576

Boundaries

New Polling Station Grange/Rawreth	495
------------------------------------	-----

Caravans

Caravan Licence No. 4 - Proposed Amendment	86,218
Caravan Licence No.11 - Proposed Amendments	367
Caravan Site Licence - Breach of Conditions	379,547

Car Parking

Bellingham Lane Car Park, Rayleigh	64
Wider Parking Bays - Mother and Child	65
Car Parking Review	269
Freight House Car Park Charges	460
Disabled Drivers Parking	461
Car Parks Environmental & Improvement Works	462,479,508,570

Chairmans Announcements

Chairmans Announcements	54,230,326,413,507,597
-------------------------	------------------------

Charges 1996/97

Health & Housing Services Committee	2
Leisure Services Committee	4
Transportation Committee	7
Policy & Resources Committee	11
Cemetery Charges	212

Circa Leisure plc

Guide to the Contract with Circa Leisure	43
--	----

Citizens Advice Bureaux

Grant Aid for Rochford and Rayleigh	30
-------------------------------------	----

Closed Circuit Television

CCTV And Other Security Measures	161
----------------------------------	-----

Committee Structure

Review of Committee Structure and Cycle	207d(2),231
Appointment of Standing Committees	249
Appointment of Chairman and Vice Chairman of Committees	250
Joint Review Group on District/ Parish Relations	251
Seating Plan	255
Adjustment to Membership of Committees	299
Membership of Environmental Health Sub Committee	353
Substitute Members	207,392,414
Distribution of Agendas, Minutes & Parish List to Local Groups	397
Sub Committee Meetings	418
Substitute Members - Sub Committees	448,469,496
Notice of Opposition	481,508,510

The Community

Stronger Community Focus	25
Community Support Project - Progress	32,390
Community Safety Strategy - Progress Report	217
Single Regeneration Budget - Community Safety Bid 1997/98	310
Notice of Motion - Protecting Your Community	386
Community Safety - Consultation & Next Stages	419
Clean & Safe Communities	447,468,488,479,508
Drug Reference Group	491,508

Compulsory Competitive Tendering

Government Consultation Paper	328
Finance Defined Activities	388

Compulsory Purchase Order

35/39 West Street	575
-------------------	-----

Consultations from Neighbouring Authorities

Castle Point Borough Council - Appl. No. CPT/535/95	19
Southend on Sea - Land at Fossetts Farm, Sutton Road Southend on Sea	104
Southend on Sea - Lane North of Tesco Stores, A127 Prince Avenue, Westcliff on Sea	125
Southend on Sea - Land at the Junction of the A127 Prince Avenue, Westcliff on Sea	126
Castle Point Borough Council - Appl No. CPT/586/94/RES	186
Castle Point Borough Council - Appl.No. CPT/184/96/FUL	261
Essex County Council - Appl.No. ESF/37/96/ROC	427
Castle Point Borough Council Appl.No. CPT/450/96/FUL	474

Consultation Documents

Allocation of Housing Accommodation by Local Authorities	144
Proposed Rural Exemptions from the Purchase Grants Scheme for Housing Association Tenants	223
Government White Paper - Policy & Decision Making Structures	309

Contracts

Contracts Progress Report - Housing	87,148,290,374
Contracts Progress Report - Leisure	170
Approval of Contractors Selected to Tender for Cyclical Repairs and External Decoration 1996/97, Central Heating Replacement, Servicing of Domestic Gas Central Heating and Hot Water Systems and Window Replacement 1996/97	90
No.1838 - Conversion of Bedsits to Self Contained Flats at Romney House, Oast Way, Rochford	92
Approval of Contractors Selected to Tender for Conversion of Bedsits to Self Contained Flats at the Lavers, Hockley Road, Rayleigh	119
No.1893 - Cyclical Repairs - External Painting, Rochford	154

No.1897 - Boiler Replacement and Central Heating Works, Various Properties	154
No.1898 - Servicing of Domestic Heating and Hot Water Various Properties	154
No.1896 - Cyclical Repairs and External Painting, Great Wakering Area 3	154
No.1895 - Cyclical Repairs and External Painting, Great Wakering Area 2	154
No.1894 - Cyclical Repairs and External Painting, Great Wakering Area 1	154
Contract Standing Orders	211
No.1909 - Conversion of The Lavers, Hockley Road Rayleigh	236
Standing Approved List of Contractors for Construction Services	320
Approval of Contractors Selected to Tender for Boiler Replacement at The Lavers	321
Pest Control Contracts	378
No.1921 - Replacement of Boilers at the Lavers, Hockley Road, Rayleigh	402
Contracts Progress Reports	441
Approval of Contractors - Britton Court	450
Approval of Contractors for the Standing Approved List of Construction Contractors	500
Annual Programme of Prepainting, Repairs and Decoration to Council Dwellings	536
Contract Progress Reports	542
Rochford Reservoir Desilting	545
Cyclical Repairs and External Decorations	546
No. 1650 - Office Cleaning	582,604

Corporate Objectives

Vision & Corporate Objectives for Council	387
Vision Statement	387

Council Tax

Setting the Council Tax Base 1996/97	26,601
Setting the Level of Council Tax 1996/97	127,129
Council Tax - Customer Survey	209

Councillors

Councillor R A Pearson - Chairman of Abbeyfield Society Ltd	76
Former Councillor Miss D Stow	133
Reverend Peter Taylor	135
Royal Garden Parties	136
Opposition Priority Business	138
Retiring Councillors	234
Chairman of the Council 1996/97	243
Vice Chairman of the Council 1996/97	244
Chairman of Finance & General Purposes Committee	245
Chairmans Chaplain	246
District/ Parish Election Results	247
Record of Attendances	248
New Polling Station - Grange/Rawreth	495
Result of Election in Rochford Roche Ward	579
Former Councillor Mrs P Cooke	590
New Members - Cllrs DM Ford & RS Allen	591

Cycle of Meetings

Cycle of Meetings 1996/97

Delegations to Officers

Authority to Institute Proceedings for Non-Payment of Rent	83
Review of All Delegations to Officers	207d

Deemed Consents

Glencroft Nursery, White Hart Lane, Hawkwell - Open Space	368
Rayleigh market Car Park	570
Britton Court, Rayleigh - Upgrading Bedsitters	437

Design Briefs

Etheldore Avenue/Wood Avenue Design Brief	159
Aviation Way Business Site	275

Development Control Statistics

Quarter Ending September 1995	18
Quarter Ending December 1995	241
Quarter Ending March 1996	428
Quarter Ending June 1996	524

Development (General)

Urban Design Campaign	98
The Environment Act 1995	99
Etheldore Avenue/Wood Avenue Design Brief	159
Rural White Paper: Rural England - A Nation Committed To A Living Countryside	160
Crouch & Roach Estuaries - Site of Special Scientific Interest	349
Full Repairs Notice - 35/39 West Street, Rochford	351

Distribution

Rayleigh Residents Associations	397
---------------------------------	-----

Economic Development

SEEDS 10th Anniversary Report 213

Employment

Rochford Employment Premium - The Way Forward 391

Environmental Issues

Environmental Awareness Seminar	36,55
Waste Management Licensing - Consultation	81
The Breeding and Sale of Dogs	288
Health & Safety Commission Guidance to Local Authorities - Enforcement Practice	289

Financial Matters

Housing Benefits - War Widows	28
Capital Programme 1996/97	113
Subscriptions 1996/97	114
Aggregate Credit Limits and Treasury Management	208
Accounts and Audit Regulations 1996	233
Banking Services Contract	398
Statement of Accounts 1995/96	416
Stambridge Community Centre	581
Bank Tenders	583

Footpaths

Proposed diversion of Part of Footpath 36 North of Aviation Way	101
Public Footpath No.9 - Hullbridge Foreshore	191
Nursery Close Footpath Closure	552

Freight House

Freight House Car Parking Charges	460
-----------------------------------	-----

Grants

Minor Works Assistance Grants 438

Grant Aid To Outside Bodies

Rochford Sports Council	29
Rayleigh Antiquarian Society	29
Rayleigh Association of Voluntary Services	29
Southend Samaritans	29
Southend Centre for the Homeless	29
Rochford & Rayleigh Citizens Advice Bureaux	30
Grant Aid Referred to Performance Review Panel	55,207b
Grant Aid Applications Referral	281
Rayleigh Retired Residents Centre	497

Gypsys

The Revised Gypsy Code for Essex 147

Health (General)

Electroconvulsive Therapy (ECT)	82
Primary Care Listening Process - Consultation	142
Trends In The Marketing and Sales of Alcohol	151,366
Pigeons - High Street, Rayleigh	375,439
Fee For Tatooists	534
The UK Air Quality Strategy	557
Dogs (Fouling of land) Act 1996	559
Sewerage Treatment works	563
Essex & Suffolk Water undertaking	564

Health & Safety

The Construction, Design, Management Regs.	440,479
--	---------

Housing

Essex Child Protection Committee	44
Sheltered Housing Working Party	78
Mobile Homes Working Party	79
Neighbour Noise Controls - Progress Report	80
Cash Incentive Scheme 1996/97 - Supplementary Credit Application	84
Medical Priority for Housing	85
Housing Rents 1996/97	88
Alleged Breach of Tenancy Conditions	91
Flooding of Council House	93,134
Consultation Paper: Allocation of Housing Accommodation by Local Authorities	144
Housing Grants, Construction and Regeneration Bill: Private Sector Renewal	145
Transfer Incentive Scheme	146,231,283,533
The Letting of Dwellings for Persons of Pensionable Age	93,146,152
Housing Investment Programme (HIP) 1996	282
Incentives for Do It Yourself Share Ownership Purchases	284
The Housing Bill 1996 - A Statutory Ombudsman Service for Housing Association Tenants	285
Council Housing Energy Policy	286,363
Housing Benefit - Customer Survey	316
Social Services	357
HIPS - Strategy Statement 1997-98	359
The 1996 Housing Bill	360
DoE Circular - Local Authorities Joint Tenancies	361
Competitive Tendering for Housing Association Development	362,384,548
Home Energy Conservation Act 1995	364,535,570
Association for the Conservation of Energy	365
Mortgage Rescue Scheme - Mrs D.	380
Chartered Ins. Housing Conf. 1996	436
Programme for Upgrade Britton Court	437
Provision of Shower Facilities, Grested Court	449,479
Future Role of Serplan	487
Assylum & Imigration Act 1996	540

Highways

The A130 By-Pass, A132 to A127	59,201,270,454,508,553,570,598
Rayleigh Weir Improvement Scheme	60,201,341
West Street, Rochford	69
Hall Road/Rectory Road, Hawkwell/Rochford - Proposed	
7.5 Tonne Weight and 6'6" Width Restriction	71
Investigation into the Upgrading of the Southern	
Access Between King Edmund School and Oxford	
Road, Rochford	72
Speed Cameras	74(i)
Warners Bridge, Rochford	74(ii)
Main Road/Poplars Avenue, Hawkwell - Proposed	
Waiting Restrictions	266
Provision of Street Lighting, New Roadways & Footways	
at Hockley Station	347
Provision of Improved Footways and Lighting Measures	348
Street Nameplates	352
Progress Review 1996/97	455
Various Streets, Rayleigh - Variation to Waiting	
Restrictions	456
Speed Reduction Scheme, Love Lane & Leasway	457
Town Centre Traffic Studies	470
Nursery Close Footpath Closure	552
The Commitment Campaign	554
Corporate Image for Street Furniture	555
Locally Determined Budget Scheme	562

Land

Land Adjoining 130 High Street, Great Wakering	102
Land at Hockley Woods - Parsons Snipe	106
Proposed Removal of Highway Rights Over Residential Land - Rochford Garden Way	192
Land at Etheldore /Wood Avenue, Hockley	219,314,400
Land at the Junction of A130 and Church Road, Rawreth	311
Land at Clements Hall - Members Item of Business	317
Glencroft Nursery, White Hart Lane, Hawkwell	368

Leisure - General

The Rayleigh After School Club - Financial Assistance	31
Rochford Sports Council	41
Leisure Centre Charges	42
Guide to Contract with Circa Leisure	43,172
Review of the Use of Sports Pitches 1995/96 Season	45
National Lottery Consultation Process	46,445
Play Equipment at Great Wakering	48(i)
Publicity for Pantomime at Mill Hall	48(ii)
Play Spaces - Summer Problems	50,111,134
Customer Satisfaction Survey (Sports Pitches)	166
Childrens Playgrounds - Security	167,231
Swimming Pool Water Quality	168,231,298
Rochford Area Youth Service - Strategic Plan 1995/96	169
Youth Sports Advisory Group for Rochord	173,231
Financial Aspects of Sport and Recreation within the Leisure Contract	175
Clements Hall Leisure Centre - Astro Turf	176
Joint Strategy for Adults with Learning Disabilities	287
Haltern Suite, Clements Hall Leisure Centre	291
Public Halls	172,292,371
Rochford Sports Scholarship Scheme	293
Leisure Conference	294
Community Use of Public Halls - Charging Policy	297
Sports Development Officer	370,446
Provision of Play Facilities for Older Children in Great Wakering and Grove Road, Rayleigh	372,384,444,537
Conway Avenue Playspace - Report on Current Position	373,384
Rayleigh Bowls Club - King George's Playing Field, Rayleigh	376,384,529,598
Rochford Reservoir Railway - Rochford Live Steam Group	395
Proposed Horse Fayre	403,414,421
Rayleigh Swimming Pool	420,578
ILAM Conference 26th June 1996	435
Tylney Avenue Playspace	443,541
Grove Woods Management Plan	466
Sweyne Park Community Wooldland	467
Lighting of Hullbridge Community Garden	489
Rayleigh Sports & Social Club	511,603
Summer Holiday Play Schemes	538,570
Use of Rochford Reservoir	539,570
Playing Fields awards	543

Licences and Leases

105/107 Little Wakering Road, Great Wakering	577
--	-----

Local Agenda 21

The Way Forward

274

Local Government Review

Rayleigh Parish Council

33(i)

Update - Final Recommendations Re: Wickford Debt

33(ii)

Proposed Boundary Changes

224,572

Nolan Committee: Study into Aspects of Conduct

In Local Government

494

Naming of Streets

Small Development of Highams Road, Hockley	103
West Side of Rectory Avenue, Ashingdon - Hogarth Way	271

National Non Domestic Rating

Hardship Relief	118,501
Mandatory & Discretionary Rate Relief	312,486,573,600
Hardship - Applicant B	401
Hardship - Applicant A	404

National Lottery

National Lottery Consultation Process	73,295
---------------------------------------	--------

National Rivers Authority

South Essex Catchment Management Plan Consultation Report (CMP)	100
---	-----

Newspaper - Rochford District Council's

Editorial Content	115
Arrangements for Distribution	117
Choice of Name	216,231
Tenders	322,499

Notices of Motion

The Landscape of the District	97
Liberal Democrat Administration	232(1), 386,415
Thanks to Dr. M.Clark MP	232(2), 386,414
Protecting the Community	386
CCTV Systems	386
Thanks to former Chief Exec.	414
VAT Reduction on Energy Saving Materials	509

