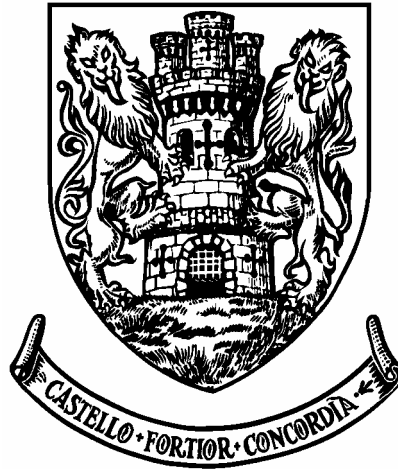


NORTHAMPTON BOROUGH COUNCIL



COUNCIL

Monday, 22 May 2006

YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, THE TWENTY SECOND DAY OF MAY, 2006 AT SIX THIRTY O'CLOCK IN THE EVENING WHEN THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED:-

1. MINUTES.

To approve the minutes of the proceedings of the Meeting of the Council held on 27th March 2006.

2. APOLOGIES.

3. MAYOR'S ANNOUNCEMENTS.

4. DEPUTATIONS/PUBLIC ADDRESSES/QUESTIONS.

5. AUDIT COMMISSION PLANNING INSPECTION - PRESENTATION BY JONATHAN BROWN AUDIT COMMISSION

6. TO ANSWER QUESTIONS ASKED UNDER COUNCIL PROCEDURAL RULE 5.2.

7. NOTICES OF MOTION

(A) Councillor Patterson to propose Councillor McCutcheon to second;-

“We call on the Council to discontinue the 5% above inflation annual uplift in allotment rents.

We call on the Council to introduce a fair system of charges for water usage on allotments in place of the proposed flawed system.

That a time limited scrutiny investigation is undertaken for the proposed water charges.”

(B) Councillor Lane to propose Councillor Malpas to second;-

“This Council congratulates the staff and administration on the progress made in tackling homelessness in Northampton. As noted by the cross party task and finish group “significant improvements have been made within the homeless service”. The Office of the Deputy Prime Minister also commended the Council reporting “that it was clear that Northampton had made substantial progress in this area” and it was very good news.”

Council therefore commends staff and the administration on the hard work and progress achieved.”

(C) Councillor Crake to propose Councillor Simpson to second;-

“This Council supports Northamptonshire Police Authority in its decision not to volunteer for merger into a new East Midlands strategic police authority.

In particular, this council is concerned that;-

(1)The estimated merger costs of £101 million plus £35 million per annum to meet the improvements required,calculated by all five police authorities in the East Midlands,will not be adequately funded by Government,leading to reduced front line policing or higher police precept on the Council Tax.

(2)The proposed merger is not projected to improve protective policing services until at least 2014.

(3)All five Chief Constables in the region have expressed the view that the proposed merger as presently designed is unaffordable,very complex and very high risk and therefore likely to damage policing.

(4)A single strategic regional police authority will lead to weaker local democratic accountability for policing.

This Council requests the Chief Executive to respond to the letter from the Home Office to record this Council’s objection to the proposed merger,and to write to Northampton’s MP’s requesting them to oppose the merger in Parliament and urges all councillors and members of the public to take part in the Police Authority’s consultation exercise.”

(D) Councillor Tavener to propose Councillor Hill to second;-

“This Council opposes the merger of Northamptonshire Police Force into an East Midlands or other regional police service. We believe that effective policing should be responsive to local needs and accountable to the local community.”

(E)Councillor Eldred to move and CouncillorAcock to second;-

“This Council condemns the proposed cut in funding to Cynthia Spencer Hospice by Daventry and South Northants Primary Care Trust (PCT).

We believe that the hospice plays a vital and important role in our town and therefore request that the PCT review their decision and mandates the Chief Executive to communicate this on our behalf.”

(F)The following motion to be moved by Councillor Wire and seconded by Councillor Evans :-

That Procedural rule 3.4 be suspended to enable the following motion to be discussed and a vote to be taken;-

“That this Council agrees that public confidence in our decision making and public announcing of decisions and issues is paramount to the transparency of democracy.

In the light of that council further agrees that the cross party report on delegated decisions now needs to be implemented so that we can jointly monitor how delegated decisions are being made and the public accountability of the decisions.

In addition in future all announcements and comments made to the local press and media by Borough Council “spokespersons” are to cease and any comments made will be made by the elected councillor who is accountable to the public. In any exceptional circumstances where it is deemed appropriate for a comment from the authority only the accountable officer ,the |Chief Executive (or respective Director in her absence) may make public comment and must do so in name.

8. MEETING CYCLE 2006/07

(report to follow)

9. EXEMPTION FROM CALL IN

(report to follow)

10. OVERVIEW AND SCRUTINY REPORT ON HOMELESSNESS

(copy herewith)

11. CPA REPORT

(copy herewith)

12. DRAFT CORPORATE PLAN 2006/07

(copy to follow)

13. PROGRESS ON RECOVERY PLAN

14. AUTHORITY FOR COURT ATTENDANCE - REPORT OF SOLICITOR TO THE COUNCIL

(copy herewith)

15. POLITICAL STRUCTURES AND MISCELLANEOUS MATTERS - REPORT OF SOLICITOR TO THE COUNCIL

(copy to follow)

16. REMUNERATION PANEL

(report to follow)

17. APPOINTMENT OF SECTION 151 AND MONITORING OFFICERS

(report to follow)

18. DEVELOPMENT CONTROL DELEGATED POWERS

(copy to follow)

19. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE MAYOR IS OF THE OPINION SHOULD BE CONSIDERED.

The Guildhall
Northampton
11th May 2006

M.McLean Chief Executive



NORTHAMPTON
BOROUGH COUNCIL

Name of Committee
COUNCIL

Directorate: Citizens, Finance & Governing

Corporate Manager: Ella Yeshin

Date: 22 May 2006

Report Title	Meetings Cycle 2006/07
---------------------	-------------------------------

Key Decision	NO
---------------------	-----------

1. Recommendations

That the Meetings Cycle for 2006/07 be approved.

2. Summary

To report the results of the consultation on the proposed Meetings Cycle for 2006/07 and to recommend its adoption by Council.

3. Report Background

Following the consideration of the pre-consultation draft of the Meetings Cycle for 2006/07 by Improvement Board on 19 January 2006, the attached cycle was consulted upon, as set out below:-

The Mayor
Group Leader
Group Whips
Chief Executive & Directors
Northamptonshire County Council
West Northamptonshire Development Corporation

Corporate Manager (Finance & Asset Management)
Council Tax Team Leader
Corporate Manager (Citizen Engagement)
Community Development Manager
Development Control Team Leader

The County Council made a comment about the timing of our Council Tax Setting meeting on 22 February 2007 that would have been the same day as their budget setting meeting. Following discussions with the Interim Corporate Manager (Finance & Asset Management) and the Council Tax Team Leader, our Council Tax setting meeting has been moved to 26 February 2007.

West Northamptonshire Development Corporation were contacted twice and apart from commenting that their Planning Committee meetings may also be on a Wednesday did not give any further 2.00 p.m. on the day of the meeting.

At the request of the Corporate Manager (Citizen Engagement) some adjustments to Forum meeting dates have been made.

At the request of the Leader of the Council, and with the agreement of the Mayor Elect, pre-Council meetings have been moved to 2.00 p.m. on the day of the meeting.

No other comments were received.

In an election year (for the Borough) formal meetings have usually ceased at some point in April so as to allow candidates to concentrate upon the election. It is proposed that meetings cease with effect from 16 April 2007. The meetings affected are shown as "greyed out" on the attached cycle and reprogrammed into June 2007.

4. Options and Evaluation of Options

N/A

5. Resource Implications (including Financial Implications)

None

6. Risk and Opportunity Issues

N/A

7. Consultees (Internal and External)

Internal	See section 3
External	See section 3

8. Compliance Issues

A: How Proposals Deliver Priority Outcomes

Recovery Plan
N/A
Corporate Plan
N/A

B: Other Implications

Other Strategies
None

Finance Comments
N/A

Legal Comments
The proposed Meetings Cycle meetings legal requirements particularly in respect of Budget and Council Tax setting, close down of accounts and the BVPP.

9. Background Papers

Title	Description	Source
Report to Improvement Board 19 January 2006		

Author:

F McGown x 7101
Meetings Services Team Leader

Name	Signature	Date	Ext.
Author			
Corporate Manager			
Director			
Monitoring Officer or Deputy (Key decision only)			
Section 151 Officer or Deputy (Key decision only)			

MEETING CYCLE 2006/07

	June	July	August	September	October	November	December	January
Monday								1 ////////////////
Tuesday			1					2
Wednesday			2 PL			1		3 AP2
Thursday	1 LB		3 IB Pre IB 15:30			2 LB PEN		4 IB Pre IB 15:30
Friday	2 ////////////////		4 ////////////////	1 ////////////////		3 ////////////////	1 ////////////////	5 ////////////////
Saturday	3 ////////////////	1 ////////////////	5 ////////////////	2 ////////////////		4 ////////////////	2 ////////////////	6 ////////////////
Sunday	4 ////////////////	2 ////////////////	6 ////////////////	3 ////////////////	1 ////////////////	5 ////////////////	3 ////////////////	7 ////////////////
Monday	5 CAB	3 CAB Pre CAB 4:30	7	4 AP1	2	6 AP1	4 CAB Pre CAB 4:30	8 YF LGB
Tuesday	6 LC	4	8	5	3 AP5	7 LC	5 A	9 STD RAC
Wednesday	7 PL	5 PL	9	6 AP2 YF	4 OS	8 YF	6 LJT	10 AP1
Thursday	8 WOM IB Pre IB 15:30	6 RAC IB Pre IB 15:30	10 LB	7 WOM LB	5 LB	9 LGB IB Pre IB 15:30	7 AP5 IB Pre IB 15:30	11 AP3 LB
Friday	9 ////////////////	7 ////////////////	11 ////////////////	8 CPPB	6 ////////////////	10 ////////////////	8 ////////////////	12 ////////////////
Saturday	10 ////////////////	8 ////////////////	12 ////////////////	9 ////////////////	7 ////////////////	11 ////////////////	9 ////////////////	13 ////////////////
Sunday	11 ////////////////	9 ////////////////	13 ////////////////	10 ////////////////	8 ////////////////	12 ////////////////	10 ////////////////	14 ////////////////
Monday	12 AP7	10 AP2	14	11 CAB Pre CAB 4:30	9	13 AP2	11 AP7	15
Tuesday	13 LJC	11 STDs DIS	15	12	10 AP6	14 DIS	12 OS DIS	16 AP4
Wednesday	14 OS	12 LGB PEN	16	13 LGB	11 DIS	15 AP3 WOM	13 AP6	17 PL
Thursday	15 LB	13 LB	17 IB Pre IB 15:30	14 AP3 IB Pre IB 15:30	12 LJC IB Pre IB 15:30	16 LB	14 LB PEN	18 IB Pre IB 15:30
Friday	16 ////////////////	14 CPPB	18 ////////////////	15 ////////////////	13 CPPB	17 CPPB	15 ////////////////	19
Saturday	17 ////////////////	15 ////////////////	19 ////////////////	16 ////////////////	14 ////////////////	18 ////////////////	16 ////////////////	20 ////////////////
Sunday	18 ////////////////	16 ////////////////	20 ////////////////	17 ////////////////	15 ////////////////	19 ////////////////	17 ////////////////	21 ////////////////
Monday	19	17 AP8	21	18	16	20	18	22 Council Pre CL 2:00
Tuesday	20	18 LC	22	19	17	21 AP4	19 LC	23 DIS
Wednesday	21 AP6	19	23	20 AP4	18 AP8	22 PL	20 PL	24
Thursday	22 IB Pre IB 15:30	20 IB Pre IB 15:30	24 LB	21 LB PEN	19 LB	23 IB Pre IB 15:30	21 IB Pre IB 15:30	25 AP5 LB PEN
Friday	23 CPPB	21 ////////////////	25 ////////////////	22 ////////////////	20 ////////////////	24 ////////////////	22 ////////////////	26 ////////////////
Saturday	24 ////////////////	22 ////////////////	26 ////////////////	23 ////////////////	21 ////////////////	25 ////////////////	23 ////////////////	27 ////////////////
Sunday	25 ////////////////	23 ////////////////	27 ////////////////	24 ////////////////	22 ////////////////	26 ////////////////	24 ////////////////	28 ////////////////
Monday	26 CAB/Council ø	24 Council Pre CL 2:00	28 ////////////////	25 A	23	27 Council Pre CL 2:00	25 ////////////////	29 CAB Pre CAB 4:30
Tuesday	27 A	25	29	26 LC	24 AP7	28 AP8	26 ////////////////	30 LC
Wednesday	28 CP	26 OS	30 PL DIS	27 PL	25 PL	29 RAC	27	31 OS
Thursday	29 LB	27 LB	31 RAC IB Pre IB 15:30	28 Council Pre CL 2:00 IB Pre IB 15:30	26 IB Pre IB 15:30	30 LB	28 LB	
Friday	30	28 ////////////////		29 ////////////////	27 ////////////////		29 ////////////////	
Saturday		29 ////////////////		30 ////////////////	28 ////////////////		30 ////////////////	
Sunday		30 ////////////////			29 ////////////////		31 ////////////////	
Monday		31			30			
Tuesday					31			

MEETING CYCLE 2006/07

February	March	April	May	June	July	August	
							Monday
			1				Tuesday
			2			1 PL	Wednesday
1 IB Pre IB 15:30	1 IB Pre IB 15:30		3 ELECTIONS			2 IB Pre IB 15:30	Thursday
2 //	2		4 //	1 //		3 //	Friday
3 //	3 //		5 //	2 //		4 //	Saturday
4 //	4 //	1 //	6 //	3 //	1 //	5 //	Sunday
5	5 CAB Pre CAB 4:30	2	7 //	4	2 CAB Pre CAB 4:30	6	Monday
6	6 DIS	3	8	5 LC	3 YF	7	Tuesday
7 AP6	7 AP2 YF	4 AP5	9	6 PL	4 PL	8	Wednesday
8 LB	8 RAC LB	5 LB	10	7 IB Pre IB 15:30	5 IB Pre IB 15:30	9 LB	Thursday
9 //	9 //	6 //	11	8 //	6 //	10 //	Friday
10 //	10 //	7 //	12 //	9 //	7 //	11 //	Saturday
11 //	11 //	8 //	13 //	10 //	8 //	12 //	Sunday
12 AP7	12 AP1	9 //	14	11 AP7	9	13	Monday
13 Council +	13 LC	10 STD	15	12 LJC	10 STD DIS	14	Tuesday
14 PL	14 PL LGB	11 PL	16	13 OS	11 LGB	15	Wednesday
15 IB Pre IB 15:30	15 IB Pre IB 15:30	12 IB Pre IB 15:30	17	14 LB PEN	12 RAC PEN LB	16 IB Pre IB 15:30	Thursday
16 //	16 //	13 //	18 //	15 //	13 //	17 //	Friday
17 //	17 //	14 //	19 //	16 //	14 //	18 //	Saturday
18 //	18 //	15 //	20 //	17 //	15 //	19 //	Sunday
19 AP8	19	16 AP6	21	18 AP8	16	20	Monday
20	20 PEN LJC	17 AP7	22	19	17 LC	21	Tuesday
21	21 AP3	18	23	20 AP6	18	22	Wednesday
22 LB	22 LB	19 LB	24 AN CL	21 WOM IB Pre IB 15:30	19 IB Pre IB 15:30	23 LB	Thursday
23 //	23 //	20 //	25 //	22	20	24 //	Friday
24 //	24 //	21 //	26 //	23 //	21 //	25 //	Saturday
25 //	25 //	22 //	27 //	24 //	22 //	26 //	Sunday
26 Council *	26 Council Pre CL 2:00	23 AP8	28 //	25 CAB Pre CL 2:00 Council ø	23 Council Pre CL 2:00	27 //	Monday
27 A	27 OS	24 LC	29	26 A	24	28	Tuesday
28	28 AP4 WOM	25	30	27	25 OS	29 PL	Wednesday
	29 IB Pre IB 15:30	26 IB	31 LB	28 LB	26 LB	30 IB Pre IB 15:30	Thursday
	30 //	27 //		29 //	27 //	31	Friday
	31 //	28 //		30 //	28 //		Saturday
		29 //			29 //		Sunday
		30			30		Monday
					31		Tuesday

* Council Tax Setting
 + Budget/Council
 ø Annual Statement of Accounts, BVPP, Corporate Plan
 CL – Council
 PL - Planning
 LC – Licensing Committee
 CAB – Cabinet
 STD – Standards
 LJC – Local Joint Committee
 OS – Overview & Scrutiny
 A - Audit
 CP – Councillor Programme
 IB – Improvement Board 16:00 – 18:00
 LB – Leadership Briefing 16:00 – 18:00
 AP – Area Partnerships
 WOM – Womens Forum 12:30
 YF – Youth Forum 13:00
 PEN – Pensioners Forum 14:00
 LGB – Lesbian, Gay & Bisexual People Forum 18:30
 RAC – Race Equality Forum 18:30
 DIS – Disabled Forum 17:30
 CPPB – Councillor Programme Project Board
 16:00 – 17:30

NORTHAMPTON BOROUGH COUNCIL

COUNCIL MEETING 22 MAY 2006

LAND AT BEDFORD ROAD

REPORT TO CABINET

At their meeting on 29 March 2006 the Cabinet, with the consent of the Mayor under Rule 15(1) of the Overview and Scrutiny Procedure Rules, made the following decision as a matter of urgency to which the call-in procedure would not apply.

DECISION (EXTRACT FROM MINUTES)

7. LAND AT BEDFORD ROAD (3)

The Asset Manager referred to the decision of the Cabinet at the meeting on 6 March 2006 to agree the disposal of land at Bedford Road to English Partnerships subject to the conclusion of procedures to dispose of a small area of public open space. The period of advertisement did not conclude until 30 March 2006 and she commented that any objection received following this meeting should be considered by the Director for Citizens, Finance & Governance in consultation with the Portfolio Holder for Local Environment. It was noted that for English Partnerships to complete the purchase the agreement had to be completed by 31 March 2006.

The Solicitor to the Council commented that because of the deadline for the completion of the sale to English Partnerships, the Mayor had agreed that this item be exempted from the usual call-in provisions as allowed for in paragraph 15.10 of the Overview & Scrutiny Procedural Rules contained within the Council's Constitution. The Solicitor to the Council also commented that the three group leaders and Councillor Glynane had been consulted and were in agreement with an exemption being made on this occasion.

The Asset Manager referred to the two objections set out in the report and a subsequent letter dated 21 March 2006 from the Secretary of Far Cotton Residents Association. In response to the correspondence that had been received to date it was noted that the car parking used at Midsummer Meadow would continue and that the area of the land affected was de-minimus having regard to the overall size of Midsummer Meadow Park and the adjoining Becketts Park. In respect of the letter received from the Secretary of Far Cotton's Residents Association, it was noted that its contents were more by way of observation rather than objection and that the Planning Officer referred to was an employee of the Borough Council and not English Partnerships are stated.

- RESOLVED:** (1) That the Director for Citizens, Finance & Governance be authorised in consultation with the Portfolio Holder for Local Environment to consider any further objections to the proposed disposal of public open space at Midsummer Meadow.
- (2) That having considered the objections and observations made to date the disposal of public open space at Midsummer Meadow as previously reported to the Cabinet, subject to (1) above, be confirmed.

Note with regard to Resolution(1) that no further objections were received.

REASON FOR URGENCY

It was a requirement of English Partnerships that their purchase of the land must be completed before the end of the financial year on 31 March 2006. Had the decision not been treated as a matter of urgency it would not have come into force until the expiry of the call-in period, i.e. 3 working days after the decision was published. By that time the deadline would have been missed.