Outside Bodies

Appointment of Outside Bodies 1996/97	253
Remaining Nominations	304,393,414
S. Essex Health Authority Local Plan Arr.	434,508
Essex Training & Enterprise Council	503

Panel Minutes

Millennium Project Working Party	24,
NNDR Consultation Panel	112a
Joint Review Group on District/Parish Relations	112b, 207a, 303a, 303b, 385 (a), 385 (b), 112c, 207b, 207d
Performance Review Panel	112d
Community Focus Working Party	149
Street Trading Panel	207c
Personnel Sub Committee	207f
Unemployment & Economic Initiatives Panel	

Pertinent Business

Meeting with Rayleigh Town Council	526
Essex Structure Plan	526

Photocopiers

Replacement Photocopiers	319
--------------------------	-----

Planning Applications Performance

Twelve Months Ending 31st March 1996	525
--------------------------------------	-----

Planning

Essex Challenge Bids	556
----------------------	-----

Public Open Space

Glencroft Nursery, White Hart Lane, Hawkwell	368
Best kept playing Field Awards	595

Public Question Time

Numbers of questions asked	506
Rayleigh Bowls Club	528

Quarterly Performance Reports

1st July - 30th September 1995 - Policy & Resources	37
Provision of Quarterly Performance Reports for Leisure	47
1st October - 31st December 1995 - Health & Housing	150
1st October - 31st December 1995 - Development	162
1st October - 31st December 1995 - Leisure	171
1st October - 31st December 1995 - Policy & Resources	221

Regulations

The Construction, Design & Management Regulations
1994 - Implications for Rochford District Council 220

Rayleigh Town Council

Civic Regalia 417

Rayleigh Weir

Rayleigh Weir Improvement Scheme 60,341

Recycling

Recycling Strategy 561

Recycling Statistics 1995/96 565

Staff

Mr R.A. Lovell - Chief Executive	8
Mr. J. Bostock - Chief Assistant (Committee Services)	107
O.M. Scoging - Senior Housing Officer	141
Mr. J. Wood - Chief Assistant (Forward Planning)	155, 201
Mr. S. Peen - Assistant Chief Executive	178, 204
Mr. B. McCanna - Committee Services Manager	204
Mr A Wyatt - Committee Clerk	512

Staff Matters

Flexible Working Arrangements	207c
Phase Out Term Contracts	207c
Applications for Early Retirement/Voluntary Redundancy	207c

Standing Orders

Public Question Time - Amendment	207d, 231
Contract Standing Orders	211
Revision of Standing Orders	306

Sub Committees

Leisure Sub Committee	369, 442
Corporate Resources Sub Committee	385 (c), 480 (g), 571 (f)
Community Safety Sub Committee	385 (d), 480 (d), 571 (b)
Millennium Sub Committee	394, 480 (c), 571 (c), 598
Transportation Sub Committee	459, 479, 508, 551, 570
Partnership Sub Committee	480 (a), 480 (f), 571 (d)
Compulsory Competitive Tendering	480 (b), 480 (e), 571 (g)
Regeneration	571 (e)
Audit	571 (a), 598, 599
Proposed timetable of Sub Committee meetings	418
Housing & Homelessness Sub Committee	531, 532, 570, 598

Subscriptions

British Parking Association	193
Local Authority Recycling Advisory Committee	214

Taxi & Private Hire Vehicles

Fee Increases - Objections	273
Additional Stand in Rochford Town Centre	551,598

Terms of Reference, Delegations

Transportation & Environmental Services	265
Community Services	280
Finance & General Purposes	305
Further Nominations for Sub Committees	327

Tourism

Essex County Council's Tourism Signing - Draft Policy	346
---	-----

Town & Country Planning - General

Devenish Site, Hambro Hill, Rayleigh	182
Draft Circular on Planning & Affordable Housing	184
Telecommunications Prior Approval Procedures As Applied to Mast/Tower Development - Code of Best Practice	242
Urban Design Campaign - A Supermarket for Rochford - Presentation of Design Options	259
Southend on Sea Borough Local Plan First Alteration - Inspectors Report	276
Essex Structure Plan Review - County Development Strategy	396
Untidy Site - Land Adjacent 4 Creeksea Ferry Road, Wallasea	407
Article 4 Directions - Markets/Boot Sales	408
Compliance with Extraction of Brickearth, Crouchmans Farm, Poynters Lane, Wakering	409
Programme for upgrade Britton Court	437
Devolved Fees for Building Control	463
Essex Challenge Bids	464,574
Competition to Develop 127-129 Downhall Road	548
Draft Planning Policy Guidance note Wastye Management	558
Hedgerow Protection	560
General Permitted Development Order - Extension to Gardens	606

Town & Country Planning Contraventions

Breach of Planning Control at:-

5 Leonard Drive, Rayleigh	16
Rose Maie, Arterial Road, Rochford	124
Land Adj Pumping Station, Ulverston Road, Ashingdon	227
Bramblehurst Farm, Hydewood Lane, Canewdon	425
Land Adjacent Maryville, Ethelbert Road, Ashingdon	426
2 Rochford Hall, Hall Road, Rochford	473
Untidy Site at 18 Westbury Rochford	516
1 Olicana Cottage, Lincoln Road, Rochford	517
Wadham Church Farm, Church Road, Rayleigh	518
Lynwood Nurseries, Arterial Road, Rayleigh	519
Land to rear of Timberwharf Cottages, Beeches Road Rawreth	520

Swallow Aquatics, London Road, Rawreth	521
Claystreet Farm, Barling Road, Great Wakering	522
Submission of Landscaping Details at Hockley	
Angling Club, Fishing Lakes, Goldsmith Drive	586

Town & Country Building Regulations Contraventions

31 Nutcombe Crescent, Rochford	185
--------------------------------	-----

Transportation

Proposed County Social Services District Transport/ Co-Ordination Project	35
Rochford District Road Safety Plan 1995/96	61
Campaign for Better Bus Services	62,345
Dial-A-Ride Consortium	63
Management of the School Crossing Patrol Service	66
Parish Street Lighting	67
Cycleway Plan Policy & Network	68
Grange Village, Rayleigh - Traffic Management Implications	70
TPP (TPP22) Settlement for 1996/97: South East Essex Package Bid	73,134
Review of Countywide Concessionary Travel Scheme for Essex	190,231,566,570
Essex County Council - Safety Plan 1996/97	194,339
TPP23 - District/Borough Council Liaison	195
Annual Review - Highway Programme 1995/96	196
Highway Maintenance Programme 1996/97	197
Locally Determined Budget	198,338
South East Essex Package 1996/97	267
Passenger Transport Plan 19 (PTP19) - Consultation Draft	268
School Crossing Patrols	337
Transport - The Way Forward	340
B1013 Northern Section Traffic Regulation Order	342,384
Speed Reduction Scheme - Love Lane, Rayleigh	343,384
Consultation on Passenger Rail Franchising, Great Eastern Railway	344
Disabled Drivers parking	461
Car Parks Environmental & Improvement works	462

Vision Statements

Public Consultation - Town Centres

387

Waiting Restrictions

Various Streets, Hockley	199
Various Streets, Rochford	200

Waste Management

Waste Management Licensing - Consultation	81
Waste Management Licence - Stewards Yard, Shoeburyness	143
Integrated Waste Management Strategy	465
Draft planning Policy Guidance Note - Waste Management	558
Recycling Strategy	561
Recycling Statistics 1995/96	565

Write-Offs

Sundry Debtor Accounts	27(i)
Housing Rent	27(ii)
Council Tax, Benefits and NNDR	27(iii)
Community Charge, Council Tax and Non Domestic Rating	210,313,483
Misc Accounts	484
Residual Community Charge	485



**Rochford District
Council**

ROCHFORD DISTRICT COUNCIL MINUTES

1996

November

ROCHFORD DISTRICT COUNCIL

Minutes of the Community Services Committee

At a Meeting held on 12th November 1996 Present. Councillors Mrs. S J Lemon (Chairman), P.A. Beckers, S Cumberland, D F. Flack, G. Fox, E L. Francis, Mrs. J. Hall, N. Harris, Mrs. J. Helson, V.C. Howlett, Mrs. M. Hunnable, Mrs. A.R. Hutchings, V.D Hutchings, Mrs. P.M.V. Pearse, R A Pearson, Mrs. W.M. Stevenson, D.J. Sutton, Mrs. M.S. Vince and Mrs. M.A Weir.

Apologies: Councillor B R. Ayling.

Substitute: Councillor Mrs H.L.A. Glynn.

Visiting: Councillors D E Barnes and S R. Telfis

Co-opted Members present: G Bailey, J. Gibson M B.E., Mrs. S. McPherson and S. Ray.

527. MINUTES

Resolved that the Minutes of the Meeting of 17th September 1996 be approved as a correct record and signed by the Chairman

528. PUBLIC QUESTION TIME

The following question had been received from E.R. Shiret of 12 Picton Close, Rayleigh, pursuant to Standing Order 4A:-

"Why having written on the 7th April this year to complain about the lack of information as to the Casual Use of the King George's Bowling Green and the subsequent assurances from your Legal Department (your letters dated 5th May and 3rd September and Report CSC Meeting 9th July) that notices would be provided in accordance with the terms of the licence, that no action has been taken".

In accordance with Standing Order 4A the questioner attended the Meeting to put the question to the Chairman. The Chairman gave the following answer:-

"The Director of Law & Administration has advised me that Mr. Shiret's letter was actually received by the Chief Executive on 9th May and passed to the Solicitor on 13th May. A reply was sent within two days advising that a meeting was to be arranged with the Clubs and that the question of an appropriate sign would be raised with them

That meeting took place on 18th June and was reported to this Committee in July when recommendations were made to the Finance & General Purposes Committee. Decisions taken then on access and car parking generated considerable correspondence. Thus, and the August recess, meant the proposed wording of a Public Notice was not provided to the Club until 12th September

It is understood that the Clubs' Secretary was away at this time and the matter was not attended to immediately. The Club's have now engaged the services of a solicitor and his comments on the proposed form of wording are awaited

The licence to the Clubs does not require that a sign is erected other than to advise the public when the Green is unplayable.

The lack of a Public Notice was not recognised as a problem until this season and an appropriate notice will be in place in good time for the start of the 1997 season "

The Chairman then advised that the reply would be confirmed in writing in the next 7 days.

529 **LICENCE TO THE RAYLEIGH BOWLS CLUB AND RAYLEIGH WOMEN'S BOWLS CLUB (Minute 420/96)**

The Committee received the report of the Director of Law and Administration on the background and terms of the licence to the Rayleigh Bowls Club and Rayleigh Womens Bowls Club.

During debate some Members referred to the licence requirement that, in certain circumstances, the Clubs should make a rink available for use by the public. Whilst Members did not wish to overstate this issue, they considered that the Clubs were not providing for public use. With regard to site notices the Committee recognised that, in terms of ensuring equitable arrangements, notices should also be displayed at the Council's Rochford bowls rink. Officers understood that the Clubs' Solicitor was due to report back soon on the Council's proposed form of site notice wording.

The possibility that part of the car park currently used by the Club may be required if plans for a swimming pool come to fruition was raised. It was recognised that this issue could be separated from a general discussion of licence arrangements in that the Council would not wish to see the Bowls Clubs leave the site, having already determined at an earlier meeting that a swimming pool project would not affect the Bowling Green.

In response to Member questions, the Director of Law & Administration confirmed that the Council could vary the terms of the licence by agreement without having to give notice to the licensee and that public safety was the responsibility of those managing the rink site at any given time. A Member referred to the value of car parking to the Club and the possibility that, should swimming pool proposals proceed, land for parking could be made available for special bowling occasions when there may be a requirement for a high number of vehicles. It was noted that the National Playing Fields Association should be advised of any discussions in hand with regard to car parking.

In view of the various issues surrounding the Bowls Clubs, the Committee felt that it would be appropriate to convene a Member level meeting with the Clubs, a report being produced as to the way forward.

Resolved (1) That an all party group of Members (including Local Ward Councillors) meet with the Bowls Clubs to discuss the issues raised at this meeting in respect of discussions on their licence.

(2) That a report be submitted to this Committee as to the way forward with regard to the Bowls Clubs (DLA)

530. **OUTSTANDING ISSUES - MEETINGS OF HEALTH AND HOUSING SERVICES COMMITTEE 5TH MARCH, LEISURE SERVICES COMMITTEE 12TH MARCH AND COMMUNITY SERVICES COMMITTEE 9TH JULY 1996**

The Committee was satisfied that all necessary action had been taken. Minutes 145/96 (CEHO) and 368/96 (DLA) were carried forward.

531 **MINUTES OF THE HOUSING AND HOMELESSNESS SUB-COMMITTEE -1ST OCTOBER 1996**

The Committee considered the Minutes of the Meeting held on 1st October 1996 and the recommendations contained therein.

SJL

Resolved (1) That the decisions on the applications for deferment detailed in the Appendix to the report be confirmed including the timescale for review or compliance in those cases where the application is successful

(2) That the applicants be notified of the decision

(3) That the operators be notified of those cases where deferment has been agreed and be invited to attend the future meeting of the Sub-Committee.-

(i) to agree a programme for remedying all non-deferred offending structures within 12 months

(ii) to agree a programme for remedying the problems of inadequate distance separation between mobile homes within as short a period of time as is reasonably practicable

(4) that a report be submitted to the next Meeting of the Sub-Committee on the issue of homelessness where eviction action is taken by the site licence holder. (246)(CEHO)

532

MINUTES OF THE HOUSING AND HOMELESSNESS SUB-COMMITTEE -5TH NOVEMBER 1996

The Committee considered the Minutes of the meeting held on 5th November 1996 and the recommendations contained therein

In response to questions from a Member, the Director of Community Services confirmed his reasons for identifying three posts responsible for the duty to meet the requirements of Part VI Housing Act 1996 relating to the allocation of housing accommodation to applicants and transferring tenants. With regard to a question concerning the possibility of points scheme double scoring in respect of children, the Director confirmed that professional commentators had differing views on points scheme weighting and that schemes were devised against a concept of "reasonable preference". The emphasis needed to be placed on commencing with a scheme bearing in mind that it could be moulded to best fit Council requirements. The Committee recognised the current pressure that the Community Services Department was under in responding to the requirements of the Housing Act. It was noted that the Director of Community Services would be seeking clarification on disclosure of information to elected Members concerning applicants.

SECTION 2. (Allocation of Housing Accommodation - Practical & Policy Implications)

RECOMMENDED (1) That the duty to meet the requirements of Part VI Housing Act 1996 relating to the allocation of housing accommodation to applicants and transferring tenants be delegated to.

Post CH2 Housing Resources Manager
Post CH5 Tenancy Services Manager
Post CH8 Supported Housing Manager

With regard to the following Recommendation, applicants would retain their right of appeal to a Panel of Members.

(2) That the duty to undertake review of decisions as required by Part VI Housing Act 1996 be delegated to:

Post CH1 Director of Community Services

N B The Chief Executive has a general authority to investigate any complaint and this would be unaffected by this or any other Recommendation. (See Delegations to Officers Page 5 paragraph 16).

(3) That the Council adopts the Housing Points Scheme as the method of meeting the requirements of Part VI Housing Act 1996 (with the addition of Points for lack of, or inability to cope with a garden and for the remoteness of a location).