NORTHAMPTON
BOROUGH COUNCIL



Northamptonshire
County Council

Review homelessness as a whole system, including the interactions between and the pressure on both Councils to improve the quality of life for people vulnerable to becoming homeless and to reduce the overall level of homelessness

Report of the Overview and Scrutiny Homelessness Task and Finish Group

MAY 2006

Index

	Page
Chair's Foreword	2
Executive Summary	3
Final Report including recommendations	4
Action Plan	8

APPENDICES

Appendix A - Minutes of meeting held 16 November 2005

Appendix B - Minutes of meeting held 9 December 2005

Appendix C - Minutes of meeting held 6 January 2006

Appendix D - Minutes of meeting held 27 January 2006

Appendix E - Minutes of meeting held 17 February 2006

Appendix F - Minutes of meeting held 10 March 2006

Appendix G - Minutes of meeting held 29 March 2006

Appendix H - 'Tackling Homelessness' – Presentation by
Lisa Barker, Homelessness and Housing Support
Office of the Deputy Prime Minister (ODPM)

Appendix I - **Case Studies:**
Brian Binley, MP
Citizens Advice Bureau (CAB)
Nigel Stock, NCC

Appendix J - Visit to the Housing Advice Centre Team

Appendix K - Visit to the Homelessness Unit

FOREWORD

Following a referral from Northampton Borough Council, our Overview & Scrutiny Committee was asked to review the homeless service both in Northampton and in the county as a whole. This Scrutiny Task & Finish Group is the first one to be conducted jointly with Northamptonshire County Council and is an excellent example of working in partnership with our neighbours.

The Task & Finish Group was charged with reviewing homelessness as a whole system, including the interactions between and the processes on both councils to improve the quality of life and advice for people vulnerable to being homeless and to reduce the overall level of homelessness.

Northampton Borough Council's Overview & Scrutiny Committee set up a Task & Finish Group consisting of Councillor Lee Mason, Councillor Margaret Pritchard and Councillor Marion Allen. We invited Councillor Mark Bullock and Councillor Maureen Hill from Northamptonshire County Council to join us.

We heard evidence from a wide range of representatives and observed operations at Fish Street Housing & Money Advice Centre.

We started in late November 2005 and concluded in March 2006.

We would like to thank all those involved in preparing this report Fran Rodgers, Madeline Spencer, Linda Brede, Tracy Tiff, Geoff Stokes and Nigel Stock.



Lee Mason

Councillor Lee Mason



Marion Allen

Councillor Marion Allen



M.E. Pritchard.

Councillor Margaret Pritchard



Mark Bullock

Councillor Mark Bullock

EXECUTIVE SUMMARY

Following a referral from Northampton Borough Council, our Overview & Scrutiny Committee was asked to review the homeless service both in Northampton and in the county as a whole. This Scrutiny Task & Finish Group is the first one to be conducted jointly with Northamptonshire County Council and is an excellent example of working in partnership with our neighbours.

Most homelessness is preventative but it requires:-

- Services being tailored so that there can be a joined up approach towards homelessness
- Investment in prevention, not in responding to the crisis
- Understanding the needs of vulnerable people

There is a big issue around affordable housing, and the need to ensure that all available housing is made best use of, particularly private sector housing. As Councils, we have the ability to help people through the process, including private landlords. We have through early intervention ensured the health and well being of our citizens.

Significant progress has been made in terms of homeless services since the Task & Finish Group was set up. There are, however, further improvements to be made and this Overview & Scrutiny Task Group has made a number of recommendations around homeless prevention, partnership working, internal processes, vulnerable people, rough sleeping and temporary accommodation.

A significant amount of evidence was heard and this report includes these as appendices to the report.

**NORTHAMPTON BOROUGH COUNCIL/
NORTHAMPTONSHIRE COUNTY COUNCIL**

REPORT OF THE HOMELESSNESS TASK AND FINISH GROUP

1. Purpose

To review homelessness in Northamptonshire as a whole system, including the interactions between and the pressures on both councils to improve the quality of life and advice for people vulnerable to becoming homeless and to reduce the overall level of homelessness.

2. Context

This is the first example of joint scrutiny working between the borough and the county. Homelessness is high on the national agenda and has been identified as a service pressure at both Northampton Borough Council and Northamptonshire County Council. Of particular concern has been:

- The high numbers of homeless applications
- Lack of alternative housing options
- Lack of a multi-agency approach
- Failure to address the needs of vulnerable groups
- The high cost of temporary accommodation.
- The previous poor relationship between the county and the borough

3. Evidence

During the six half day meetings the Committee heard evidence from:

Fran Rodgers, Corporate Manager, NBC, - Homeless Baseline information and case studies

Mohammed Sabeel, Homeless Link, – Homeless Forum and the role of the voluntary sector

Councillors Pritchard and Allen - visit to the Housing Advice Service at Fish Street

Lisa Barker, Operations Manager - Homelessness Directorate, ODPM - the national perspective

Nigel Stock, Northamptonshire County Council – Services for Young People- case studies.

Brian Binley, MP, - case studies particularly concerning joint custody awards.

Ann McGrail - Learning disability issues

Jon Olsen, Community Service manager, Northamptonshire Healthcare Trust.

4. Conclusions

It is clear that significant improvements have been made within the homeless service in the last few months since the Task & Finish group has met.

For example, homeless applications have been reduced by two-thirds since October 2005.

Both the number of applications and the number of admissions to temporary accommodation have reduced by 50% in the last 5 months.

Numbers in temporary accommodation are down from 198 at the end of September 2005 to 104 at the end of February 2006 and specifically from 53 in bed and breakfast to only 4 in the same period.

There is still much to do to ensure that prevention initiatives are embedded and that service level agreements and working arrangements are robust and effective.

Prevention is the key for the future and features prominently in the draft service improvement plan for homelessness.

5. Recommendations

The following series of recommendations are grouped in specific categories:

1. Homeless Prevention:

- Dedicate sufficient resources to homeless prevention
- Develop quality front-line services which meet the needs of all customers
- Establish a housing options toolkit including a long term rent deposit scheme
- Investigate options for and realistically cost a sanctuary scheme for people suffering domestic abuse
- Develop a spend to save strategy with a realistic budget allocation and robust criteria for expenditure

2. Partnership Working

- By Sept 2006 introduce robust protocols particularly with Northamptonshire County Council for:
 - (a) Looked after children aged 16 and over, particularly children leaving care, and teenagers aged 16/17.

- (b) Intentional homeless families
 - (c) Youth offenders
 - (d) Prison leavers
 - (e) Ex-army personnel
 - (f) Adults with Learning disabilities
 - (g) Adults with Mental Health issues
- Ensure voluntary sector support and 'buy-in' to the principles of homeless prevention through regular liaison and performance monitoring
 - Work with other social housing partners to develop a purpose built hostel for single homeless people (and their dogs!)
 - Engage Registered Social Landlords (RSLs) in the homeless prevention agenda, particularly to provide specialist support to vulnerable groups
 - Northampton Borough Council/Northamptonshire County Council should lead on the development of the Homeless Forum and the homeless thematic partnership for all agencies in the county
 - Develop the regional homeless strategy in partnership with all Councils in the county and within the East Midlands region.
 - Work with other key partners including the Police and Primary Care Trusts (PCTs) to reduce homelessness.

3. Internal Processes & Procedures

- Ensure internal Council procedures are joined up and effective, for example, sign up to a Corporate Debt Policy
- Improve the accuracy of statistical recording through investment in IT.
- Sign off decisions on evictions.
- Temporary accommodation admissions - sign off procedures

4. Vulnerable People

- Develop a strategy for managing the housing needs of people with learning disabilities
- Ensure floating support services are targeted at the most vulnerable groups
- Consult with users to better understand their needs and meet their aspirations
- Provide tenancy support for young people to help sustain their tenancies
- Customers to be kept informed of the progress of their application and what to expect at each stage.
- Ensure a joined up approach with multi agency involvement. A lead agency to be appointed to take overall responsibility.

- Develop awareness training for all staff involved in homeless issues including joint training sessions for NBC and NCC staff.
- Better access to the service for minority groups.

5. Rough Sleeping

- Develop a multi-agency approach to dealing with rough sleeping with particular emphasis on:
 - (a) Work with mental health trusts
 - (b) Services for people leaving the armed forces
 - (c) The role of the DAT teams

6. Temporary Accommodation

- Provide high quality 'value for money' services through robust budget management and accessing available funding streams
- Develop a robust temporary accommodation strategy that provides quality accommodation at competitive prices
- Keep use of bed and breakfast accommodation to a minimum other than in an emergency.
- Make links with other relevant agencies e.g. local colleges regarding accommodation.

7. Financial implications

- NBC has committed £100,000 in 2006/7 for homeless prevention initiatives.
- Further funding of £90,000 has been made available by ODPM for specific projects such as work on Rough sleeping.
- It is anticipated that the majority of actions identified in this report will be contained within existing budgets unless otherwise specified.
- Agreement in principle to work towards a joint NCC/NBC solution for intentional homeless families.
- Agreement in principle to the recycling of savings from homeless initiatives back into homeless prevention.
- The Group recognises the disproportionate impact of cuts in funding in this area and supports the "invest to save" approach to homelessness.

8. Review timescale

- It is proposed that we review progress in 6 months

HOMELESSNESS ACTION PLAN

HOMELESS PREVENTION		When	Endline	Who	Cost
	1. Review Housing Advice resources	May 2006	Appx B	Fran Rodgers	Within existing budgets
	2. Reshape Housing Advice Service delivery to meet the needs of all customers	June 2006	Appx H	Fran Rodgers	Within existing budgets
	3. Establish Rent Deposit Scheme and housing options toolkit	April 2006 onwards	Appx J	Madeline Spencer	£100,000
	4. Investigate options for a Sanctuary Scheme	Sept 2006	Appx E	Madeline Spencer	No information available
	5. Introduce a Spend to Save Strategy	May 2006	Appx D	Fran Rodgers	Nil
PARTNERSHIP WORKING					
	1. Introduce robust partnerships between Northampton Borough Council and Northamptonshire County Council	By Sept 2006	Appx I	Madeline Spencer/Nigel Stock	Nil
	2. Introduce effective voluntary sector liaison including the Homeless Forum	April 2006	Appx F	Fran Rodgers	Nil
	3. Develop a purpose built homeless hostel	March 2007	Appx G	Fran Rodgers	To be advised
	4. Improved engagement with RSLs to assist in housing vulnerable people	May 2006 onwards	Appx A	Fran Rodgers	Nil

	5. Develop the regional Homeless Strategy	Dec 2006	Appx B	Fran Rodgers	Officer time
INTERNAL PROCESSES AND PROCEDURES					
	1. Introduce a Corporate Debt Policy	June 2006	Appx B	Fran Rodgers	Nil
	2. Introduce new housing IT system	2007	Appx C	Fran Rodgers	Within existing budgets
	3. Introduce sign-off procedure for evictions	May 2006	Appx D	Madeline Spencer	Nil
	4. Sign-off procedures for TA	May 2006	Appx D	Madeline Spencer	Nil
	5. Review all internal processes and procedures to ensure SMART working	By Jan 2007	Appx C	Fran Rodgers	To be advised
TEMPORARY ACCOMMODATION					
	1. Value for money and high quality accommodation provision	By Sept 2006	Appx A	Madeline Spencer	£500,000 within existing budgets
	2. Temporary Accommodation Strategy	June 2006	Appx D	Madeline Spencer	Nil
VULNERABLE PEOPLE					
	1. Learning Disability Strategy	Oct 2006	Appx 1	Madeline Spencer	Nil
	2. User Consultation Strategy	June 2006	Appx C	Fran Rodgers	To be advised
	3. Homeless awareness training for staff	Ongoing	Appx A	Madeline Spencer	Within existing budgets
	4. Develop a Rough Sleeping Strategy and responsive service	June 2006	Appx B	Fran Rodgers	£90,000 ODPM funding

Appendices

**NORTHAMPTON BOROUGH COUNCIL/
NORTHAMPTONSHIRE COUNTY COUNCIL**

Homelessness Task and Finish Group

Wednesday, 16 November 2005

Present:

Councillor Lee Mason, NBC (Chair)
Councillor Margaret Pritchard, NBC
Councillor Marion Allen, NBC
Councillor Mark Bullock, NCC

Also in attendance

Councillor Brendan Glynane, NBC Chair of Overview & Scrutiny
Committee
Margaret Martin Consortium
Fran Rodgers Corporate Manager, NBC
Geoff Stokes Head of Democratic Services, NCC

1 Election of Chair

Moved and seconded that Councillor Lee Mason be elected Chair of the Homelessness Task and Finish Group.

2 Introductions and Protocol for the meeting

The Overview and Scrutiny Committee had decided to investigate homelessness as it was concerned about the increased number of households in temporary accommodation. The Chair suggested that the Group look at how the Temporary Accommodation Reduction – Action Plan 2005/06 was operating and the process for homelessness applicants. Implementation of the Action Plan had commenced. Targets were in place. Over a four-week period, the number in temporary accommodation had reduced by 10%. 35 were currently in bed and breakfast accommodation, 30 units of NBC stock was dedicated to homeless households as was 70 units of private sector housing stock.

Fran Rodgers, Corporate Manager, added that the number of residents in temporary accommodation and the high cost to the Authority was a matter of concern. Homelessness would be a focussed upon by the Audit Commission in its next assessment. In accordance with NBC's Recovery Plan 2005, the Authority was trying to achieve the prevention of homelessness.

The Task and Finish Group was asked to consider whether the review should be carried out solely by NBC or jointly with NCC.

Councillor Bullock advised that the County Council has homelessness programmed into its Scrutiny work plan. The Authority was considerably overspending on its homelessness budget. If families with children became homeless, they were the responsibility of NCC rather than the Borough Council.

Councillors agreed that the purpose of NCC's review aligned with NBC's Homelessness Strategy – to significantly reduce the number of homeless households by 2010.

Agreed: That the review be carried out jointly by NBC and NCC.

3 Current Positions

The Group commented that homelessness: -

- Involved all Statutory Bodies. There should therefore be a multi agency approach.
- There was a need to look how the service operated when a someone presented themselves as homeless.
- Created increased pressure on affordable and social housing.
- Sally Keeble, MP, received a lot of information regarding homelessness and it would be beneficial to interview the two MPs for Northampton.

The Group then suggested that it would be beneficial: -

- To 'track' a homelessness applicant through the process.
- To receive some baseline information in order to understand the extent of the problem.
- To look at real case studies (approximately six) regarding identifying blockages and problems in the system.
- To concentrate on specific areas of the Key Lines of Enquiry Document for Homelessness and use the CPA report as baseline information.
- To investigate the cost effectiveness of the services provided to homeless households and individuals.
- To accept the Office of the Deputy Prime Minister (ODPM)'s offer of advice regarding homelessness and invite representatives to attend a future meeting.
- Investigate the cost effectiveness of the services provided for homeless people.

Publicity of the review was discussed and it was agreed to include the involvement of the press, but at a future meeting.

Potential witnesses would be contacted and invited to either attend a future meeting or forward written evidence.

4 Scoping Exercise

Councillor Bullock circulated NCC's scoping document for the Review of Homelessness and its associated costs – The Task and Finish Group broadly accepted the document, making some amendments as attached at annex I to the minutes.

Agreed: That the scoping document as attached at Annex I

5 Date of Next Meetings

Friday 9 December

Friday 6 January 2006

Friday 27 January

All meetings would commence at 10am to 1pm and be held in the Jeffery Room, Guildhall.

The meeting concluded at 16.30 hours.

HOMELESSNESS TASK AND FINISH GROUP

Friday 9 December 2005

PRESENT: Councillor Lee Mason - NBC (Chair)
Councillor Margaret Pritchard - NBC
Councillor Marion Allen - NBC

Also In Attendance:

Councillor Brendan Glynane - NBC
Margaret Martin - Consortium
Fran Rodger - Corporate Manager – NBC
Madeline Spencer - NBC
Nigel Stock - NCC
Bob Lane - NCC

1. APOLOGIES.

None.

2. MINUTES OF THE MEETING HELD ON 16 NOVEMBER 2005.

The minutes of the above meeting were agreed.

3. MATTERS ARISING.

(A) PREVENTION OF HOMELESSNESS IN NORTHAMPTONSHIRE.
APPENDIX TO THE MINUTES.

The Chair referred to the Appendix to the minutes and advised that it had been agreed that the Thematic Case Studies would be considered at meeting 3 and not meeting 2 as indicated.

(B) ADVICE FROM THE ODPM.

It was noted that a representative from the ODPM had been invited to attend the meeting on 17 February 2006. A report in relation to tackling homelessness had been produced and it was agreed that it be circulated with the agenda for the next meeting.

4. PRESENT BASELINE DATA.

(a) ANALYSIS OF DATA.

(b) ISSUES ARISING.

Nigel Stock advised that NCC had agreed protocols in relation to Housing and Vulnerable People with all of the other Districts/Borough in the County but not Northampton itself. Although the arrangements in place were working well the protocol had never been signed off. It was agreed that work continue in the future to words agreeing a protocol.

Fran Rodgers gave a presentation in relation to the NBC Homelessness Service.

HOMELESSNESS APPLICATIONS:-

It was noted that:-

- Over the last 5 years the number of applications received by the Homelessness Section had remained fairly static at approximately 1000 per year. Further investigation was required as to why this number was not reducing.

- Also it was unclear why the number had dropped significantly in 2002.
- Since April 2006 NBC had recorded those who had applied but had been told they were not technically homeless.
- The Housing Register statistics included those in priority need that do not go through the homelessness route.
- There had been a significant drop in applications in October 2006 to 27 from 86 in September 2006.
- The projected figure for the current year had been revised to 800, a 20% reduction.
- The recent significant drop in applications was due to a different approach whereby people were not automatically given a homeless application form on request as had been happening but every effort was made to mediate with families, friends etc or to resolve the route of the problem i.e. Anti-Social Behaviour.
- Another contributory factor was the implementation of a Rent Deposit Scheme which had proved very popular. This assisted in getting people into private accommodation.
- Mediation was being undertaken as a pilot and it enabled a person to plan to leave within a realistic timescale.
- The aim was to build up a housing options toolkit.
- Applicants leaving prison were dealt with under a Probation Contract.

The Group then asked Questions and made comments:-

- A Rent Deposit Scheme had been tried previously how was it different this time? It was noted that the scheme was being used proactively and was targeted.
- Did NBC work with the Police in cases of domestic violence? NBC worked closely with the Police in such cases and there were two refuges available for emergencies. However a more sophisticated approach was needed so options could be offered.
- Did the figure include those that had applied and been found to be intentionally homeless. It was noted that the figures include all applications regardless of the outcome.
- Particularly in cases of domestic violence were measures taken to ensure a victim was not allocated a property close to the perpetrator. Fran Rodger confirmed that this was the case and advised that more action would be taken in the future in relation to Contract contravention.
- In cases involving 16/17 year olds and those involving domestic violence the response NCC received from NBC was good.

HOMELESSNESS ACCEPTANCE.

It was noted that:-

- The ODPM target for the acceptance of application was 1.7 per 1,000 households so as NBC accepted 5.5 per 1,000 households they were accepting too many.
- The reason that the acceptance rate was so high was because applications were taken on face value and there was insufficient investigation.

The Group commented that:-

- It would be useful to look at the acceptance rates of similar Councils.
- The figures up to the end of December 2005 should be considered at the next meeting.

WHY ARE HOUSEHOLDS BECOMING HOMELESS IN NORTHAMPTON:-

It was noted that:-

- The category "Parents no longer willing to accommodate" included applicants of all ages as people were staying with parents longer due to the lack of affordable housing.
- At Christmas the number of homeless due to parents/friends always dropped but increased again after the holiday.

The Group asked Questions and made comments:-

- The "other" category was too large suggesting that cases needed more investigations.
- A breakdown of the "Parents no longer willing to accommodate" category into under and over 18's would be useful.
- Were those leaving care given priority and support? Those leaving care were considered priority need and NCC were responsible for finding and funding accommodation for 16/17 year olds.
- Were those leaving care given support to sustain a tenancy? Social Services helped set up the accommodation.
- Young People could apply in their own right at 18 but could not actually start the application process until they were actually 18.
- The concerns of Social Services related to those who were 16/17 who were homeless but not leaving care, those over 18 that they were still responsible for and homeless families.
- Application could be made 28 days before a person was homeless which the Group felt was too late.