(4) That time spent on the Register be used to determine priority only between applicants with the same number of points.

(5) That the Council continues to assist Elderly Relatives from outside the area in accordance with Council policy.

(6) That the Director of Social Services be asked to accept responsibility to recommend urgent rehousing under Section 167 and that this responsibility should not be delegated to any officer below the level of County Specialist Manager.

(7) That households with incomes below £15,000 for a couple and more for families with children be considered low paid for the purposes of the points scheme. This sum to be amended annually in line with general and house price inflation.

(8) (i) That the Housing and Homelessness Sub-Committee review the implementation of Part VI Housing Act 1996 in May/June 1997.

(ii) That the Director of Community Services draws to Members' attention problems/anomalies that arise from the implementation of Part VI Housing Act 1996 at any time

(9) That prosecution under Section 171 Housing Act 1996 be authorised by the Community Services Committee

SECTION 3 (Housing Act 1996 - Homelessness)

RECOMMENDED (1) That the following staff be delegated authority to deal with homelessness under the terms of Part VII Housing Act 1996 and the Code of Guidance'

Post CH2 Housing Resources Manager
Post CH5 Tenancy Services Manager
Post CH8 Supported Housing Manager
Post CH6 Housing Officer

(2) That the Director of Community Services be authorised to review decisions under the terms of Part VII Housing Act 1996 and to act thereon.

(3) That Members receive training on the Housing Act 1996

(4) That all Licensees of temporary accommodation be offered secure tenancies prior to the commencement of the Act

(5) (i) That the action of the Director of Community Services in mothballing Hatfield House be confirmed.

(ii) That the Director of Community Services reports back on the future of Hatfield House to the meeting of Community Services on 4th March, 1997

(6) That the Director of Community Services be authorised to seek Secretary of State approval under Section 207 to modify the provisions of Part VII of the Housing Act 1996 in respect of:

- a) Elderly people
- b) People with physical disabilities
- c) People with learning difficulties
- d) People suffering from mental illness
- e) Families with children below age 3
- f) Families with 4 children or more

(7) That the Director of Community Services prepares a report on the options for using Registered Social Landlords and private landlords to temporarily house the homeless

SECTION 4 (Housing Act 1996 - Part VII - Section 179 - Provision of Housing Advice)

Whilst agreeing in principle the strategy for providing Housing Advice, Members of the Housing and Homelessness Sub-Committee had expressed concern that the Housing Revenue Account should bear the cost of housing advice

RECOMMENDED (1) That approval be given to the strategy for providing Housing Advice.

SECTION 5 (Housing Act 1996 - Parts VI & VII - Manpower Implications)

In discussing Recommendation 1, Members felt that the Corporate Resources Sub-Committee should be asked to consider funding the post in the way described.

RECOMMENDED (1) That approval be given in principle to the appointment of a Lettings Assistant/Housing Adviser.

(2) That the Corporate Resources Sub-Committee be asked to consider authorising the above post and the funding proportionally from the Housing Revenue Account and General Fund.

(3) That the Director of Community Services monitors workloads and reports back on staffing requirements as the occasion arises.

It was further.-

Resolved (1) That the new Application for Inclusion on the Housing Register form be used from 13th November, 1996.

(2) That Housing Associations be given four weeks from 13th November 1996 to comment on the introduction of the new allocation scheme.

(3) That all occupants of temporary accommodation be given secure tenancies prior to the commencement of the Act. (D Com.S)

533

TRANSFER INCENTIVE SCHEME (Minute 522/93)

The Director of Community Services reported that for many years the Council had given a financial incentive to tenants who vacated family sized housing for single bedroom accommodation which enabled the Council to re-use the vacated property to re-house younger families who had been homeless or who otherwise had occupied unsatisfactory housing.

Legislation came in force on 1st October which provided the power for Local Housing Authorities to make payment to assist or encourage tenants to move to other

accommodation owned by the Authority, another Local Authority or a registered social landlord (formerly Housing Association).

Resolved That paragraph (d) of Minute 522/93 be rescinded and in paragraphs (a) (b) and (c) of Minute 522/93 the words "Any Social Landlord including this or other Councils" be substituted for the words "Rochford Council". (2112)(D.Com.S)

534. **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 - FEE FOR THE REGISTRATION FOR TATTOOISTS AND ACUPUNCTURISTS**

The Chief Environmental Health Officer reported that the Local Government (Miscellaneous Provisions) Act 1982 prohibits a person from carrying on the business of tattooing unless he and his premises have been registered

Enquiries had been received about the opening of two tattooing businesses. Members had previously determined the registration fee for ear piercing and electrolysis for the current financial year as £103.00

Resolved That the fee for registering tattooists and acupuncturists be £103.00. (29061)(CEHO,DF)

535. **HOME ENERGY CONSERVATION ACT 1995 - PROGRESS REPORT (Minute 364/96)**

The Committee considered the report of the Chief Environmental Health Officer on progress in respect of the Council's first energy efficiency report.

The Chief Environmental Health Officer outlined the strategic proposal for achieving a 30% improvement in efficiency across the District and confirmed that he could report further in the New Year on the outcome of consultation with regard to resource implications. Members agreed that the provision of monies in the draft estimates for consultancy fees should be considered in the context of provision for the Agenda 21 initiative.

Resolved (1) That the strategy contained in the draft report be agreed subject to any necessary corrections

(2) That the comments of Parish Councils and other interested groups and the implications for monitoring progress of the strategy be reported to a future meeting (1243)(CEHO,DF)

It was further-

RECOMMENDED That the provision of £1,000 in the draft 1997/98 estimates for consultancy fees in connection with home energy efficiency be considered in the context of provision for the Agenda 21 initiative.

536. **ANNUAL PROGRAMME OF PRE-PAINTING, REPAIRS AND DECORATIONS OF COUNCIL DWELLINGS 1997/98 (Minute 629/95)**

The Director of Environment reported the following programme of pre-painting, repairs and decoration of Council dwellings to be carried out in 1997/98.-

Contract 1 - Rayleigh Area 1	87 properties plus 12 garages
	Springfield Court 16
	Newport Court 17
	Harvard Court 15
	Salem Walk 13
	Hartford Close 21
	Maine Crescent 5

	<u>Total Properties</u>	<u>87</u>
Contract 2 - Rayleigh Area 2	73 properties plus 26 garages	
	London Road	3
	Sir Walter Raleigh Drive	8
	Vernon Avenue	13
	Pearsons Avenue	9
	Wimarc Crescent	8
	Regent Close	8
	Goose Cottages	7
	Bedloes Avenue	16
	Bedloes Corner	1
	<u>Total Properties</u>	<u>73</u>
Contract 3 - Rayleigh Area 3	217 properties, no garages	
	Bardfield Way	51
	Chignal House	37 W
	Sheering Court	11
	Elsenham Court	8
	Fyfield Path	10
	Clavering Court	14
	Tendring Avenue	38
	Rettendon Close	21
	Kelvedon Close	10
	Hatfield Road	17
	<u>Total Properties</u>	<u>217</u>
Contract 4 - Rayleigh Area 4	81 properties plus 9 garages	
	Hambro Hill	11
	Hambro Close	10
	Crown Hill	11
	Francis Walk	12
	Creswick Avenue	7
	Station Avenue	13
	Lansdowne Drive	11
	Cheapside West	6
	<u>Total Properties</u>	<u>81</u>

537 PROVISION OF OLDER CHILDREN'S PLAY EQUIPMENT (Minute 479/96)

The Committee considered the report of the Property Services Manager detailing some proposals for the provision of play equipment for older children via monies available as part of the Safer Communities Initiative.

During debate Members agreed that it would be useful to have a further detailed report on how money allocation for equipment worked. It was also felt that there could be an alternative to the proposed expenditure on bin provision, perhaps utilising the Council's woodlands service or another similar source.

In response to Member questions the Property Services Manager advised that, further to the youth presentation made at the last meeting of the Community Safety Sub-Committee, he would be approaching the appropriate Ward Councillor with regard

to assistance which could be available for the youth of Hockley The Council indicated the nearest telephones on play area signage

A Member expressed particular concern about problems associated with the pavilion area of the Pooles Lane recreation ground and the need for careful positioning of any equipment. The Chairman confirmed that this matter would be taken up with the Parish Council and that Local Ward Members would be consulted on positioning.

During discussion of a request from young people who wished to see a ball game area in the eastern part of Great Wakering the Chairman of the Council confirmed that, following an approach from Great Wakering Parish Council and young people, he was to contact the M.O D on this matter.

Resolved That, subject to the above comments, the provision of play equipment for older children, as detailed in the report of the Property Services Manager, be agreed. (252) (PSM)

538. **SUMMER HOLIDAY PLAYSCHMES (Minute 652/95)**

The Committee considered the report of the Director of Community Services on proposals in respect of providing a 1997/98 Summer Playscheme.

The Director confirmed the background to evolvment of the bid price, which had included consultation with Social Services during which appropriate staffing levels had been determined.

RECOMMENDED That the sum of £7,900 be included within the draft budget estimates for 1997/98 for the provision of summer holiday playschemes. (33556) (DCOMS, DF)

539 **USE OF ROCHFORD RESERVOIR**

The Committee considered the report of the Property Services Manager suggesting a policy framework in respect of a request received to hold a Humanist Wedding Ceremony in the grounds of Rochford Reservoir next summer.

RECOMMENDED (1) That the following policy for small scale private events held at Council buildings and facilities be agreed.-

(i) The organiser to hold an insurance policy to cover Public Liability risks to the level as agreed by the Director of Finance.

(ii) Any request which, in the opinion of the Council, may be contrary to decency or good manners or likely to lead to disorder will not be allowed

(iii) The organiser is responsible for ensuring during any function that no disorderly, dangerous or improper conduct, or conduct which may endanger Council property occurs.

(iv) The organiser will be liable for any costs incurred by the Council.

(v) No area of the open space will be enclosed in any way to restrict access to the general public and no charges levied.

(vi) No activity likely to cause nuisance or annoyance to neighbouring premises or other users of the public open space will be permitted.

(vii) No activity shall involve more than 100 people

571

(viii) The organiser is required to obtain any statutory licences, consents or other permission that may be required.

(2) That the request for permission for a Humanist Ceremony at the Rochford Reservoir be granted.

(3) That the Property Services Manager be authorised to process requests subject to the above policy (133)(PSM)

540 **ASYLUM AND IMMIGRATION ACT 1996**

The Committee noted the report of the Director of Community Services on the housing provisions of the Asylum and Immigration Act 1996, which came into effect on 19th August. Under the provisions of Section 9 a person subject to immigration control would not be eligible for a Council tenancy (or licence to occupy) or eligible for assistance under the homelessness legislation unless he or she fell within a class of person specified by the Secretary of State.

541. **TYLNEY AVENUE PLAYSPACE (Minute 443/96)**

The Committee received the interim report of the Property Services Manager on current progress concerning the future options for the Tylney Avenue Playspace. Members extended their thanks to the local Ward Councillor, Councillor Mrs. M.S. Vince, for all her work on this matter. (9640)

542 **CONTRACT PROGRESS REPORT (Minute 441/96)**

The Committee noted the report of the Director of Environment/Property Services Manager on the progress of a number of contracts. The Property Services Manager confirmed that the approximate completion date for The Lavers scheme was mid December.

543. **MEMBERS ITEM OF BUSINESS**

Co-opted Member J.Gibson was pleased to confirm that the Chairman of the Council would be attending the next National Playing Fields Association AGM to receive awards in respect of those Council grounds which have been successful in the Essex Best Kept Playing Field Competition. The standard of grounds maintenance was far in excess of that seen last year and the Council could be commended.

544. **EXCLUSION OF THE PUBLIC**

Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the following item of business on the grounds that they involve the likely disclosure of Exempt Information as defined in Paragraph 9, 12 and 9 respectively of Part 1 of Schedule 12A of the Act.

545 **ROCHFORD RESERVOIR DESILTING**

The Committee considered the confidential report of the Property Services Manager on proposals to obtain a formal quotation for undertaking the desilting of Rochford Reservoir.

The Property Services Manager confirmed that he was taking advice on methods by which the odour associated with desilting could be minimised and that works should be completed prior to 31st March 1997.

546 CYCLICAL REPAIRS AND EXTERNAL DECORATION 1997/98

The Committee considered the confidential report of the Property Services Manager detailing a proposed list of contractors selected to undertake cyclical repairs and external redecoration during 1997/98

Resolved that approval be given to the list of contractors detailed in the report of the Property Services Manager to be invited to bid for the works as described (CON. 1948, CON. 1949 and CON. 1950). (DE, PSM)

547. CARAVAN SITE LICENCE - BREACH OF CONDITIONS (Minute 379/96)

The Committee considered the confidential report of the Chief Environmental Health Officer on the current position with regard to defective hard standings in respect of two caravans at The Dome Caravan Park, Lower Road, Hockley.

Resolved that proceedings authorised under Minute 379/96 be not instituted but that the situation in each case be monitored and a further report be made in the event that the circumstances change and the Chief Environmental Health Officer, in consultation with the Director of Law & Administration, considers that legal action would be appropriate. (1466) (CEHO)

548. COMPETITION TO DEVELOP 127-129 DOWNHALL ROAD, RAYLEIGH (Minute 362/96)

The Committee considered the confidential report of the Director of Community Services detailing the outcome of the recent competition to develop 127-129 Downhall Road, Rayleigh.

Resolved That Basildon Community Housing Association be invited to develop the site at 127-129 Downhall Road, Rayleigh in accordance with the Planning Permission already granted and in accordance with the submission made to the development competition. (225) (DCOMS)

mins nov 12

SJC

ROCHFORD DISTRICT COUNCIL

COMMUNITY SERVICES COMMITTEE - 12TH NOVEMBER 1996

Minutes of the Housing and Homelessness Sub-Committee

At a Meeting held on 5th November 1996. Present: Councillors S. Cumberland (Chairman), P.A. Beckers, D.F. Flack, Mrs. J. Hall, Mrs. M. Hunnable, Mrs. S.J. Lemon, Mrs. P M V Pearse, R A. Pearson and Mrs. M.S. Vince

Apologies: Councillors E L. Francis and Mrs. W.M. Stevenson.

Substitutes: Councillors Mrs J. Helson and C.R. Morgan.

Visiting: Councillors D E. Barnes and V D. Hutchings.

5 MINUTES

The Minutes of the Meeting held on 1st October 1996 were approved as a correct record.

6. HOUSING ACT 1996

The Sub-Committee received a report on the above Act from the Director of Community Services presented in 5 sections. To provide the fullest information to the parent Committee it was agreed that the report should be appended in full to the Minutes of this Sub-Committee incorporating those amendments suggested by Members.

With the aid of view foils the Director of Community Services went through the reports in detail. A Member asked for and received confirmation that the Council would have to consider using private housing companies and other housing associations not presently working in the District under the term Registered Social Landlords. In answer to a question regarding the control of housing in multiple occupation within the District the Chief Environmental Health Officer said he would study the legislation further and prepare a report to Community Services Committee at the earliest opportunity after receipt of the Guidelines. Following discussion of introductory tenancies the Director of Community Services said The Children Act would ensure families with children were housed.