- The Housing Services needed to get to the position whereby they were not “fire-fighting” but could take a strategic approach and work on more preventative measures.

EMERGENCY ACCOMMODATION

It was noted:-

- 157 were in temporary accommodation at the end of November 2006.
- As at 9 December only 13 were in bed and breakfast and it was hoped no one would be by Christmas.

The Group commented that:-

- Acorn House (previous nightshelter) at one time had emergency family accommodation. It was agreed Madeline Spencer investigate this further.
- Anyone made homeless during office hours should report to the HMAc.
- There was a need to ensure that all agencies including the Police knew where to send people reporting homeless.
- CAN should be identifying and working with rough sleepers. It was important to help them as early as possible, before other problems developed, i.e. ill health.
- There was a need to accept that some people chose this lifestyle.

TEMPORARY ACCOMMODATION COSTS.

It was noted that:-

- Temporary Accommodation was a significant cost to NBC particularly as there was no budget for bed and breakfast which had cost £505,958.16 up to 31 November 2005. This had a detrimental effect on other services.
- In relation to the “end of assured shorthold tenancies” a significant factor was the lack of confidence in the Housing Benefit system by private landlords. However the situation was improving and a new system was being introduced on 19 December 2006.
- Was support given to those who rented privately to maintain their tenancies? The capacity to do this was not available at present but it may be possible to extend the Tenancy Support Scheme in the future.
- Previously NBC contacted Social Services when a young person was having problems maintaining their tenancy (ie rubbish, anti-social behaviour) but this had stopped recently. It would be good for this practice to be reinstated.

THE LEGAL DUTIES

It was noted that:-

- The consideration by definition to be priority need were 16-17 year olds and households with children or pregnant women.
- Those considered vulnerable were not necessarily in priority need.
- Once “homelessness and priority need had been established” intentionality was considered. This included outstanding rent arrears and ASBOs.
- Emergency Accommodation was also a significant cost to Social Services.
- In 2005/2006 the ODPM contributed funding of £90,000 and the Probation Service contributed £25,000 – both amounts to fund specific projects.
- There was a need for discussions with CAN in relation to the future funding of the work with rough sleepers.
- There was a bid for £50,000 outstanding for work with BME homeless clients. However there was a need to understand the requirements of these clients and what housing was appropriate.

The group commented that:-

- It would be useful to have a breakdown of the statistics relating to BME Clients.
- The fact that CAN undertook the work with rough sleepers could give the public the impression they only dealt with clients with drug problems.
- It may be worth exploring a joint arrangement between NCC/NBC from translation services.

* The final report should identify that there must be clear links between all of the agencies who potentially dealt with the homeless.*

OTHER AGENCIES INVOLVED IN HOMELESS IN THE TOWN.

The group commented that:

- It was important to clarify what other services the other agencies offered so the services could be used to their full potential.
- It would be useful to follow an individual through the process from the time they report as homeless.
- More information about the work of Homeless Link would be useful.

Nigel Stock explained the role of Social Services in homelessness, particularly in relation to young people.

It was noted that:-

- They were required to support young people leaving care. This part of the service was working effectively.
- There were fewer children in care and those that were tended to have the more difficult behavioural problems.
- The recent Housing Act strengthened Social Services involvement and the support they were required to provide to 16/17 year olds.
- There was a whole team at Social Services dedicated to the support of 16/17 year olds.
- The spending on homelessness was a huge expense to Social Services, the budgets for which were hugely overspent.
- From 18 September 2005 to 30 November 2005 10 young people 16/17 years old, who had not previously been in care, had presented as homeless. Six had been placed in short term bed and breakfast and four had been placed in Social Services accommodation.
- The Community Support Team supported 60-70 young people in their accommodation at any one time, most of who were claiming full Housing Benefit.
- Social Services currently financially supported 16 families in Bed and Breakfast. Ten of those had been found to be intentionally homeless which Social Services felt was not appropriate.
- Some of those provided with accommodation were of uncertain asylum status.
- In relation to intentional homelessness of 16/17 year olds the threshold was low and this was an area where joint working could be improved.
- It was of significant concern at NCC of the level of expenditure particularly as homelessness was not an NCC responsibility. Fran Rodgers advised that NBC faces the same problem and therefore it was important for NCC and NBC to work towards streamlining the process and to avoid duplication.

Nigel Stokes circulated the list of the cost of the temporary accommodation used by Social Services.

4 (c) FURTHER DATA REQUIRED.

- The figures in relation to the numbers of people who made a homeless application but were told that they were not actually homeless.
- The figures in relation to the numbers on the Housing Register over the same five year period (2000/1 to 2004/5) so a comparison could be made with the number of homeless applications.

- The homeless application acceptance figures from comparable Local Authorities to compare the figure of 5.5 per 1000 households. Also comparable data from the highest performing authorities.
- A breakdown of the “parents no longer willing to accommodate” figure into those under and those over 18. Also the cases where those reporting as homeless had a child.
- A breakdown of those from BEM communities who were homeless.
- Information on the related services provided by the other agencies involved in homelessness work.
- The links between the other agencies and NBC.
- More information on the work of Homeless Link.
- The number of people kept in hospital because, due to mental or physical illness, they could not return to their homes.
- Evidence from voluntary agencies including CAB and Welfare Rights as to the number of cases they dealt with in relation to homelessness.
- Case study evidence from the two MPs.

5. OUTCOMES TO TAKE FORWARD.

It was agreed that at the next meeting on 6 January 2006 the group:-

- Receive the above information.
- Decide which case studies to consider at Meeting 3.
- Receive a presentation from Homeless Link with a view to learning about their work and the related services offered by the other agencies.

6. TO NOTE THE SCHEDULE OF MEETINGS.

It was noted that the next meeting would be on 6 January 2006.

NORTHAMPTON BOROUGH COUNCIL/ NORTHAMPTONSHIRE COUNTY COUNCIL

HOMELESSESS TASK AND FINISH GROUP

Friday, 6 January 2006

PRESENT:

Councillor Lee Mason	-	NBC (Chair)
Councillor Marion Allen	-	NBC
Councillor Margaret Pritchard	-	NBC
Councillor Mark Bullock	-	NCC

ALSO IN ATTENDANCE:

Councillor Brendan Glynane	Chair of Overview and Scrutiny, NBC
Fran Rodgers	Corporate Manager, NBC
Madeline Spencer	NBC
Linda Brede	NBC
Geoff Stokes	NCC

1 Apologies

Apologies for absence were received from Councillor Maureen Hill (NCC), Nigel Stock (NCC) and Bob Lane (NCC).

2 Declarations of Interest

None.

3 Minutes of the meeting held on 9 December 2005

The minutes of the above meeting were agreed.

4 Matters Arising

In response to Councillor Pritchard's request for an update on agreed protocols in relation to Housing and Vulnerable People with of the other Districts/Boroughs in the County, M Spencer advised that she would be meeting later today with N Stock, NCC, to discuss the ongoing issue further.

Regarding emergency accommodation and Acorn House, the Task and Finish Group heard that discussions were taking place with Mohameed Sabeel and the work was still ongoing.

4 Further Information regarding Homelessness

Linda Brede, Allocations Team Leader, was introduced to the Group. Linda was working with the teams based at Fish Street.

Fran Rodgers circulated the most up to date (July to September) statistics regarding the homelessness provision that the Authority has to return to the Office of the Deputy Prime Minister (ODPM) on a quarterly basis. It was noted that NBC did have its figures up to December 2005. Reporting was done on a rolling basis.

Northampton had 1.4 households per 1,000 as accepted as being homeless and in priority need compared to 1.2 per 1,000 in the whole of England. Fran commented that Leicester City Council, a Beacon Authority, had .5 households per 1,000 as accepted as being homeless and in priority need. Leicester CC had embedded the homelessness prevention approach agenda. Milton Keynes took a similar approach to Leicester and had .9 households per 1,000.

Fran explained the statistics – supplementary table: Local Authorities' action under the homelessness provisions of the 1985 and 1996 Housing Acts: Third Quarter 2005 (July to September):-

Eligible homeless and in priority need, but intentionally:-

- Robust investigation and decision making – preventing homelessness so that individuals don't make applications and it was also about dealing with applications

Eligible homelessness but not homeless:-

- Quite a high figure for Northampton (52)
- Category includes people with short hold tenancies who have received notice to leave – NBC might be able to negotiate with the landlord.
- Often individuals do not get to the stage of being included in the statistics – negotiations are reached prior to this. For example, mediation service is offered to the pregnant teenager who has been asked to leave home by her parents
- Wellingborough is high in this category. All other Councils in the County appear to be better. Fran undertook to bring this up at the forthcoming Chief Housing Officers Group.

There were issues about rural homelessness.

Fran then referred to the Households accommodated by the authority at the end of September 2005 data:-

- Just over 101,000 households in temporary accommodation in England
- Approximately 3,000 in Northamptonshire

- 198 households living in temporary accommodation in Northampton town, a considerable improvement.
- Leicester had just 63 households in temporary accommodation – addressing the homelessness prevention approach agenda.
- Milton Keynes had 847, which appeared it was putting homeless households into temporary Local Authority stock – to change to a permanent tenancy would clear this figure.

The Group asked questions regarding the Homeless at Home awaiting accommodation category:-

- If individuals/households can stay in their present accommodation they are categorised as homeless at home. The Authority does not wait until the crisis point but does not act too early either; negotiations can often be carried out with the landlord.
- Alternatives could be explored such as alternatives in the private sector – rent assistance scheme
- Councillors referred to cases in the county regarding individuals with mental and physical disabilities who had been told nothing could be done until they were evicted.
- Northampton was unique by having its Housing and Money Advice Service. It also had a mediation service, which often produced successful outcomes.

Fran Rodgers confirmed that an analysis of how long households had been in temporary accommodation could be provided. The majority however, stayed for no longer than three months.

The Group then asked questions and made comments: -

- Whether a group of young people was Local Authority temporary accommodation. Discussions were due to take place with NCC to establish a pathways protocol in this respect. Young people should not have to go through the homeless application process.
- As young people become ready and independent NBC has re housed them and has some good success stories. **Report back to future meeting.**
- People with learning difficulties are often not on the homeless at home list, for example, their carer dies and they become homeless. It would be beneficial to have a similar process for vulnerable people.
- Requested details of the number of young disabled people and other vulnerable groups across the country.
- There was an over supply of sheltered accommodation (flatted) that could be adapted.
- Bed Block had been identified with NCC – individuals coming out of hospital, mental hospital etc., who had been institutionalised for a long time and needed a safe place to reside
- Individuals leaving St Crispin's Hospital would be helped through supporting housing and would not be classed as homeless

- Five individuals were living at Princess Marina hospital, which was due to close shortly, and they needed support. Negotiations were ongoing and were almost resolved.
- There were a number of available bungalows around the county run by the Health Authority but the Group felt that these should come under the ownership of Social Services.
- The monitoring of the data needs to improve, for example Indian Pakistani and Bangladeshi were reported as zero when we know that applications come from these groups.
- Corporate discussion to be held regarding the use of data, e.g., the census or NBC's own collected data.
- The Group requested a breakdown of homeless households accommodated by NBC, breakdown of families, young children, age etc.

Fran Rodgers reported that since the Authority had introduced the prevention of homelessness approach, the figures had improved. She gave her assurance that it was not about putting barriers in place, but providing alternative housing solutions.

The Group then discussed the number of acceptances of homelessness applications. It was noted that if you receive less applications, acceptances would be lower. For the third quarter (October, November and December), for Northampton only, NBC has looked at prevention initiatives and looked more closely at applications. The acceptance rate was approximately 50%.

Regarding allocation/nominations for October/November/December 2005, approximately 1000 council properties per annum were nominated, 300 to RSLs and homelessness acceptances was 500. Homelessness applications created a huge pressure on allocations. For example, when Beaumont/Claremont Court was refurbished, 140 individuals had to be rehoused.

Madeline Spencer advised that it would not be beneficial to include category Other into the data report as it had been identified that the Authority had problems with its accuracy of reporting which needed to be addressed.

Madeline was pleased to report that total in temporary accommodation as at 30 September 2005 had fallen from 198 to 133 and the number in bed and breakfast as at the same date had fallen from 52 to 6.

The Group was informed that Fran Rodgers had put a request in to SMT for a homelessness prevention budget, without which, it would be difficult to move forward. The Authority had given the ODPM its assurances that it would re-invest its savings into homelessness.

The Group then discussed the comparison of homelessness applications to the number on the housing register. In 2001/02 a Government Initiative – Rent Assistance Scheme was introduced (number on the housing register was at 4356); SRB funding was also available in that year, as was affordable

housing, such as Simpson Barrack. There was a big increase on the housing register from 2002/03 (5042) to 2003/04 (7055), but the increase in housing prices could have been an influencing factor.

The Group asked questions and made comment:

- If an individual had been on the housing register for some time? They were issued with an automated letter on the anniversary of their application asking if they wished to remain on the register, continuous annual letters were issued.
- 6681 individuals were currently on the register. 1300 allocations each year, leaving the majority with no offer. Discussions need to be held with people on the register regarding realistic aspirations, using the rent assistance scheme etc., to help take people off the list.
- The Housing Needs Survey was carried out in 2002. There are continual links in with the Housing Strategy. Housing Strategy should address demand, what is affordable etc., should be fed in to give a figure how much affordable housing the Authority needs.
- Housing must be appealing as well as affordable. Schemes such as Homebuy are being developed for those who cannot afford to buy outright.
- Growth Agenda is the biggest opportunity to get this right, support network etc. The bigger picture often more than just bricks and mortar.
- There was a need to recognise children's homes in respect of the Growth Agenda.
- An understanding of demographics was needed to show the importance of fine tuned housing needs.

Councillor Glynane suggested that the Portfolio Holder be requested to drive forward the importance of fine tuned housing needs and ask that it be high on WNDC's Growth Agenda.

AGREED: That the Portfolio Holder be requested to drive forward importance of fine tuned housing needs and ask that it be high on WNDC's Growth Agenda.

5 Outcomes to take forward

Case Studies

Fran Rodgers circulated a draft letter to all Councillors (including local MPs) asking for submission of case scenarios which they felt the Task and Finish Group would benefit in receiving.

The next meeting would discuss case studies. It was noted that case studies would be anonymous and would be referred to as Mr or Mrs X.

The Group suggested that an individual who had been through the Homelessness process be invited to attend the next meeting to explain the process from the customer's point of view. Madeline Spencer would select an

individual who would be willing to attend and whom the process would not intimidate.

The Group suggested examples of case scenarios that it would be interested in receiving, commenting: -

- Councillors could present cases on behalf of applicants
- Beneficial to observe a Housing Officer dealing with homelessness
- Need to look for emerging patterns in the homelessness process, track some real cases through the system
- Need to make it real – receive fundamental people’s experiences
- The letter inviting case scenarios should also be sent to the Sunflower Centre (example domestic violence), LGB Alliance, MIND, NCC – Nigel Parkes (example individuals with special needs evicted from private housing). Acorn Housing and CAN (example ex-rough sleeper, someone coming out of prison/probation) SAFRA (example individual leaving service), Gharana Housing (now Presentation Housing) (example of language barriers for Ethnic Minorities), Welfare Rights (example Asylum Seekers and Refugees)
- Case studies regarding young people leaving care would be useful
- As would, cases in respect of 20 and 21 year olds
- Case scenario of a relationship breakdown
- Case scenario of someone who has been in temporary accommodation for a long time. For example Brer Court
- Case study of young pregnant teenager – homeless at home category
- Case Study from the local MPs
- There was a need for delicate reporting of the case studies received

The above suggested case scenarios would be included in the letter to Councillors, Local MPs and organisations as detailed above. Councillor Mason and Fran Rodgers would then identify six case studies for the next meeting.

Councillors Allen and Pritchard volunteered to observe a Housing Officer (shadowing) in accordance with the homelessness process and report back their findings to the next meeting.

- AGREED:**
- (1) That Councillor Mason and Fran Rodgers identify six case studies for the next meeting.
 - (2) That Councillors Allen and Pritchard observe a Housing Officer in accordance with the homelessness process and report back their findings to the next meeting.
 - (3) That the letter to Councillors, Local MPs and organisations would ask for two case studies per organisation.

Mohammed Sabeel, East Midlands Regional Manager, HomelessLink, would attend the next meeting.

6 DATE OF NEXT MEETING

The next meeting would be held on Friday 27 January commencing at 10.00 am in the Jeffery Room at the Guildhall.

The agenda would comprise:

- 1 Discussion with Mohammed Sabeel, East Midlands Regional Manager, HomelessLink.
- 2 Pathways Protocol –Update
- 3 Housing Officer Shadowing – Report Back
- 4 Case Studies

The meeting concluded at 12:05pm

NORTHAMPTON BOROUGH COUNCIL/ NORTHAMPTONSHIRE COUNTY COUNCIL

HOMELESSNESS TASK AND FINISH GROUP

Friday, 27 January 2006 commencing at 10:00am

PRESENT:

Councillor Lee Mason	NBC (Chair)
Councillor Margaret Pritchard	NBC
Councillor Mark Bullock	NCC

ALSO IN ATTENDANCE

Mohammed Sabeel	East Midlands Regional Manager, HomelessLink, (Item 5)
Ann McGail	Team Manager (Community Support) Learning Disabilities Unit (Item 8)
Councillor Yousuf Miah	Residential Operations Portfolio Holder, NBC
Fran Rodgers	Corporate Manager, NBC
Madeline Spencer	NBC
Linda Brede	NBC
Geoff Stokes	NCC
N Stock	NCC

1 APOLOGIES

Apologies for absence were received from Councillor Marion Allen and Councillor Brendan Glynane (Chair of Overview and Scrutiny Committee).

The Chair welcomed Mohammed Sabeel, East Midlands Regional Manager, HomelessLink, to the meeting.

2 DECLARATIONS OF INTEREST

There were none.

3 MINUTES OF THE MEETING HELD ON 6 JANUARY 2006

The minutes of the above meeting were agreed.

4 MATTERS ARISING

The Group heard that the average length of time people were housed in temporary accommodation was approximately 22 weeks. 25 households (from a total of 120) have been in temporary accommodation for longer than 22 weeks. There was a shortage of 2-bedded accommodation, which was the type of property that was most in demand. Although larger families were living in temporary accommodation, the trend was towards smaller families. Exit

plans are being produced for all those residing in temporary accommodation; looking at need against aspiration. The Authority resists using one-bedded flats.

The Chair welcomed looking at exit plans and emphasised the demand for two-bedded properties.

5 DISCUSSION WITH MOHAMMED SABEEL, EAST MIDLANDS REGIONAL MANAGER, HOMELESSLINK

Mohammed Sabeel advised the Group of his role. He is the Regional Manager for the East Midlands region, covering Nottinghamshire, Derbyshire, Rutland and Northamptonshire. There were nine regional managers across the country and their role was to support the Voluntary Sector. They were able to respond to both regional and local priorities. One of their roles was mediation. Homelesslink identified opportunities and sources of funding and disseminated good practice. Regional Managers were funded by the Office of the Deputy Prime Minister (ODPM). He referred to the Government's Strategy - 'Change Up', regarding supporting the Voluntary Sector. There was a concern whether smaller organisations providing a front line were sustainable. Therefore, funding of £90 million from April 2005, for three years, had been granted by the ODPM and HDIP. In turn, it generates funding from the Housing Corporation. SRB funding and European Social funding can also be matched. Most of the £90 million funding has been committed.

Homelesslink was looking at hostels and night shelters. Revamping them, all with en suite rooms and taking out the letter 's' in order that they looked more like hotels. 90% of individuals residing in hostels were unemployed. M Sabeel was looking at the Strategy for hostel provision and the need for 'joined up' provision. There was a need for a strategic overview through a Providers' Forum, to continuously improve and review.