SECTION 2. (Allocation of Housing Accommodation - Practical & Policy Implications)

RECOMMENDED (1) That the duty to meet the requirements of Part VI Housing Act 1996 relating to the allocation of housing accommodation to applicants and transferring tenants be delegated to:

Post CH2 Housing Resources Manager
Post CH5 Tenancy Services Manager
Post CH8 Supported Housing Manager

When agreeing the following Recommendation, the Director of Community Services confirmed applicants would retain their right of appeal to a Panel of Members.

(2) That the duty to undertake review of decisions as required by Part VI Housing Act 1996 be delegated to.

Post CH1 Director of Community Services

N B The Chief Executive has a general authority to investigate any complaint and this would be unaffected by this or any other Recommendation. (See Delegations to Officers Page 5 paragraph 16).

During discussion of Recommendation 3, Members requested that the Director of Community Services write to the Department of the Environment for clarification on disclosure of information about applicants to Councillors

Members agreed Recommendation 3 with the addition of Points for lack of, or inability to cope with a garden and for the remoteness of a location.

(3) That the Council adopts the Housing Points Scheme as the method of meeting the requirements of Part VI Housing Act 1996

(4) That time spent on the Register be used to determine priority only between applicants with the same number of points.

(5) That the Council continues to assist Elderly Relatives from outside the area in accordance with Council policy.

(6) That the Director of Social Services be asked to accept responsibility to recommend urgent rehousing under Section 167 and that this responsibility should not be delegated to any officer below the level of County Specialist Manager.

(7) It is therefore proposed that households with incomes below £15,000 for a couple and more for families with children be considered low paid for the purposes of the points scheme. This sum to be amended annually in line with general and house price inflation.

(8) (i) That the Housing and Homelessness Sub-Committee review the implementation of Part VI Housing Act 1996 in May/June 1997.

(ii) That the Director of Community Services draws to Members' attention problems/anomalies that arise from the implementation of Part VI Housing Act 1996 at any time

(9) That prosecution under Section 171 Housing Act 1996 be authorised by the Community Services Committee.

SECTION 3 (Housing Act 1996 - Homelessness)

RECOMMENDED (1) That the following staff be delegated authority to deal with homelessness under the terms of Part VII Housing Act 1996 and the Code of Guidance.

Post CH2 Housing Resources Manager
Post CH5 Tenancy Services Manager
Post CH8 Supported Housing Manager
Post CH6 Housing Officer

(2) That the Director of Community Services be authorised to review decisions under the terms of Part VII Housing Act 1996 and to act thereon

Members concurred with Recommendation 3 that they did require training

(3) That Members determine if they require training on the Housing Act 1996.

(4) That all Licensees of temporary accommodation be offered secure tenancies prior to the commencement of the Act.

(5) (i) That the Committee confirms the action of the Director of Community Services to mothball Hatfield House.

(ii) That the Director of Community Services reports back on the future of Hatfield House to the meeting of Community Services on 4th March, 1997

(6) That the Director of Community Services be authorised to seek Secretary of State approval to modify the provisions of Part VII of Section 207 of the Housing Act 1996 in respect of.

- a) Elderly people
- b) People with physical disabilities
- c) People with learning difficulties
- d) People suffering from mental illness
- e) Families with children below age 3
- f) Families with 4 children or more

(7) That the Director of Community Services prepares a report on the options for using Registered Social Landlords and private landlords to temporarily house the homeless

SECTION 4 (Housing Act 1996 - Part VII - Section 179 - Provision of Housing Advice)

Whilst agreeing in principle the strategy for providing Housing Advice, Members expressed concern that the Housing Revenue Account should bear the cost of housing advice.

RECOMMENDED (1) That approval be given to the strategy for providing Housing Advice.

SECTION 5 (Housing Act 1996 - Parts VI & VII - Manpower Implications)

In approving Recommendation 1, Members asked that further investigations be made with the object of funding the post proportionally from the Housing Revenue Account and General Fund

RECOMMENDED (1)(i) That approval be given in principle to the appointment of a Lettings Assistant/Housing Adviser

(ii) That the Director of Community Services monitors workloads and reports back on staffing requirements as the occasion arises

The Community Services Committee be asked to Resolve the following actions:

- 1) That the new Application for Inclusion on the Housing Register form be used from 13th November, 1996.
- 2) That Housing Associations be given four weeks from 13th November 1996 to comment on the introduction of the new allocation scheme
- 3) That all occupants of temporary accommodation be given secure tenancies prior to the commencement of the Act (D Com S)

mins nov 5 keep

ROCHFORD DISTRICT COUNCIL**HOUSING & HOMELESSNESS SUB-COMMITTEE - 5TH NOVEMBER 1996****REPORT OF THE DIRECTOR OF COMMUNITY SERVICES****HOUSING ACT 1996**

As has been explained to members in the letter of 7th October 1996 the timescale for implementation of this Act is extremely tight. It is not therefore possible to meet the usual criteria of involving Members in the implementation of such major legislation. Reports required at the Community Services meeting of 12th November cannot be completed at the time of writing because the Codes of Guidance have yet to be published.

The Director of Community Services has therefore prepared this report on the basis that Members should have the most complete information available on the Housing Act 1996, despite the fact that the Codes of Guidance are not yet available. For ease of reference the main issues have been dealt with in five parts, as follows:

- 1 Overview
- 2 Allocation of Housing Accommodation
- 3 Homelessness
- 4 Housing Advice
- 5 Manpower Implications

The Codes of Guidance should be published by the date of the Sub-Committee meeting. The Director will report on these at the earliest opportunity or verbally at the meeting.

The introduction of this legislation will require several follow-up reports

Office procedures will need to be re-written and staff at the sharp end will require extensive training and guidance. The end product will be a retrospective analysis of the implementation of the Act submitted for Members' consideration in the summer of 1997.

The Director will not be satisfied as to the implementation of the Act until after the analysis has been completed and Members' final comments acted upon. In the interim period the Director and his staff will be facing new challenges daily.

SECTION 1.

HOUSING ACT 1996 - AN OVERVIEW FOR MEMBERS

1.1 Introduction:

The Housing Act 1996 introduces a wide range of measures affecting local authorities, housing associations and private landlords. The Act comprises 233 sections and 19 schedules, considerably longer than the last major Housing Act in 1988.

1.2 Part 1: Social Rented Sector:

Overview: Part I of the Housing Act 1996 deals with the Housing Corporation and its new regulatory powers in respect of "registered social landlords" (Formerly known as Housing Associations). The new provisions extend eligibility for registration with the Housing Corporation to non-profit, non-charitable companies including local housing companies set up by local authorities. Many of the provisions in Part I extend the powers of the Corporation beyond registered housing associations to the increasingly diverse social rented sector.

The Housing Corporation is also given new powers to collect information and to enforce housing management standards. The role of the housing association ombudsman is also extended to include all registered social landlords.

This section has no direct effect on the Council.

1.3 Part II: Houses in Multiple Occupation

Overview: The provisions in Part II of this Act go some way towards addressing the widespread concern about the safety and quality of accommodation in houses in multiple occupation. This Part amends Part XI of the Housing Act 1985 to give local authorities new powers to set up registration schemes for houses in multiple occupation in order to enforce a range of standards. In 1997, local authorities will also be required to ensure adequate fire safety provisions and means of escape in a wider range of houses in multiple occupation.

However, it remains to be seen how effective these provisions will be, given that the power to set up registers is discretionary and that large numbers of houses in multiple occupation may be excluded from registration under government model schemes.

Landlords of houses in multiple occupation are placed under a duty to prevent the means of escape from fire, other fire precautions and amenities in a house from falling below defined standards. Failure to comply to the statutory notice could lead to prosecution.

The provisions of Part II apply generally to houses in multiple occupation and/or managed by registered social landlords. It is likely that the Government will exempt such landlords from the provisions of registration schemes and of the extended fire safety duty.

This matter is dealt with under the purview of the Chief Environmental Health Officer and will be reported upon in due course.

1.5 Part III - Landlord and Tenant

Overview: Chapter I strengthens the legal position of long leaseholders against the freeholders and managers of their properties. However, the rights of secure and assured tenants are also affected by some of the provisions in this Chapter

Chapter II amends the law in respect of assured tenancies by strengthening the position of landlords in several ways. It is now easier to create an assured shorthold tenancy and to retain possession of an assured tenancy. The grounds for possession against assured tenancies are also strengthened by Part V.

Chapter III makes a range of amendments to the leasehold reform provisions in the Leasehold Reform, Housing and Urban Development Act 1993. This Act gave most long leaseholders in blocks of flats the collective right to buy the freehold of their block(s) or to individually extend their lease agreement.

The Director of Community Services will study these provisions and report on the effects to the Council as necessary in the New Year.

1.5 Part IV - Housing Benefit & Related Matters

Overview: Part IV amends the Social Security Administration Act 1992 and the provisions are generally concerned with the administration of Housing Benefit and Council Tax Benefit and the associated subsidies rather than the principles underlying the schemes. This is the only part of the Act which extends to Scotland.

The Secretary of State for Social Security may prescribe cases in which local authorities are required to make payments of Housing Benefit directly to landlords.

Also, Housing Benefit Subsidy and Administration Subsidy payable to local authorities may be specified as fixed amounts and certain expenditure may be specified as receiving nil subsidy.

This matter is dealt with under the purview of the Director of Finance and will be reported upon in due course.

1.6 Part V - Conduct of Tenants

Overview: Part V introduces a series of measures, in three chapters, designed to counter rising concerns about anti-social behaviour by tenants in the rented sector.

Chapter I allows local housing authorities and housing action trusts to set up introductory tenancy schemes which allow the landlord to operate fast track possession proceedings in the first year of such tenancies.

Chapter II gives wider powers to landlords in respect of possession proceedings by extending the ground of nuisance or annoyance to include behaviour likely to cause nuisance. It also extends the application of the ground to the locality of the tenant's property and includes behaviour by visitors. This chapter also gives landlords the opportunity for faster possession proceedings where the tenant is behaving in an anti-social manner.

Chapter III introduces injunctions for anti-social behaviour by tenants with the power of arrest for the breach of such injunctions.

These issues will be reported upon in the New Year by the Director of Community Services.

1.7 Part VI - Allocation of Housing Accommodation

The subject of a current report

1.8 Part VII - Homelessness

The subject of a current report

1.9 Part VIII - Miscellaneous & General Provisions

Overview: Part VIII contains miscellaneous and general provisions including matters relating to housing management and housing finance and provisions dealing with the extent of the Act and its commencement

SECTION 2

ALLOCATION OF HOUSING ACCOMMODATION PRACTICAL AND POLICY IMPLICATIONS

The Director of Community Services has considered Part VI of the Act and draws Members' attention to the following issues

2.1. Policies - General

All Council policies relating to eligibility for housing, selection of tenants and the housing points scheme will no longer be applicable from 20th January 1997

Local housing authorities must comply with the provisions of the Act in respect of allocating housing. This includes all lettings and nominations to registered social landlords. Nominations to Finchfield Trust properties will however remain exempt from these rules

It is emphasised all allocations must be made via the Housing Register. 'Back door' allocations are prohibited

The provisions do not apply to someone who is already a tenant of a Council or a social landlord. Consequently they do not apply to transfers, reciprocal transfers or mutual exchanges

2.2. Section 161 - Qualifying Persons

Eligibility to be included on the housing register will be confined to persons who have a connection with the District. This means a person can be accepted onto the list

- * because he is, or was in the past, normally resident in the district, and that residence was of his own choice
- * because he is employed in the district
- * because of family association or
- * because of special circumstances

The Council's criteria of 2 years residence in the last 10 years is therefore defunct as is the policy that rejects applications from those non-elderly persons who own their own home. Other minor qualifications relating to caravan dwellers and members of H M Forces will also become defunct

2.3. Section 164 - Right to Review

If the authority decides that someone is not eligible for the list the applicant may ask for the matter to be reviewed

This review must be undertaken by a person of appropriate seniority who was not involved in the original decision

This and other rights to review, particularly on homelessness cases are a feature of the legislation. From the wording it is clear the person to undertake the review will be an officer. Dissatisfied clients will still be able to appeal to a panel of Members as is current practice. At present the Director of Community Services gives his approval to all lettings and has delegated

authority to do so (Ref 'Delegations to Officers, pages 22 - 25, paragraphs 1,2,4,5,7,8,14,15,16,17,22,27,29,37,39,41,43 and 44)

Although this involvement is very much at the margin with all investigating and procedural work being undertaken by middle and junior staff, office practices will need to change. After considering this issue it is felt a general delegation needs to be made to the Housing Resources Manager to facilitate this activity. In order to cover for this officer at holiday time, the delegation should also be made to the Tenancy Services Manager and Supported Housing Manager. No part of the rehousing process can be dealt with entirely in isolation. Whilst services to transferring tenants remain outside the purview of the legislation, transfers and reciprocal exchanges are an integral part of the process. It is therefore necessary to ensure that the same officers have responsibility for agreeing transfers and reciprocal transfers and that the review process encapsulates this as well (Appendix C)

RECOMMENDED 1: That the duty to meet the requirements of Part VI Housing Act 1996 relating to the allocation of housing accommodation to applicants and transferring tenants be delegated to

Post CH2	Housing Resources Manager
Post CH5	Tenancy Services Manager
Post CH8	Supported Housing Manager

RECOMMENDED 2: That the duty to undertake review of decisions as required by Part VI Housing Act 1996 be delegated to

Post CH1	Director of Community Services
----------	--------------------------------

N B The Chief Executive has a general authority to investigate any complaint and this would be unaffected by this or any other recommendation (See Delegations to Officers Page 5 paragraph 16).

2.4. Section 166 - Information About the Housing Register

The section describes the applicants right to see information contained on the register and the requirement for that information to remain confidential.

The Council must provide the information free of charge and must be able to indicate in general terms how long the waiting time is likely to be for a home. Disclosure of information to any other member of the public is prohibited

To meet the requirements of this section the Housing Resources Manager will only be able to answer enquiries, including those from Members, in general terms. It is intended however, that a letter detailing the applicants entry on the Register will be sent to the applicant and can of course be shown by the applicant to any person he/she chooses

This proposal will enable Members and others to continue to advise people on the Register and ensure the housing service is being delivered properly.

2.5. Section 167 - The Allocation Scheme

Section 167 describes the procedures a local housing authority must follow in allocating housing. Appended to this report are a draft points scheme and a housing application form (Appendices A & B)

There are three points of note

2.5.1 The current policy of giving priority to persons with long local residence is now not applicable

2.5.2 The Act allows only six areas of priority, namely

- insanitary or overcrowded housing.
- insecure tenure.
- families with dependent children
- pregnancy
- welfare or medical needs.
- social or economic problems.

2.5.3 The Act also prescribes the scheme must include provision to enable additional preference be given to persons or households with particular problems, welfare or medical. Advice will be given on the new Code of Guidance

RECOMMENDED 3: That the Council adopts the Housing Points Scheme as the method of meeting the requirements of Part VI Housing Act 1996

RECOMMENDED 4: That time spent on the register be used to determine priority only between applicants with the same number of points

2.6 Section 167 - The Elderly Relatives Scheme

The Elderly Relatives Scheme is the scheme whereby the Council assists the elderly relatives of local people. Essentially it is for relatives of local residents who live outside the district and who wish to move to the district. The scheme requires special consideration. Currently all offers are made by date order. Some applicants will be eligible for the register because of family associations but most are already the tenants of other social landlords and therefore not eligible

At 4.10.96 the Elderly Relatives list comprised:

- 89 Council tenants
- 7 Housing association tenants
- 38 Owner occupiers
- 28 Tenants of private landlords
- 1 Lives with family friends
- 2 unknown.

The potential problems of this list are

2.6.1 Closure of the list will lead to widespread dissatisfaction from local people

2.6.2 Inclusion of all those persons who are currently tenants of social landlords on to the transfer list would lead to a substantial proportion of allocations going to these people and a measure of dissatisfaction from local tenants and applicants

2.6.3 Assessment of these applicants will logistically be difficult

To resolve this situation to the satisfaction of all clients will be impossible. It is however suggested Members consider:

2.6.4 Inviting all tenants of social landlords to register as HOMES Mobility Scheme applicants.

2.6.5 The Council resolves to assist a quota of these applicants via the transfer list system

2.6.6 All others be invited to register on the Housing Register and the respective local authorities be asked to complete the Council's Home Visit Form except where the applicant lives in a neighbouring district and the Council's own staff can reasonably visit.

Advice will be given on the new Code of Guidance and recommendations will be made on the future of the Elderly Relatives Scheme

RECOMMENDED 5: That the Council continues to assist Elderly Relatives from outside the area in accordance with Council policy.

2.7 Agricultural Tenancies

The Council has the duty to use its best endeavours to assist certain categories of displaced agricultural tenants under the terms of the Rent (Agriculture) Act 1976. The Department of the Environment has advised this duty will be unaffected by the Act

2.8 Dwellings Unfit for Habitation

The Council, on the recommendation of the Chief Environmental Health Officer has the power to close and to order demolition of certain unfit dwellings. Persons living in such dwellings are rehoused by the Council as necessary. This duty will also be unaffected by the Act

2.9 Assessment of Advice for Welfare Priority

The Council has a good scheme for assessment of medical problems. Where doctors or specialists draw the Council's attention to a problem, relevant papers are passed to Dr Mary Sibellas who provides an assessment. The points scheme proposes:

Grade A	Urgent rehousing
Grade B	25 points
Grade C	10 points
Grade D	0 points

For social/welfare problems the issues are often subjective. A social worker will often argue vehemently on behalf of a client whose housing needs are slight. Very occasionally severe and urgent cases have been brought to the Director's attention by the Regional Director of Social Services. In 16 years these have totalled 5 or 6. The issues have arisen from sexual abuse, child neglect, incest or other very serious problems. The Council has, since the mid 1970's agreed that the Director of Social Services can recommend immediate rehousing in these very urgent cases. This policy was felt to be entirely adequate to deal with referrals under the Children Act 1989 and the Director believes it will meet the requirements of the Housing Act 1996.

Since the re-organisation of Social Services a new management structure has been introduced. It would seem appropriate that the Director of Social Services be requested to continue this function and to delegate the authority to County Specialist Managers (3rd tier).

RECOMMENDED 6: That the Director of Social Services be asked to accept responsibility to recommend urgent rehousing under Section 167 and that this responsibility should not be delegated to any officer below the level of County Specialist Manager.

2.10 Economic Problems

The Act requires that priority is afforded to households whose social or economic circumstances are such that they have difficulty in securing settled accommodation. It is understood the objective of bringing economic problems to the fore is to ensure that people who can afford to do so buy a home.

However, to simply give points to people on Income Support will make the "poverty trap" of welfare dependency worse.

To illustrate this issue

An unemployed couple with two children (age 7 & 12 years) are entitled to the following benefits (at 7 10 96)

	Week £	Annual £
Income Support	75 20	
Child 12	24 10	
Child 7	16 45	
Family Premium	<u>10 55</u>	
Total Income	126 30	6,567 60
Average Council Rent	48 26	2,509.52
Average Council Tax	10 30	536 00
Total Income Value	184 86	9,613.12

This is "take home pay". The couple have no expenses of getting to work and are entitled to free prescriptions, dental treatment, reduced cost spectacles, school meals etc. Child allowances are not included as this benefit is currently universal.

Income over £126.30 per week reduces Housing Benefit by 65p in the pound and 20p in the pound for Council Tax benefits. (The first £10 of income is disregarded). Commentators have described this reduction in benefits as taxation for the less well off at 85p in the £1.

It is generally accepted that a sensible limit of borrowing capacity is up to 3 times the family income. At current prices in Rochford a modest home may be bought for £50,000. Therefore the household with income of £15,000+ should be able to just afford a 90% mortgage.

At 7% repayments on a £45,000 loan are £322.20 assuming a 25 year term and ignoring MIRAS (equivalent to £74.35 per week).

To strike the right balance the Council should not deepen the benefits trap nor drive people into obtaining mortgages which will lead to foreclosure.

RECOMMENDED 7: It is therefore proposed that households with incomes below £15,000 for a couple and more for families with children, be considered low paid for the purposes of the points scheme. This sum to be amended annually in line with general and house price inflation.

2.11 Reasonable Preference:

The Act allows few areas of discretion for housing authorities. By prescribing "reasonable preference" and issuing guidelines the Act effectively removes discretion outside the spirit of the Act and Guidance Notes currently in force.

However carefully planned the points scheme and other procedures, there are bound to be anomalies. To safeguard the Council's position it is proposed that the implementation of the Act be reviewed by Members and by the Director of Community Services.

RECOMMENDED 8: (1) That the Housing and Homelessness Sub-Committee review the implementation of Part VI Housing Act 1996 in May/June 1997.

(2) That the Director of Community Services draws to Members' attention problems/anomalies that arise from the implementation of Part VI Housing Act 1996 at any time.

2.12 Manpower Implications:

In order to comply with Part VI of the Act it will be necessary to ensure every applicant on the waiting list is re-assessed. At 1st October 1996 the lists were

Ordinary List	428
OAP List	258
Elderly Relatives	119

The first stage will be to arrange a level of self assessment. Care will be taken to avoid worrying the elderly by endeavouring to visit as many as possible.

Ordinary list visits will be undertaken on receipt of the form as time permits, as far as possible checking those people with greatest need first.

Time does not permit a full assessment of the manpower implications and existing staff have volunteered to undertake the extra workload. Funding of this will be a separate contractual arrangement financed from the Housing Revenue Account.

See also Housing Advice.

2.13 Consultation:

Section 167 (7) requires local housing authorities, before introducing an allocation scheme, or altering their existing scheme to reflect a major change of policy, to

- * send a copy of the draft scheme, or proposed alteration, to every registered social landlord with which they have nomination arrangements and
- * ensure that those registered social landlords have a reasonable opportunity to comment on the proposals

It is intended this requirement will be met by FAXing the draft scheme to registered social landlords on 6th November together with the Sub-Committee's preliminary comments. Registered social landlords will be given two days to respond and their comments will be included in the final report to Community Services on 12th November, 1996. Further comments will be invited for consideration by the Housing and Homelessness Sub-Committee when it reviews the introduction of the Act.

2.14 False Statements:

Section 171 of the Act makes it an offence for anyone knowingly to give false information to the local housing authority in connection with these duties, or withhold information if reasonably required to give it.

A person guilty of an offence is liable, on conviction, to a fine not exceeding £5,000. It is usual Council practice for Members to determine if prosecution should be made.

RECOMMENDED 9: That prosecution under Section 171 Housing Act 1996 be authorised by the Community Services Committee.

SECTION 3

HOUSING ACT 1996 - HOMELESSNESS

3.3 Overview:

Part VII replaces Part III of the Housing Act 1985 (Housing the Homeless) Under this Part, a local authority's duty to a homeless applicant who is eligible for assistance, in priority need, and not intentionally homeless, will be to secure temporary accommodation for the applicant for two years. This duty will cease during the two year period if the applicant refuses an offer of suitable temporary or permanent accommodation, ceases to be eligible for assistance, becomes homeless intentionally from the temporary accommodation or accepts an offer of permanent housing or voluntarily ceases to occupy accommodation made available.

A local authority will have to carry out a review of the applicant's circumstances towards the end of the two year period if it intends to continue to provide temporary accommodation for more than two years. The authority will be unable to provide any further assistance beyond the period of two years unless it carries out a review. The power to continue providing accommodation will cease if the review finds that the applicant is no longer in priority need or has alternative accommodation available.

If the authority considers that there is suitable alternative accommodation in the district, the only duty the authority is obliged to provide is advice and such assistance as they consider appropriate in the circumstances in any attempts he may make to secure such accommodation.

The Act introduces a new concept of "eligibility for assistance" based on immigration status. People from abroad who are ineligible for housing benefit will not be entitled to homelessness assistance, however a recent Court case has thrown this issue into confusion even before the commencement date.

Also, local authorities will only be able to use the housing stock as temporary accommodation on a non-secure basis, and a homeless household will not be able to remain in local authority housing other than a hostel, for more than two out of three years. This applies not just to one property but to any and applies irrespective of the number of applications by the homeless person.

Finally, there is a new statutory duty for local authorities to provide advice and information about homelessness and the prevention of homelessness and a right for applicants to request a review of a local authority's decision in respect of their homelessness application. This is the subject of a separate report.

The Secretary of State is due to issue Guidance to this part of the Act "around the end of October" (sic)

The Council will be anxious to consider this Guidance and its interpretation of the Act. Members will recall that at the consultation stage the Council was most concerned at the treatment of homeless people who were elderly or who had disabilities.

Practical Aspects.

3.2 Review:

The Council must comply with Part VII Housing Act 1996. As stated in the report on Part VI it is necessary to change the method of working in order the Director of Community Services can undertake review of decisions where applicants lodge an appeal. This review must be undertaken by a person of appropriate seniority who was not involved in the original decision.

RECOMMENDED 1: That the following staff be delegated authority to deal with homelessness under the terms of Part VII Housing Act 1996 and the Code of Guidance.

Post CH2	Housing Resources Manager
Post CH5	Tenancy Services Manager
Post CH8	Supported Housing Manager
Post CH6	Housing Officer

RECOMMENDED 2: That the Director of Community Services be authorised to review decisions under the terms of Part VII Housing Act 1996 and to act thereon.

3.3 Training

The new legislation presents an entirely fresh set of rules governing homelessness. Training will be arranged as necessary for staff.

The appeals process will involve the Homelessness Panel and Members may wish to be included in a training programme.

RECOMMENDED 3: That Members determine if they require training on the Housing Act 1996.

3.4 Transitional Arrangements

At the time of commencement of the Act on 20th January 1997 there will inevitably be households living in Grested Court or other temporary accommodation on Licence. All these families will have been homeless at some time. In order to arrange a smooth introduction of the new rules it will be helpful if each of these clients is given a secure tenancy to commence prior to 20th January 1997. This will then enable the Director of Community Services to treat their rehousing as a "transfer". Transfers are outside the scope of the Act.

RECOMMENDED 4: That all Licences of temporary accommodation be offered secure tenancies prior to the commencement of the Act.

3.5 Hatfield House, East Street, Rochford

This Victorian detached house has, for many years, been used to house homeless people. It comprises 10 bedsitters and occupiers are obliged to share WC and bathroom facilities. Due to the handover of Springboard Housing Association homes in the early summer, the Director of Community Services has progressively been able to empty this house and since August it has been empty. The Director of Community Services has now arranged to "mothball" Hatfield House.

If the building is used to assist families after 20th January 1997, it is likely it will become an automatic route to the top of the Housing Register and to rehousing. An anomaly will occur in so far as all families in Hatfield House will almost always have precedence over Grested Court and therefore families could remain in Grested Court for years.

The future of Hatfield House will need careful consideration and no decision should be taken until the processes implemented by the Act have been established.

RECOMMENDED 5: (1) The Committee confirms the action of the Director of Community Services to mothball Hatfield House.

(2) That the Director of Community Services reports back on the future of Hatfield House to the meeting of Community Services on 4th March, 1997

3.6 The Lettings Process

3.6.1 Current Practice At present the Council deals with homeless people who have a right to be assisted in a number of ways

3.6.2 Families with Children and pregnant women with no other disabilities

This group are housed in Grested Court, Hatfield House or in flats in Rochford Garden Way temporarily and are offered housing or nomination to a housing association in date order. The waiting time is usually about 1 year. If there are no vacancies in temporary stock, bed and breakfast accommodation is used.

Within this system the Director of Community Services uses his discretion to minimise public expenditure and problems arising from homelessness. Large families are fast-tracked as are people who have social problems.

3.6.3 Elderly People Account for 15% on average homeless applicants. This group are never placed in hotels and very rarely in Grested Court. They are usually fast tracked to sheltered or other suitable housing.

3.6.4 People with Disabilities Again a fast track system is used to ensure suitable housing is provided as quickly as possible.

3.7 The Effect of the Act The new Code of Guidance is awaited.

The legislation as written will mean that all homeless people who qualify for assistance may only be offered

- * advice on finding a shorthold letting in the private sector
- * a 2 year maximum letting in the Council's own stock
- * a nomination to a Registered Social Landlord for a short term letting

The Council objected vehemently to this proposal in its response to the Consultation Paper and the Director of Community Services would like to draw to Member's attention a case which reinforces this objection.

In June 1996 Mr X, aged 80, came to the Council as homeless. His son, who has mental health problems, had been physically assaulting the man. The Council was able to act immediately to solve the problem and the man is now living in his own flat both safe and secure.

If in June 1997 the same thing happened, the man could only be offered a 2 year (maximum) licence to occupy a dwelling. He could go on the Housing Register but an application from a single person living in a one bedroom flat with all facilities would attract few points. The Director of Community Services would need to seek support from the Director of Social Services or Dr. Sibellas to obtain fast track housing. The Director of Community Services has no doubt he would get the support needed but there is no doubt the client would worry unnecessarily and public services would yet again be pilloried.

The case given (although true) is extreme. In more borderline cases, the outcome could be less than satisfactory.

Section 207 of the Act states that the Secretary of State may, following a request by a local housing authority, exclude or modify the operation of this section in relation to that authority, if it appears to him that the authority would not otherwise be able to discharge their housing functions under Part VII. This waiver could apply to specified types of applicant, for example, large families or people requiring specially adapted housing and may last for up to a year

The new Code of Guidance is awaited

RECOMMENDED 6: That the Director of Community Services be authorised to seek Secretary of State approval to modify the provisions of Part VII of Section 207 Housing Act 1996 in respect of

- a) Elderly people
- b) People with physical disabilities
- c) People with learning difficulties
- d) People suffering from mental illness.
- e) Families with children below age 3
- f) Families with 4 children or more

3.8 Use of Temporary Accommodation

Under the terms of Section 193 of the Act, Councils must house homeless people temporarily, i.e. for no more than two years (or for 2 years in any period of 3 years) The applicant may then make fresh application but the Council will have no duty to assist

Practical problems arise in ensuring the Council can comply with the minimum duty.

- * What Council housing is used as temporary accommodation?

At present use is made of Grested Court and some flats in Rochford Garden Way Persons allocated these units in future will be invited to apply to the Housing Register

- * Why not use more Council stock?