Homelesslink has knowledge of good information and provides a lot of support. Leicester City Council (Beacon status), Nottingham City and Nottingham County Council were members.

It was commented that the County's Homeless Strategic Partnership should work with the Rough Sleepers Forum.

M Sabeel first visited Northampton in August 2005 and advised that he is very aware of the vast difference since his first visit. He commended NBC. He did add that NBC needed to realise that it could not tackle everything itself; there are other providers who can assist. M Sabeel supported NBC's Rent Assistance Scheme and suggested that the Authority consider introducing a Rent Deposit Scheme.

M Sabeel acknowledged that NBC has a strong homelessness agenda. He advised that Leicester City Council and East Lindsey District Council have been recognised as best practice. He suggested that David Pressey, East Lindsey District Council, be contacted for advice. East Lindsey had a good

Rent Deposit Scheme. Front Line staff had the authorisation to approve rent deposits and maintenance work up to the value of £300. For example, a tenant was being threatened with eviction due to the state of the garden, front line officers authorised the garden clearance at a cost of £140; the tenancy was safeguarded.

Northampton's Maple Health Practice was unique, the only one of its kind in the country. The holistic service is committed to providing service to all disadvantaged groups. It is being investigated to promote this as good practice across the country.

M Sabeel has been working with the YMCA and NBC regarding funding opportunities. £140,000 had been approved, for refurbishment of Derngate premises

In response to Councillor Bullock's request of issues to bring to the attention of the ODPM representative at the next meeting, M Sabeel advised that the ODPM representative was committed to Authorities that needed advice and funding. It was the wide view that NBC was improving its service. He suggested that the Group inform the ODPM representative what it is doing in respect of the homelessness agenda and temporary accommodation. He felt that the Authority was already doing a lot in these areas.

In answer to Councillor Pritchard's query whether the Rough Sleepers Forum was the same as the Homeless Forum, M Sabeel advised that it was perceived that the Rough Sleepers Forum concentrated on rough sleepers only and not the wider agenda of homelessness. RSLs were invited to be part of the Homeless Forum. The Forum was run by Voluntary Providers and supported by agencies.

F Rodgers commented that the first step was to ensure everyone was on board and then to decide on the priorities; but rough sleepers must not be forgotten. If the Authority is to continue with its Rough Sleepers' Forum it needs to be re-launched.

Regarding rough sleepers, M Sabeel commented that there would always be individuals that preferred to live 'on the streets', but many do not and there were resources available to help them. Providers are very keen to work together with NBC. F Rodgers added that the Authority had signed up to a common agenda and had set some standards; there was a need to ensure that performance standards were reached.

Councillor Pritchard brought to the Group's attention a rough sleeper, with a dog, in the Hazelwood Road area and that hostels did not generally take individuals with dogs. M Sabeel advised that some hostels did take dogs but this was an important issue that the Forum should investigate.

Councillor Bullock commented that there were some vulnerable children, under the age of 16, living on the streets.

In response to the Chair's request for details of what happens if an individual/family becomes homeless, M Spencer reported that after they had called the out of hours number, the homeless officer would go out and house them into emergency accommodation until the morning when an interview would then take place.

The Chair referred to the Torch Forum commenting that it had a lot of funding available, which must be wisely spent. The agencies that were members of Torch included the YMCA, CAN, Soup Kitchen, Mayday Trust, Acorn House, NBC, NCC, PCT, Supporting People, Northants Police. N Stock added that this Forum should be a countywide forum of providers and suggested that it would be beneficial if M Sabeel could be involved. It was envisaged that Torch would be re-launched in February/March.

M Sabeel was asked to give examples of the types of services carried out by 'good' Councils:

- East Lindsey has a Homeless Prevention Scheme and Rent Deposit Scheme (for individuals with a bad rent payment record)
- Moving individuals on from hostels quickly, offering training on basic life skills.
- The ODPM is keen on temporary accommodation and homelessness prevention agendas, rent deposit schemes and mediation services

The Chair thanked Mr Sabeel for his interesting and informative address.

6 PATHWAYS PROTOCOL - UPDATE

M Spencer advised that she had liaised with N Stock, NCC, and a positive outcome had been achieved. They had concentrated on 16/17 year olds. NBC had agreed to sign up to the Protocol that was in existence for the rest of the county. A meeting would then be held with the Team Leaders. NBC's Homelessness Section would take the lead and there would be joint working in all areas. N Stock added that a range of meetings had been set up in relation to children and young people issues. Joint training across the teams was being investigated. The two Local Authorities were looking at the commonality of the customer. There was a need for an updated Protocol and this would be developed with input from all Authorities.

M Spencer advised that a County Housing Homeless Officers Forum would be set up shortly, comprising housing officers across the county.

The Group welcomed the Protocol but suggested that there was a need for discussions to take place about sharing budgets. Either or both Authorities might have to put in more resources. Both Authorities committed a lot of resources to homelessness.

Regarding the LAA and how funding was monitored, F Rodgers advised that the principles were about pooling budgets and working to a set standard of principles. A board would be set up to cover this area. Performance

management was key too. The Chair suggested that any further developments needed to be referred to in the recommendations of the Group's final report.

7 HOUSING OFFICER SHADOWING – REPORT BACK

Councillor Allen had taken part in the Housing Officer's Shadowing exercise and sent her thanks to the whole team. She would welcome work with the homeless team regarding mental health discharge.

Councillor Pritchard circulated her report on the visit to the Homelessness Unit on 16 January 2006. She had observed:-

Homeless Exit Interview

A young single male foreign student. He had previously been in Bed and Breakfast accommodation for a week and was offered a one-bedded furnished flat. The door to the airing cupboard had been damaged and the sink and washbasin were blocked but the officer promised these would be repaired. He accepted the tenancy. However, since 16 January it had been ascertained that the student would not be able to take on the tenancy permanently. The flats had been furnished and the cost of the furniture would be 'clawed' back over a four-year period. Therefore, in this case, he could not be given a permanent tenancy for that flat. He is still residing in the flat and would be allocated another property in due course.

L Brede advised that the Management Agency, responsible for the management of the flats, should have a more vigorous checking policy and there was a need for this to be tightened up. She added that this Agency was being paid a lot less than the Management Company responsible for managing the Authority's private accommodation leases.

Front desk of Housing and Money Advice

The desk was very busy, two employees manning the desk. Constant queues.

Councillor Pritchard was concerned about the lack of privacy at this first point of contact. Barriers were in situ where people waited but conversations could easily be overheard. F Rodgers agreed with the lack of privacy comments, adding that a lot of Councillor Pritchard's comments had already been fed back to the team. There was a need to find some quick fixes, privacy was an issue.

Housing Options Interview

The interview room contained Christmas decorations. Councillor Pritchard felt that they were slightly inappropriate and maybe some toys would have been better to entertain the children. She was also concerned that the room was very small.

Rent Assisted Scheme

Details of the scheme were explained. Clients could find accommodation where they chose to live, but rent had to be within the Housing Benefits that they could claim.

Interview with Debt Counsellor

Councillor Pritchard gave details of a young disabled woman who had asked for advice on her debts including tax, water arrears, catalogue bills and money owing to a finance company.

Temporary Accommodation meeting

Details of the current availability of different types of accommodation were given. The section was not computerised; therefore working practices were difficult and time consuming. Further concerns were relayed about Brer Court. The budget of £2,500 had been spent and there were no available resources for window locks, replacement furniture and repainting, which had been promised previously.

Councillor Pritchard suggested that the following improvements be made:

- Privacy for the front desk
- Improvements to the Interview Rooms
- Computer data base for temporary accommodation
- Re-allocation of finance to improve the living conditions in Brer Court and especially the security of the houses.

L Brede advised that a disabled access interview room was available. IT officers were today investigated how the system could be used for temporary accommodation. She further commented that she had visited Brer Court recently to discuss maintenance issues. A copy of Councillor Pritchard's visit summary would be circulated to all Housing Staff.

F Rodgers advised that there was lots of potential to develop accommodation with private landlords on a five-year lease basis rather than short term. NBC was looking at procuring with one organisation that would then sublet to others. Councillor Bullock advised that NCC had a large procurement team and would ask the manager to contact F Rodgers.

Councillor Pritchard conveyed her thanks to the Homeless Unit Team.

8 CASE STUDIES

Ann McGail, Team Manager (Community Support), Learning Disabilities Unit, advised the Group of case studies that she had been involved in.

She commented that there were a number issues in respect of individuals with learning disabilities. Often they did not reach the statistics stage, for example,

if they had an elderly parent (their carer) who died suddenly, they would be taken into emergency respite. Some were often there for over a year. Some needed residential care and others would be able to look after themselves. She felt that younger people with milder learning disabilities were vulnerable, for example, a young man had been asked to leave home, and had been offered a flat in Spring Boroughs, close to a flat that had been closed down as it had been operating as a 'Crack House.' The young man is now housed in a sheltered flat in Northampton and was doing extremely well. The Unit still supported him but on a lesser scale. It can be difficult for similar individuals to make a homeless application.

The Learning Disabilities Unit had good links with Marion Marriott, Housing Needs Assessor, NBC and advance liaisons take place, often enabling the situation to be pre-empted.

The Group heard of a young couple, with learning disabilities, living in a caravan waiting for accommodation. They had a poor history due to their behaviour. Their learning disabilities had not been taken into account previously. The Unit did try to direct people away from the homelessness route. There was a need for links in. The Unit needed to liaise with Supporting People regarding individuals with mild learning disabilities. The Unit dealt with people in Northampton but also received referrals from Daventry and Towcester, as these towns did not have a team. For practical reasons the Unit was unable to travel out of Northampton but did go as far as Brayfield.

A lot of the Unit's time was taken moving individuals from areas. A small amount of funding was received from Supporting People. The Team understood that it fitted in with Supporting People's Strategy.

Individuals were assessed by Social Services and Health Teams. If they had an IQ below 70 they were categorised as having learning disabilities. A lot of people will fall just outside that figure. The Unit had grave concerns regarding the individuals that fell just outside that grouping and could be classed as 'hidden homeless'. Cases were screened over the telephone by the Adult Care Squad. If not categorised as critical they would be signposted to another Agency, for example, housing. This Group of people above the threshold would often appear on housing lists and as rough sleepers.