A distinct possibility but something the Director of Community Services would strongly prefer to avoid. Temporary housing is perhaps the most difficult to manage. People who know they will not be staying in a location will not usually take a pride in their homes. They will rarely endeavour to make friends and will generally lead most unsettled lives. In the past this has led to disruptive behaviour in places such as Pearsons Farm Estate

- * How will the temporary stock be managed?

The Council owns one of the smallest stocks of housing in the U.K. Additionally the district has just about the smallest proportion of rented housing. Management of temporary stock in an area where 90% of households are settled does present problems. At Grested Court and at Pearsons Farm Estate caretakers are employed. Future manpower for estates and management may need to be reviewed

- * What happens when temporary housing silts up?

Everyone involved in practical housing management feels this is inevitable. Time will tell. The alternatives will be

- 1 Use more Council housing if available

- 2 Use Registered Social Landlords
- 3 Use the private sector
4. Use bed and breakfast hotels

The costs of (4) bed and breakfast hotels is significant. If present practices were to remain the same in three years, the Director of Community Services estimates there would be 50 - 100 families in bed and breakfast. At present prices the total cost to Council Tax payers would be £150,000 to £300,000 per annum.

Use of Registered Social Landlords and private landlords is therefore imperative.

RECOMMENDED 7: The Director of Community Services prepares a report on the options for using Registered Social Landlords and private landlords to temporarily house the homeless.

SECTION 4

HOUSING ACT 1996 - PART VII - SECTION 179 - PROVISION OF HOUSING ADVICE.

4.1 Overview

Section 179 places a duty on local housing authorities to ensure that advice and information about homelessness is available, free of charge, to anybody in their area. The Section also allows authorities to give grants, or loans, to any person to provide this assistance. This could be a voluntary body or another organisation.

The Director of Community Services has looked at the new responsibilities and has considered how to plan for housing advice services in Rochford.

There are some key elements:

- * planning for a housing advice strategy.
- * providing comprehensive advice
- * setting up services and funding provision
- * setting standards and ensuring quality
- * publicising services

4.2 Advice Strategy: Planning a strategy can ensure that

- * objectives can be established which will make it simpler to monitor the effectiveness of advice.
- * needs can be thoroughly assessed, including unmet or hidden needs
- * existing provision can be audited for quantity and quality
- * gaps in service can be identified and plans developed for long term funding

4.3 Providing comprehensive advice. The requirements in the Housing Act focus on homelessness and its prevention. However, housing advice needs to be put in a wider context. Homelessness cannot be prevented without giving advice on the public and private rented sector, benefits, other social housing options, home ownership and housing debt. The most successful housing advice strategies are those that cover the whole range of subjects on which people may need housing advice.

As well as the range of subjects on which advice is offered, the Council will need to consider the method of delivery - telephone, office based, outreach work, surgeries and mobile services. Having a plan for advice will identify gaps in provision and allow any future services to be tailored to housing needs.

4.4 Funding for housing advice. There are 3 patterns of provision

- * **passive** - little or no provision at all, or reliance on independent provision funded from elsewhere
- * **provider** - making direct provision in-house
- * **enabler** - either a formal funding arrangement with independent providers, or a mixture of complementary direct and independent provision

The Council currently provides passive advice. This is not a recommended approach. Local people should be given access to comprehensive advice services.

4.5 Sources of Funding

Before considering the likely costs of this service it is important to consider how the new service will be financed.

It is the Government's view that Housing Advice services will be entirely funded from savings in the costs of homelessness and managing homelessness

The Council spends comparatively little on homelessness. A London Borough spending perhaps £300,000 on hotel costs would realistically expect to save 20% of costs with good advisory services. The Council budgets just £25,500 for the hotels and even if 20% savings were achieved it would not cover the cost of advice.

The issue is further complicated by the rules governing local government finance. The cost of homelessness is charged to the General Fund and met via Council Tax. Advice purely on homelessness would be financed in the same way. However the costs of maintaining the Housing Register will be chargeable to the Housing Revenue Account (HRA) and met from tenants' rents.

Thus, if potential and actual homeless clients are registered on the Housing Register, and are given advice on Council housing, Registered Social Landlords nominations, and referrals to supporting agencies, it would form a function of the HRA.

The key issue on is the availability of housing and the likelihood of assistance being given. This advice could only be given by persons with working knowledge of the Housing Register. Therefore advice given "in-house" is chargeable to the HRA. Advice given by external agencies can only refer to the Housing Register in principle and therefore should be charged to the General Fund.

4.6 Outside Agencies & Funding

The role of outside agencies has always been that of a watchdog on public services. This has always been a beneficial and cost effective complement to the Council's services.

The Director of Community Services has spoken with Shelter to assess the costs of a full Advice Centre situated in Rochford or Rayleigh. A briefing paper has been supplied and is appended. (Appendix D) The estimated annual cost is £73,285 inclusive of £4,000 set up costs.

The Citizens Advice Bureau currently provides general advice to people with problems relating to their homes. The Rayleigh office has a strong track record in helping people stay in their homes, especially where problems relating to debt are concerned. Although the Act has far reaching effects on the way the Council deals with housing need, there are no fundamental changes to the advice that is currently given by CAB on debt and subsequently the avoidance of homelessness. The primary function of the Council will be to meet its obligation to provide advice in the first instance. The watch-dog function of the CAB will help ensure the quality of that advice by giving a back up service to people who may disagree with Council decisions.

For these reasons it is felt that there should be no changes to the services provided by CAB.

4.7 Setting Standards and Ensuring Quality

Quality in advice is measured in a negative fashion e.g. How many households were able to avoid homelessness. How many households have solved their housing problem by not registering for housing

Nonetheless, there are 5 aspects of quality to be undertaken

4.7.1 Customer Care:

Time taken to

- make an appointment
- give follow up advice
- reply to correspondence
- investigate complaints

4.7.2 Equality of Access to Services

- open to all
- home visits to clients unable to get to the office
- evening visits to working clients
- information available in Braille, on tape and in foreign languages

4.7.3 Staff Training

- interviewing and counselling skills
- tact
- mediation and negotiations
- ability to deal with aggressive customers

4.7.4 Casework Standards

- quality of advice given
- regular consultation with senior staff
- good documentation

4.7.5 Outcomes - Value for Money

- number of client contacts
- number of detailed cases
- origin of referral
- note of basic advice given
- details of outcomes
- caseload per adviser
- complaints about the service
- compliments about the service

4.8 Publicising Services

The objective will be to reach the maximum number of people and prevent as much homelessness as possible. The service will therefore need publicity

4.9 Generic Working

The Director of Community Services has for many years encouraged generic working for his staff. His Secretary is the Council's Tenant Liaison Officer and staff with a core responsibility for rents have been trained to deal with routine lettings enquiries and vice versa. This has enabled internal promotions when opportunities have arisen and consequently all three service managers are experienced enough to run each others services should the need arise.

Housing advice should be absorbed smoothly into this regime. Consequently training in all aspects of advice will be made available to all staff and especially those whose jobs bring them into contact with applicants and people with insecure tenancies.

4.10 Conclusion

The provision of a Housing Advice Service needs to complement existing services. It can be centred upon the Housing Register and make use of the existing arrangements provided by CAB. It must meet the standards set by Council and be well publicised.

RECOMMENDED 1: That approval be given to the strategy for providing Housing Advice

SECTION 5

HOUSING ACT 1996 - PARTS VI AND VII - MANPOWER IMPLICATIONS:

In the consultation paper on Parts VI and VII the Secretary of State made reference to manpower and finance. The Director of Community Services reprints his statement and the Council's comments.

Manpower and Financial Implications:

It is the Government's view that Part VI Allocation of Housing Accommodation and Part VII Homelessness will have no significant effects on manpower.

Chief Housing Manager's Comments:

This Council currently is unable to house families from its waiting list. Housing advice is centred on discussions with homeless families and special needs cases are dealt with responsively and not pro-actively.

To ensure that the housing register is the fulcrum of social housing allocation will require a fresh approach to the register and the underlying processes.

Housing advice, the housing register and allocations are all intricately linked and to be effective must attain a high profile. To state that these initiatives will have "no significant effect on manpower" for small and rural council areas is wrong. There will also be a significant resourcing issue if the advice centre is to be located most effectively. (Minute 144/96 refers)

Having now had the opportunity to study the published Act the Director can find no reason to retract the Council's statement. It is therefore necessary to quantify the likely effect of the Act

1 The Housing Register

The initial update of the Housing Register is being undertaken by existing staff working outside their normal duties and hours. As has been stated (See report Allocation of Housing Accommodation) time does not permit the recruitment and training of a new member of staff. Given current workloads the Director estimates there would be in one year (non elderly)

1 Homelessness enquiries	224
2 Housing Register applications	<u>170</u>
Total	<u>394</u>

Each of these cases would take 2 hours to process including travelling, home inspection and office administration

In addition, all applicants will need their details updated annually and this would take approximately 1 hour per case

The time element for non elderly cases would be,

Initial enquiries	394 x 2	788
Updates	428 x 1	<u>428</u>
Total		<u>1,216</u>

This equates to 71% of one full time officer in the first year. As the method of dealing with homeless people will not involve the solution of their problems there will be a cumulative effect on this total

Housing Advice

The strategy referred to previously will inevitably take time to establish. The Director estimates that in time housing advice will require at least 2 full time staff. In the short term it will be most cost effective to combine the duties of a lettings assistant with those of a housing adviser. In the early days of operating the Act the clientele will be the same.

The Director will need to monitor the workload and performance of this function regularly. It is anticipated the service will grow as public awareness of it increases. Members are reminded all staffing matters come within the purview of the Corporate Resources Sub-Committee.

RECOMMENDED 1: (1) That approval be given in principle to the appointment of a Lettings Assistant/Housing Adviser

(2) That the Director of Community Services monitors workloads and reports back on staffing requirements as the occasion arises

ROCHFORD DISTRICT COUNCIL
DIRECTOR OF COMMUNITY SERVICES
HOUSING POINTS SCHEME
ASSESSMENT SHEET

The Council will award TEN (10) points to housing applicants for each issue

(a) Insanitary, overcrowded and unsatisfactory housing conditions

- Lacking bathroom or kitchen
- Lacking inside WC
- Lacking cold or hot water supplies, electricity, gas, or adequate heating
- Lack of access to garden for children
- Overcrowding
- Sharing living room, kitchen, bathroom/WC
- Property in disrepair
- Property unfit
- Poor internal or external arrangements
- Underoccupation
- Children in flats or maisonettes above ground floor
- Lack of or inability to cope with garden
- Remoteness of location

(b) Temporary or insecure accommodation

- Tied tenancies
- Tenancies of a limited term
- Hostel accommodation
- Refuges for households escaping domestic violence
- Living in homes to be demolished or modernised
- Leaving institutional care
- Sharing with friends or relatives
- Facing eviction or repossession
- "Roofless"

(c) & (d) Families with dependent children or expecting a child

- Households containing at least one dependent child who lives or might reasonably be expected to live with the applicant (10 points for each child)
- Households comprising or including a pregnant woman

(e) People with particular need for settled accommodation on medical welfare grounds
(criteria may apply to any member of the household)

- A mental illness or disorder
- A physical or learning disability
- Chronic or progressive medical conditions (eg MS, HIV/AIDS)
- Infirmity due to old age
- The need to give or receive care
- The need to recover from the effects of violence (including racial attacks) or threats of violence or physical emotional or sexual abuse
- Ability to fend for self restricted for other reasons
- Young people at risk
- People with behavioural difficulties
- Need for adapted housing and/or extra facilities, bedroom or bathroom
- Need for improved heating (on medical grounds)
- Need sheltered housing (on medical grounds)
- Need ground floor accommodation (on medical grounds)
- Need to be near friends/relatives or medical facility on medical grounds

(f) People whose social or economic circumstances lead to difficulty in getting settled accommodation

- Lack of an actual or potential wage earner
- Head of household unemployed or in part time or low paid work
- Lack of capital assets
- Households requiring accommodation which is unavailable at an affordable cost in the private sector (eg families requiring large housing or people requiring specially adapted accommodation).

(g) Special Factors

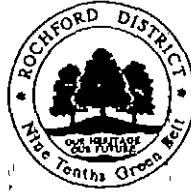
- | | | |
|--|---|-----------|
| Medical Grade A |) | |
| |) | |
| Special Support - Director of Social Services |) | |
| |) | URGENT |
| Special Advice of Chief Environmental Health Officer |) | |
| (where property is deemed unfit for habitation) |) | REHOUSING |
| |) | |
| Advice of A.D H.A C |) | |
| (Rent Agriculture Act 1976) |) | |

Time spent on the list will be taken into consideration where two or more applicants have the same total of points.

Persons already on the list with high points levels who become homeless can be housed direct

ROCHFORD DISTRICT COUNCIL
 South Street, Rochford, Essex SS4 1BW

Tel 01702 546366



Alex Coulson F C I H

Housing Resources Manager

APPLICATION TO BE INCLUDED ON THE HOUSING REGISTER

PLEASE READ THESE NOTES CAREFULLY BEFORE COMPLETING THIS FORM.
 (If you have any queries or difficulty completing the form please ring the above number for assistance)

Answers should be given to all the questions If you do not answer all the questions the Council may not be able to register your application

After the acceptance of a housing application the applicant should notify the Housing Resources Manager of any change of address or any alteration in circumstances

The Housing Act 1996 states that the provision of misleading information or withholding of important information may lead to prosecution Please do not hesitate to seek advice if you are unsure of any points and if you feel there is additional information you would like to add please write this on a separate sheet of paper.

MR/MRS/MISS/MS Surname	Date of Birth
Forenames	
Your Present Address	
Postcode	

OTHER MEMBERS OF YOUR FAMILY WHO WISH TO LIVE WITH YOU

Surname	Forenames	Relationship To You	Date of Birth

552

3. Is your present home (Please circle the appropriate description)
 Flat / House / Bungalow / Rooms / Caravan / Mobile Home

If your home is rented, is it - Unfurnished / Part Furnished / Furnished

4. Please insert a number in each box a blank will be taken as zero	Living room	Kitchen	Bed- rooms	Bath- rooms	WC
What is the total accomodation in the property?					
What rooms do you have sole use of?					
What rooms do you share?					

5. Do you have	YES	NO
Main drainage		
Internal water supply		
Central heating		
Hot water supply		

	YES	NO
Gas		
Electricity		
Internal WC		
A bathroom		

6. Give details of any major repairs needed

7. Name and address of landlord (if applicable)

Rent £
week/month

When will your
tenancy expire?

8. Do you own your own home? (Please circle) Yes / No

Have you owned a home in the last ten years? Yes / No

If the answer is yes please give the address

9. Is your accommodation tied to your employment? Yes / No

If yes, give name and address of your employer

10. Are you a serving member of HM Forces?	Yes / No
If YES please give details Rank	Expected date of discharge

11. Please give your addresses during the 10 years immediately prior to this application		
Address (Applicant)		From
To		
Partner (If different)		

12. Please state how long you and your partner have lived in the Rochford District (which includes Rayleigh) during your lifetimes			
Applicant	Years	Partner	Years

13. Give details of any medical condition of any family member which may affect this application

14. Applicants occupation	
Applicants place of work	Take home pay £ per week/month
Partners occupation	Take home pay £ per week/month

15. In which area of the district would you like the required accommodation, in order of preference
(1) (2) (3)

13115 JK

16. Are you on any other Council's housing list? (please circle)

Yes / No

If yes, please state which Council

17. Are there any special grounds you wish the Council to consider?

18. Is any person on this application pregnant?

Yes / No (please circle)

If yes, please give the expected date of delivery

19. The Department of the Environment asks Councils to monitor the ethnic origin of applicants for housing. This helps Councils to demonstrate they do not discriminate against applicants from different racial backgrounds (please circle section you feel most describes your own race)

White	African/Caribbean /Bangladeshi	Other (include Chinese & Mixed Race)	Not Available/Prefers not to Disclose Information
-------	-----------------------------------	---	--

20. It is usual for someone to visit you at home to check the details given and to discuss how the Council can help you. If possible please give a daytime telephone number

(Please give STD Code)

21. This application should be made and signed by the person(s) to whom any tenancy may be granted

I certify that the information given on this form is true

Signature of applicant

Date

PLEASE NOTE: The information on this form will be kept on computer. However all information given by you will be treated in the strictest confidence. The Council will not divulge any information about you or your application for housing without your personal agreement.

ROCHFORD DISTRICT COUNCIL
South Street, Rochford, Essex SS4 1BW

DIRECTOR OF COMMUNITY SERVICES
TRANSFER POINTS SCHEME

The Council assesses your need for a transfer by awarding points for the following factors:

FIRST PRIORITY	Grade "A" medical grounds	30 points
	Statutory requirement for moving	30 points
	Major improvement or Compulsory Purchase order or enforced sale	30 points
SECOND PRIORITY	Grade "B" medical grounds	12 points
	Under occupation by 2 bedrooms or more	12 points
	Lack of adequate bedrooms	12 points
THIRD PRIORITY	Grade "C" medical grounds	3 points
	Under occupation by 1 bedroom	3 points
	Need to transfer for employment purposes	3 points
FOURTH PRIORITY	Need to move nearer dependants	1 point
	No garden for children	1 point
	Inability to cope with garden	1 point

NOTES:

- Transfer will not normally be considered if your rent account is in arrear or has been in arrear in the previous 6 months
- Where points are level, date order of application is taken into account

Further details on transfers and mutual exchanges can be obtained from the housing department. Please ask for the leaflet 'Transfers & Mutual Exchanges'.

Completed forms to be returned to the Housing Resources Manager at the address above

Shelter Essex & Suffolk Housing Aid Centre

Briefing Paper on Services Available to Rochford District Council

For further information please contact
Sham Karnik, Manager
Shelter Housing Aid Centre
7 St Botolphs Street
Colchester C02 7DU

Tel: 01206 560864 FAX: 01206 578466

Gill Saunders
SE Regional Manager
Shelter

Tel: 0171 505 2019 FAX: 0171 505 2168

1. Introduction

- 1.1 This paper describes the services being provided in the Rochford council area by Shelter Essex & Suffolk Housing Aid. It supports our offer to establish a "Satellite" Housing Advice Centre for the council to meet its duties under sections 179, 202 and 204 of the Housing Act 1996. These duties become effective on 20th January 1997.
- 1.2 Shelter is the country's leading housing charity working on behalf of homeless people and is both a campaigning organisation and a housing aid provider. Its ultimate aim is a transformed housing system - one that meets need, that is affordable and that is fair to all sections of society. Recent campaigns include the call for 100,000 affordable rented homes a year for five years and for an end to the use of bed and breakfast hotels by local councils.
- 1.3 As well as its campaigning work Shelter has a national network of 34 Housing Aid Centres, offering free, high quality, independent and practical advice on a range of housing problems to members of the public, local councillors and non-housing professionals.
- 1.4 By Housing Aid Shelter means a service that provides not only advice to people with housing-related problems but also assistance and advocacy services where needed. In addition, Shelter Housing Aid Centres work with local agencies to improve policy and encourage good practice.
- 1.5 For example, if a family was to telephone or visit a Shelter HAC with the common problem of falling into arrears with their mortgage payments, *Advice* would mean going through all their papers with them, explaining their legal rights, exploring their options and possibly giving them some written information. *Assistance* would mean drafting a letter to their lender, either with them or for them, offering a manageable repayment package. *Advocacy* would mean contacting their lender to present their case, or representing them in court if the lender is taking court action to repossess their home.
- 1.6 By its nature, it is difficult to quantify the economic savings that high quality, expert housing advice can provide a local authority. However, based on experience we know that effective preventative housing aid work will save people from becoming homeless and thus a local authority from the subsequent costs of placing those families found to be homeless in temporary accommodation.
- 1.7 Shelter is an independent organisation not affiliated to or associated with any political party or group and does not represent any interest group or organisation. Shelter has a strong track record of working with local authorities, statutory agencies such as Social Services and voluntary organisations such as Citizen's Advice Bureaux.
- 1.8 In working with a range of different agencies Shelter helps to identify gaps in provision and co-ordinate the best way to fill them. Its lack of affiliation to any other organisation allows Shelter to represent the needs of *all* homeless and badly housed people whether in priority need or not.

- 1.9 The quality and impartiality of Shelter's Housing Aid work has been recognised by a number of local authorities and agencies including St Albans Borough Council which funds Shelter's Housing Aid Centre, Deposit Guarantee Scheme, and Homeless Network Development Worker. Other Shelter projects receive funding from the DOE and the Legal Aid Board.

2. Services Available From Shelter

- 2.1 Shelter is already active in the Rochford Council area and the following services are being provided:-

2.1.1 independent, impartial and free advice, assistance and advocacy services to anyone who is homeless or has a housing-related problem.

2.1.2 consultancy and referral services for local councillors and non-housing professionals who have constituents or clients with housing related problems.

2.1.3 continuing support to Citizen's Advice Bureaux in its housing work through the DOE funded National Homelessness Advice Service.

2.1.4 advice to landlords on their rights and encouragement to them to adopt good practice in relation to private rented sector lettings

(In the event of a landlord being involved in a dispute with a tenant Shelter refers the landlord to a solicitor on the basis that Shelter sees representing tenants rights as its first priority).

- 2.2 Shelter would welcome the opportunity of working in partnership with the council to further develop these services especially in light of the new duties under the Housing Act 1996.

3. What Makes Shelter's Service Distinct?

3.1 As Shelter is one of the leading agencies in the housing field we are involved in working with the DOE to issue a Code of Guidance to be used in conjunction with the Allocation and Homelessness policy under the new Act.

3.2 Shelter is the only national, independent organisation providing free, impartial and specialist housing aid services to all irrespective of age, sexuality, gender and race.

3.3 The high quality of Shelter's advice is maintained by the regular auditing of casework and back-up from its network regional and national offices.

3.4 Shelter provides confidential advice and practical help on a wide range of housing issues including:

- * Representing clients at allocations and homelessness reviews
- * the prevention of homelessness
- * housing benefit and income support for housing costs
- * mortgage arrears and repossession,
- * rent arrears and rent levels
- * representation in the county court
- * Children Act & Care in the Community legislation
- * disrepair
- * security of tenure
- * harassment
- * illegal eviction
- * landlord and tenant disputes
- * domestic violence
- * matrimonial law related to housing
- * relationship Breakdown

3.5 Shelter is acutely aware of the impact that the changes in Housing Benefit and Income Support entitlements are having on a wide range of people including those who are actually homeless or in housing need and will seek to work with local agencies to provide as much advice and assistance to those affected as possible as well as highlighting the need to reverse the decision with the necessary Government bodies, both local and national. These changes along with the changes introduced through various parts of the Housing Act 1996, will need to be dealt with by making available expert advice at all stages.

3.6 Shelter caseworkers possess considerable expertise in all areas of housing law. In addition, they receive regular training in order to stay up to date with new legislation and caselaw.

This knowledge is backed up by further detailed casework support and information services provided by housing experts and solicitors based at Shelter's London office. This team also publishes regular caselaw updates and information items for caseworkers.

3.7 Shelter uses a fully computerised casework recording system that gives comprehensive information including the types of problems that people have sought help with, family composition, their type of tenure, where they are resident (when appropriate) etc..

4. Benefits of a Shelter Managed Service

4.1 Shelter works with existing forums to develop the provision of both housing and other advice. We would hope that this would assist all agencies in providing an integrated and comprehensive range of services to the residents within your area.

- 4.2 Shelter is currently working with the Legal Aid Board on its pilot non-solicitor franchising scheme. Under the scheme Shelter is funded to carry out housing-related casework in designated areas.

Shelter expects its participation in non-solicitor franchising to increase.

- 4.3 Shelter is able to provide information on housing decision review processes and other forms of local authority good practice gathered by its network should the authority wish to develop such a system of its own.
- 4.4 In addition, Shelter centres are involved in awareness-raising with other local interest groups etc., to present realistic information on housing options available and the nature of homelessness.
-

5. COSTINGS

5.1. Housing Aid Centre - Annual Expenditure

Salaries

Senior caseworker (inc employers costs)	21,572.00
Caseworker (inc costs)	19,179.00
Administrator (half-time,inc employers costs)	7,635.00

Running Costs

Telephone	1,500.00
Stationery	1,000.00
Travel Costs	500.00
Staff Subsistence	100.00
Library Subs	100.00
Rent (estimated) (unless accommodation provided by LA)	15,000.00
Postage	150.00
Electricity (if not included in rent)	500.00
Gas (if not included in rent)	300.00
Cleaning Costs	200.00
Printing/Advertising	250.00
Rates	0.00
Photocopier(if not available)	1,299.00
Start up Costs (applicable in first year only)	4,000.00
Total Cost of Housing Advice Centre	£73,285.00

5.2 Shelter London - Support Costs

The costs below are those incurred at Shelter's London Office in supporting the running of a Housing Advice Centre and are met by the charity.

South East Regional Team support	
Legal and Casework support	
IT support	
Training	7,890.00
Staff Recruitment	4,000.00
Total Costs Met by Shelter	£11,000.00

55

6. Case Studies

- 6.1 The following case studies have been taken from the files of our Housing Aid Centre currently covering Essex & Suffolk and are representative of the range of work undertaken by Shelter caseworkers.
- 6.2 Mr A, a single man aged 22, became homeless when the property he was living in was repossessed following his landlord falling into mortgage arrears. Mr A was then left sleeping rough and on friends floors. He approached Shelter for assistance in finding accommodation and in the course of his interviews with a caseworker it emerged that Mr A had spent a period of time in care following the death of his mother. Shelter contacted the local authority Housing Department and described Mr A's situation. The local authority agreed that he was legally homeless and possibly vulnerable because of his history of being in care and immediately placed him in temporary accommodation as a first step towards permanent accommodation.
- 6.3 Mr & Mrs B rented a flat above a shop in which Mrs B worked. When the owner of the shop decided to close it due to a decline in business she gave Mr & Mrs B one weeks notice to move out of the flat. The couple approached Shelter in order to establish their rights and were told that the landlady would need to give a notice seeking possession and state the ground(s) for possession. On this basis Mr & Mrs B were advised that they had a legal right to remain in the flat.
- 6.4 Mr & Mrs C came to Shelter for assistance following receipt of a warrant for possession, to be executed by bailiffs in five days time. The warrant was the result of the couple having fallen in arrears on their mortgage, itself a result of Mr C's business suffering badly due to the economic recession. Mr C went onto Income Support but the DSS were unable to meet the full interest on the mortgage. Mr C has been told by the Building Society that they would only withdraw proceedings following payment of a substantial lump sum to reduce the arrears. The Shelter caseworker examined Mr C's finances and established that since Mr C's business was now beginning to pick up it would be possible to pay the current instalment on the mortgage plus a lump sum. On this basis Shelter applied on the client's behalf for a hearing to get the warrant suspended. This was successful the warrant being suspended on condition that Mr C paid the current instalment due on the mortgage.

Chairman: S. J. Lenny

Date: _____

ROCHFORD DISTRICT COUNCIL

Minutes of the Transportation & Environmental Services Committee

At a Meeting held on 21st November 1996. Present: Councillors D E Barnes (Chairman), G C. Angus, C.I. Black, M.C. Brown, Mrs J M Giles, V C Howlett, V.H. Leach, R.A Pearson, T A Powell, P J. Stanton, D.J. Sutton, S R Tellis, Mrs. M S Vince, D A Weir and Mrs M.A. Weir.

Apologies: Councillors Mrs H.L.A. Glynn, M J. Handford, A Hosking and C.R Morgan.

Substitutes: Councillors P A Beckers, Mrs. J Helson, Mrs. M Hunnable, V.D. Hutchings and D.F. Flack.

Visiting: Councillors D M Ford, Mrs. E M Hart and Mrs G M. Plackett

549. MINUTES

Resolved that the Minutes of the Meeting of 26th September 1996 be approved as a correct record and signed by the Chairman subject to Councillor Mrs. E.M. Hart being included under Visiting.

550. OUTSTANDING ISSUES - MEETINGS OF THE TRANSPORTATION COMMITTEE OF 19TH MARCH, HEALTH AND HOUSING SERVICES COMMITTEE OF 5TH MARCH AND TRANSPORTATION & ENVIRONMENTAL SERVICES COMMITTEE OF 27TH JUNE 1996.

The Committee were satisfied that all necessary action had been taken Minutes 192/96 (DLA) and 147/95 (CEHO) were carried forward

551. MINUTES OF THE TRANSPORTATION SUB-COMMITTEE

The Committee considered the Minutes of the meeting held on the 7th November 1996 and the recommendations contained therein.

Hackney Carriage Fare Increases - Minute 13

Resolved that the proposed increase in fares now be approved and public notice of the increase be given (897)(ADCS)

Hackney Carriage Stand at Rochford Market Square - Additional stand within Rochford Town Centre - Minute 14

Resolved (1) that 90° parking be introduced to the Hackney Carriage Stand at Rochford Market Square forthwith for up to six taxis only, subject to space being available. (897)(ADCS)

In considering the resolution that subject to successful procurement and the appropriate orders by Southend-on-Sea Borough Council two new Hackney Carriage Stands for up to but no more than three licensed Hackney Carriages be created at the west side of North Street, north of the bus stop and near the Golden Lion Public House and on the south side of East Street, outside Saxon House, the Director of Environment outlined the procedure involved in creating new taxi ranks which included the publishing of a statutory notice followed by a public consultation process.

Some Members were concerned about the powers delegated to the Sub-Committee (akin to the former Hackney Carriage Panel) and the decision taken at the Sub-Committee It was moved by Councillor D J. Sutton and seconded by Councillor D.A Weir.

"Pursuant to Standing Order 13, due to public demand this Committee recommends to Full Council that resolutions 2 and 3 be rescinded and a full report on the residential and environmental affects on residents and shopkeepers in this area be prepared for the next meeting of the Transportation & Environmental Services Committee.

In accepting the above, it was

RECOMMENDED That pursuant to Standing Order 13 due to public demand, this Committee recommends to Full Council that resolutions 2 and 3 under Minute 14 of the Transportation Sub-Committee Minutes be rescinded and a full report on the residential and environmental affects on residents and shopkeepers in this area be prepared for the next meeting of the Transportation & Environmental Services Committee. (DE)

Ford Mondeo and Vauxhall Vectra motor cars - pre-licensing standard - Minute 15

Resolved that pre licensing standards for rear seat accommodation should be reduced to 16.5 inches per person for Hackney Carriage and Private Hire vehicles. (897)(ADCS)

Rules and Charges for Hackney Carriage and Private Hire Vehicles - Minute 16

Resolved that the report be noted. (897)(ADCS)

Car Park Signage and Improvement Works - Minute 17

In considering Recommendation (1) it was moved by Councillor T.A Powell and seconded by Councillor C.I. Black that the Recommendation should read "That the proposed car park signage be approved up to a sum of £6,500 to fund the main car park signs which totalled 14 in number and that in connection with Recommendation (2) relating to this that improvements to the entrance to the market car park be referred to the Finance and General Purposes Committee.

Resolved that the proposed car park signage be approved up to a sum of £6,500 to fund the main car parking signs which total 14 in number.

RECOMMENDED That the proposed Rayleigh Market car park scheme be referred to the Finance and General Purposes Committee (DE)

Hackney Carriage Drivers Licence - Mr. C.M. Leech - Minute 19

Resolved that the Hackney Carriage Drivers licence be suspended for 2 months. (ADCS)

Conviction of John Charles Charters - Minute 20

Resolved that the report be noted (ADCS)

Local Government (Miscellaneous Provisions) Act 1982 - Street Trading Offence - Minute 21

Resolved (1) that the Chief Environmental Health Officer be authorised to issue a Formal Caution to Mr. D. Mercer for committing an offence under Paragraph 10 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.

(2) that the Chief Environmental Health Officer be authorised to request the Director of Law and Administration to institute legal proceedings against Mr. D. Mercer for committing an offence under Paragraph 10 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should be refused to accept a Formal Caution

(3) that the Chief Environmental Health Officer be authorised to issue a Formal Caution for offences under Paragraph 10 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 where this is considered the most appropriate course of action. (CEHO)

552 NURSERY CLOSE TO DAWS HEATH ROAD FOOTPATH - PROPOSED CLOSURE

The County Surveyor reported that a consultation exercise had been carried out to gauge public opinion regarding the suggested closure of the footpath between Nursery Close and Daws Heath Road. He informed Members of the results of the response and that of the 82 letters received from residents, 73 were against closure.

Members considered that in view of the overwhelming response of local residents to retain the use of the footpath, the proposed closure should not be pursued. Due to a number of damaged fences to nearby properties, further discussion should take place between Officers and the Police to look at potential solutions to overcome these problems.

Resolved (1) that in view of the response received from residents, the Committee agreed that the proposed closure of the footpath should not be pursued

(2) that Officers discuss with the Police potential solutions to address the problems and report back to this Committee in January with proposals for consideration. (933)(CS)

553 A130 BY PASS - STAGE 2 (A132 - A127) (Minute 454/96)

The Committee considered the report of the Director of Environment on the County Council's proposals for Stage 2 of the A130 by-pass. County had now advised that the scheme would probably be funded through the Private Finance Initiative process, but revealed that significant cash penalties would be incurred, in excess of £5M, if the northern and southern sections could not be constructed over a similar time period. The Director of Environment reminded Members that since the early 1990's the District's preferred option for the scheme was Route SD although the County had selected a different option, which had been revised over the years. County were now seeking confirmation of the District's position.

It was moved by Councillor C.I. Black and seconded by Councillor Mrs J.M. Giles, that this Authority maintains its preference for Route Option SD, but at the same time acknowledges reluctantly that the County Council would not now pursue this option and in the circumstances advise the County that subject to the satisfactory resolution of concerns such as those raised in the context of the presentation to the last Committee, no formal objection to the proposal would be made.

Some Members were not in favour of the proposed route for the new road which would cause problems to the road infrastructure by causing increased congestion and were concerned about the layout of the proposed junction and the environmental implications of the route alignment and also the development pressures that it might bring.

Other Members felt there was a need for this road and on a show of hands, it was

RECOMMENDED That this Authority maintains its preference for Route Option SD but at the same time acknowledges reluctantly that the County Council would not now pursue this option and, in the circumstances, advise the County that subject to the satisfactory resolution of concerns such as those raised in the context of the presentation to the last Committee, no formal objection to the proposal would be made. (DE)

554. "THE COMMITMENT" CAMPAIGN

The Director of Environment reported that Essex County Council had launched a County wide initiative to reduce road deaths in Essex caused by speeding. "The Commitment" campaign would draw attention to the issue and ask drivers to make a commitment not to speed. The County Surveyor advised that they had the support of Essex Police and were now contacting all District Councils in Essex seeking their support and to sign-up, and would welcome any offers for suitable venues to advertise the scheme.

Members fully supported the aims of the campaign and noted how this would be promoted and that the campaign would run from the Christmas shopping period through to the summer of 1997. In answer to Members questions on other methods of advertising the scheme, the County Surveyor informed the Committee that when someone signed up to the campaign, they received a sticker for their car.

Resolved that this Council agree to join in Essex County Council's "The Commitment" campaign. (933)(DE)

555. **CORPORATE IMAGE FOR STREET FURNITURE (Minute 352/96)**

The Director of Environment and Chief Environmental Health Officer reported jointly following a request by Members at the Transportation & Environmental Services Committee in June, on the cost implications of introducing a corporate image to street name plates signs and to consider in addition the possibility of adopting a corporate image and standard designs for other street furniture, including seats, litter bins and lamp columns. The Director of Environment informed the Committee that the introduction of the new street name plates would be on a rolling programme with major roads being done first and to include name plates for both sides of the street.

Some Members expressed concern at the cost implications of incorporating the Council's crest on to street furniture, whether second hand bollards could be used and how the Parish Councils would be involved.

Resolved (1) that in future, street name plates be provided on both sides of junctions in the form of white painted metal plates with black lettering and the Council crest in colour, fixed either to an adjacent wall or to angle iron brackets, the Council exercising its powers under Section 19 of the Public Health Act 1925 where necessary

(2) that a standard design of litter bin (Swintex Pickwick) be adopted for use within the urban areas of the District, the bin to be black with the Council's crest printed in gold.

(3) that as far as possible, all fixed Council signs and notices be provided on white painted metal plates with black lettering and the Council's crest in colour. Exceptions to the rule may be required for listed buildings. Other on-off signs should be of a good design and appropriate to their proposed location

(4) that new seats provided throughout the District should be as per Streetscene design 705, the cast iron to be black painted. A small metal plate with the Council's name and crest in colour to be fixed to each seat.

(5) that tree guards for use in Town Centres should be of galvanised metal strip design, painted black

(6) that bollards for use within Town Centre conservation areas to be as per Funitubes designs, Brunel, Edinburgh or Manchester, black painted and where possible with the Council's crest applied in colour. In other cases, it will be expected that bollards will be of a good design, preferably in black painted cast iron, but reasonable alternatives are available in plastic and wood

(7) that the "Healthguard Clean-Street" dog waste bin manufactured by Earth Anchors Ltd be adopted as the Council's standard, finished in dark green.

(8) that the organisations funding the provision of other street furniture in the Town Centre Conservation areas be encouraged to install suitable designs in black painted cast iron, wherever possible incorporating the Council's crest in colour.

(9) that requests to vary the colour of street furniture in town and village centres from Town/Parish Councils be given favourable consideration subject to any additional costs resulting from such a request being funded by the Town/Parish Council.

(10) that the information included in this report be circulated to the Parish Councils and the County Council. (TP)(DE,CEHO)

NOTE: Pursuant to Standing Order 14 3(1) Councillor D J Sutton cast his vote against the inclusion of the Council's crest on street furniture including street nameplates.

556

ESSEX CHALLENGE - SHOP FRONT DESIGN AND SECURITY GRANTS SCHEME -SCHEME ARRANGEMENTS (Minute 464/96)

The Committee considered the report of the Director of Environment on the Council's successful bid to the County Council for £50,000 to operate a shop front design and security grant scheme. The report set out the arrangements for running the scheme and the Director of Environment advised Members that letters had already been sent to the Chambers of Trade and all shops in the District with the basic information about the scheme and asking for expressions of interest. The Director of Environment confirmed that multiple retailers and Banks, Building Societies schemes, and also short term leaseholders would be excluded from the scheme

Members considered that once applications had been received, the fairest way to offer grants would be on a first come first served basis.

Resolved (1) that the shop front design and security grant scheme be operated as outlined in the report

(2) that the best way of selecting bids to be funded would be on a first come first served basis.

(3) that a report be made to a future meeting of the Finance & General Purposes Committee on the implications for grants

RECOMMENDED That Members agree to dealing with all planning and listed building applications arising from the grant scheme through the weekly list (TP)(DE)

557.

THE UNITED KINGDOM AIR QUALITY STRATEGY (Minute 622/95)

NOTE: Councillor Mrs. M. Hunnable declared a remote pecuniary interest by virtue of receiving a pension from Mobil but remained in the meeting.

The Committee considered the report of the Chief Environmental Health Officer on a draft National Air Quality Strategy produced by the Secretary of State for the Environment on which this Council had been invited to comment. The primary objective of the strategy was that members of the public should have access to public places with a minimum risk from air pollution to their health and quality of life. Members noting the objectives and principles of the strategy and how Local Authorities would be encouraged to develop a more integrated approach to local air quality management, expressed concern as to how much power and resources would be made available to Local Authorities, the legal status of the new air quality standards which still remained unresolved, how the local traffic management measures would not be sufficient and that greater action would be necessary at national level to reduce traffic growth

A Member expressed concern that odours from the Thames-side Oil Refineries were being noticed more frequently and that insufficient resources are being given to research into air quality issues.

Resolved (1) that in its response to the consultation the Council welcomes the draft strategy but requests the Government to:-

- a) ensure Local Authorities are given sufficient resources and adequate powers to meet their obligations and to fully play their role in ensuring the objectives are met
- b) recognise that local traffic management measures will not be sufficient and that greater action will be necessary at national level to reduce traffic growth.
- c) provide adequate funding for research into air quality issues. (705)(CEHO)

558 **DRAFT PLANNING POLICY GUIDANCE NOTE NUMBER 23 - PLANNING AND POLLUTION CONTROL - WASTE ISSUES**

The Committee considered the report of the Director of Environment on the draft revision of PPG23 to incorporate the issues made in the Government's waste strategy "Making Waste Work" and the setting up of the Environment Agency under the Environmental Act 1995. Members noted the purpose of the guidance was to provide advice about how the development plan system should make provision for waste management facilities in England and how this was regulated by controls over development under planning law and by legislation under waste management.

The Committee having noted the comments made by Officers, it was

Resolved that the Officer response on the proposed revisions to Planning Policy Guidance Note Number 23 sent to the Department of the Environment by letter on 1st November 1996 be endorsed (DE,CEHO)

559 **DOGS (FOULING OF LAND) ACT 1996**

The Committee considered the joint report of the Chief Environmental Health Officer and the Director of Law and Administration on new legislation which came into force in August which was intended to simplify the means by which the Council could control dog fouling and to replace existing powers.

Members noted that the legislation could not be used until Regulations setting out the procedure for making designations, and an Order setting out the form and level for the fixed penalty were made.

Resolved that a further report be made on the possible designation of land under the Dogs (Fouling of Land) Act 1996 when the Regulations and Order are made. (641)(CEHO,DLA)

560. **HEDGEROW PROTECTION**

The Committee considered the report of the Director of Environment on a recently published draft regulations by the Government for the protection of important hedgerows in England and Wales under the provisions of Section 97 of the Environmental Act 1995 and a joint consultation paper setting out in detail the scope of the Government's proposals.

Members noted the criteria proposed for the assessment of hedgerows to be protected and the procedural arrangements

Resolved that the comments outlined in the report be passed to the Department of the Environment as this Council's response to the draft hedgerow regulations. (TP8)(DE)

561. **RECYCLING STRATEGY AND PLAN (Minute 459/96)**

The Committee had before them the report of the Chief Environmental Health Officer on the future recycling initiatives in the District.

Members noted that tenders were being sought for the provision of a kerbside collection scheme and that the number of recycling banks was increasing. The Committee also noted that the Council's bid to Essex County Council for an additional 600 home composting bins had been unsuccessful but felt that up to £2,000 of recycling credit income should still be used to purchase additional bins together with £3,000 Special Project funding which had been allocated for recycling initiatives in previous years which had been carried forward uncommitted. The recycling plan would be reviewed and updated when the Department of the Environment issued their revised guidance.

Resolved (1) that a second home composting trial scheme be implemented in Rayleigh, the costs of up to £5,000 to be met from existing recycling credit income and special project funding.

(2) that a review of the Council's recycling strategy and plan be carried out by Environmental Health Sub-Committee following receipt of the revised Government guidance (1346)(CEHO)

562. **LOCALLY DETERMINED BUDGET SCHEMES (Minute 458/96)**

The Committee noted the report of the County Surveyor on the progress of the implementation of the Locally Determined Programme for the 1996/97 financial year.

563. **SEWAGE TREATMENT WORKS - FINAL EFFLUENT MONITORING (Minute 624/95)**

The Committee noted the report of the Chief Environmental Health Officer on the final effluent monitoring for sewage treatment works within the District. A Member expressed concern at the condition of the water at the River Crouch and asked if Essex County Council and neighbouring authorities could be approached to joint fund the monitoring of the water for the Crouch and that a report be made to a future meeting of this Committee on these arrangements.

Resolved that a report be made to this Committee on possible arrangements to monitor water quality in the River Crouch. (723)(CEHO)

564. **ESSEX AND SUFFOLK WATER PLC - UNDERTAKING**

The Committee noted the report of the Chief Environmental Health Officer on a new undertaking by Essex and Suffolk Water Plc as accepted by the Secretary of State for the Environment on the 6th September 1996 which comprised a programme of investigation and recommendations including the renovation of 175 kilometres of water mains by 31st March 2000.

565. **RECYCLING STATISTICS 1995/96**

The Committee noted the report of the Chief Environmental Health Officer on the recently published recycling rates across the County for 1995/96 produced by Essex County Council, of which Rochford's overall recycling rate had increased

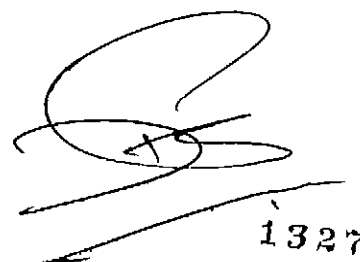
566. **COUNTRYWIDE CONCESSIONARY TRAVEL SCHEME FOR ELDERLY AND DISABLED PEOPLE (Minute 190/96)**

The Director of Finance reported in confidence on the evaluation of the concessionary fares scheme carried out by Essex County Council.

RECOMMENDED (1) That the County Council be advised that this Council supports the proposed action plan.

(2) That the Chief Executive be authorised to implement Standing Order 18 in order for the response to be sent to County by the due date. (933)(DF)

TRANSPORTENV/minsnov21



1327

Chairman: ~~[Handwritten Signature]~~ ~~Chairman~~ date: 16/1/97