A Forum was set up last year, but due to huge changes in the Learning Disabilities Services, A McGail was unsure of its future.

M Spencer advised that Stonham catered for individuals with learning disabilities, but she was not aware of any RSLs in Northampton that did. Muir Housing however, was looking to test out how individuals with mental health and learning disabilities coming out of care could live in society before moving them on. There was a huge potential for the Authority to work with housing associations on themed issues.

F Rodgers agreed that there were issues regarding communication and links. She acknowledged that pre-empting homelessness was vital. A good example could be how NBC could adapt its sheltered accommodation, with the right support package – working within the Supporting People Strategy.

M Bullock suggested that individuals with learning disabilities be encouraged to register. There was a need to produce a countywide register, otherwise it would be an increasing problem, for example, there could be many young people being referred who were currently being looked after by their parents. They needed an advocate to help them to deal with Agencies. He added that at the next meeting, when the ODPM representative would be present, he would refer to a pilot regarding finding out whom, numbers of etc. individuals with learning disabilities and producing a register.

The Chair thanked A McGail for her address adding that the Group would highlight this as an area that needs investigation and further work.

The Group then looked at case studies that had been submitted to the Group for consideration.

CAB

The case study that had been submitted from the CAB was in respect of its Service Level Agreement (SLA) Appraisal 2005/06. F Rodgers commented that it was an example of a daily occurrence at Fish Street.

The young couple referred to in the case study - young pregnant girl living with her mother who was going to be evicted had asked for accommodation for both herself and her boyfriend. She was informed that accommodation would not be provided for both of them, as they did not currently reside together. F Rodgers advised that the Authority would need to see evidence that people were living together as a couple, the Authority can be seen as being obstructive but it is actually doing something beneficial in the long term.

In response to Councillor Bullock's question when Section 17 came into force, the Group heard that this was at birth. A baby did not count until it was born. As soon as a homeless application is submitted, the Authority has additional powers, it can ask difficult questions and look back at other records.

If an individual presents himself or herself as homeless to NBC, the first question that is asked is whether they have anywhere to stay that night. If so, an interview is arranged for the next day. The duty officer will carry out the interview. Often parents will keep them for an extra night and the next day at the interview the Officer might persuade them to keep their son/daughter for a longer period. If not, temporary accommodation is found. People are not turned away at the counter; they are either offered a booked appointment or a duty officer appointment. Individuals do tend to find somewhere to stay for one or two more nights. Quite often people think that the only way to be offered a house is to present themselves as homeless. The officers on the front desk will pre-scan the applicant. They are very knowledgeable and skilled. Pre-scanning is a filter. The interview is then held in private.

F Rodgers advised that it was vital to make it clear what happened at the first stage of an individual presenting himself or herself as homeless. She added that the Authority should provide CAB with more details of its service. The case study that CAB had submitted contained details of the legislative process; there was a need to work with other Agencies regarding preventative work.

The Chair commented that CAB had pointed out that there was a huge housing waiting list. CAB is not always aware of what is available.

Brian Binley, MP

A case study was issued from Brian Binley, MP, which gave details of joint custody orders. Both parents would share looking after the child and therefore would need two houses. He felt that this issue would create a lot of legal arguments. There were issues regarding access to both parents, human rights etc. In cases of joint custody, agreement has been made to joint residency and both parents would receive child benefit. Joint custody was generally new; mostly custody was awarded to one parent.

Councillor Bullock suggested that the size of the problem needed to be ascertained and he suggested speaking to the ODPM representative at the next meeting and that this Group offer to carry out research in this area.

The second case referred to in the MP's letter involved a family break up with children. The break up occurred in another area and the child remained there with the mother. There seemed a period of time when neither NBC or NCC could state which one had duty of care for the gentleman. Once NBC agreed that it had duty of care a home was found. The MP felt there was a genuine need for Councils to correspond with each other quickly to establish responsibilities. Councillor Bullock suggested that NBC and NCC could devise a Protocol in respect of such cases. M Spencer advised that liaisons were currently taking place between the two Authorities in respect of joint needs and support plan.

F Rodgers undertook to draft a response to Brian Binley, MP.

Other case studies were then discussed such as a 16 year old not reported directly as homeless; they were sped through the system and were not supported and housed in unsuitable areas. The tenancy then broke down and they were back in the system. The Group emphasised that bricks and mortar was important to young people but support was absolutely vital. N Stock advised that NCC had a clear responsibility for 16/17 year olds but he felt that this should be widened to include 18 year olds. The Authority had a clear obligation to those in care for longer than 13 weeks and by their 16th birthday. NCC does offer support post 18, but this is not a legal requirement. There is a need to ensure that staff has the correct support to make confident decisions.

L Brede advised of a case of a pregnant lady, speaking no English, who presented herself as homeless at the Housing and Money Advice Centre. An

interpreter was found and an interview took place later in the day. She was homeless and was living with friends. She informed officers that she had left her husband, as it was financially better; there had been no violence in the marriage. Her husband was a tenant in a Council property. The Officer interviewing the applicant could foresee no reason why she could not return to her husband. She then returned to the Centre claiming domestic violence and was housed in temporary accommodation. Her husband was then interviewed and he stated that there had been no violence and that his wife had left of her own free will, they wanted a larger house for the baby. The applicant was advised of the rent assistance scheme and Stonham support, which she refused. Officers will interview her friend too. L Brede emphasised that the investigatory process must be carried out correctly and thoroughly and assumptions must not be made. Usually, in cases of reported domestic violence, Officers would ask for medical advice and refer the applicant to the Sunflower Centre and ask if they had contacted the Police, doctor, hospital etc. CALs provides interpreters for NBC, usually female interpreters are used for female applicants.

In response to Councillor Bullock's comment that CALs did not have the provision of signers, L Brede advised that NBC had Officers trained in signing. The Group felt that language was a Council issue and therefore a side issue to homelessness. L Brede would report back to the next meeting regarding language group.

F Rodgers emphasised the importance of better links to Agencies in respect of domestic violence. L Brede was liaising with Women's Aid. Staff working in homelessness needed to understand cultural issues. Links needed to be built with groups such as the Somalian Representation Community Group.

N Stock then circulated copies of his case studies (copies would also be forwarded to Councillors Allen and Glynane). The Group decided that discussion of Mr Stock's cases would take place at the next meeting. Case studies from Sally Keeble, MP, were also expected and these too would be discussed at the next meeting.

9 DATE OF NEXT MEETING

The next meeting would be held on Friday 17 February at 10am in the Jeffery Room, the agenda would include:-

- Discussion with the ODPM Representative
- Case Studies:-
 - (a) N Stock
 - (b) Sally Keeble, MP
- New EU regulations
- Chair's Interim Report

The meeting closed at 12:55 pm

NORTHAMPTON BOROUGH COUNCIL/ NORTHAMPTONSHIRE COUNTY COUNCIL

HOMELESSNESS TASK AND FINISH GROUP

Friday, 17 February 2006 commencing at 10.00 am

PRESENT:

Councillor Lee Mason	NBC (Chair)
Councillor Marion Allen	NBC
Councillor Margaret Pritchard	NBC
Councillor Mark Bullock	NCC

ALSO IN ATTENDANCE

Mohammed Sabeel	East Midlands Regional Manager, HomelessLink
Lisa Barker	Homelessness and Housing Support, ODPM
Linda McGowan	Homelessness and Housing Support, ODPM
Margaret Martin	Consortium
Fran Rodgers	Corporate Manager, NBC
N Stock	NCC

1 APOLOGIES

Apologies for absence were received from G Stokes (NCC), M Spencer (NBC), B Lane (NCC) and L Brede (NBC).

The Chair welcomed M Sabeel, L Barker and L McGowan to the meeting.

2 MINUTES

Subject to the addition of appendix A, Councillor Pritchard's report, the minutes of the meeting held on 27 January 2006 were agreed.

Councillor Bullock advised that Corby BC currently had the use of a signer, who was on loan from another district. Corby also had difficulties finding interpreters for Somalians and Polish. This was a generic problem, not specific to homelessness.

3 DISCUSSION WITH THE ODPM

L Barker, ODPM, thanked the Task and Finish Group for inviting her and L McGowan to the meeting.

She then gave the Group a comprehensive presentation on Tackling Homelessness (a copy of which is attached to the minutes). She emphasised

that young people, money issues and rough sleepers were big issues for Homelessness and Housing Support at the ODPM.

In comparison to national statistics the Group heard that Northampton compared as follows:

Reasons for loss of last settled home in England, 2004/05

44% (38% nationally) exclusion by parent/other
6% equated to non-violent breakdowns, 4% to violent breakdowns (19% nationally, which included domestic violence)
21% loss of tenancy (19% nationally)
25% mortgage/rent arrears (2% nationally)

It was useful to compare national with Northampton statistics. L Barker commented that 'good' Authorities looked at over represented groups and looked at what other Councils had done and implemented, creating a positive effect. She suggested that Northampton look at the exclusion by parent/other category. M Bullock commented that Northamptonshire statistics should be similar to national data.

Asylum seekers were categorised in the group 'other'.

Rough sleepers in Northampton was at its lowest ever recorded level. Eight were noted at the last count. The rough sleepers count had been outsourced to CAN. M Bullock advised that Daventry DC carried out its rough sleeper count on a Wednesday afternoon and regularly reported zero figures. L Barker reported that grants were provided on a performance basis. Massaging figures was not viewed lightly. Rough sleeper counts should be carried out at specified times in accordance with ODPM guidance. Councillor Pritchard did not feel that the rough sleepers count was as accurate as it should be. There were lots of known places where rough sleepers slept. She felt that the counters were unaware of these locations. In response, F Rodgers advised that the weekly figure for rough sleepers was around eight. The counting team would know all people and sleeping places and would take part in the annual count.

Councillor Pritchard reminded the Group of a rough sleeper and his dog. L Barker advised that Leicester City Council had night shelters with kennel facilities. The PDSA and RSPCA would also carry out health checks on the dogs at reduced rates. GPs could help rough sleepers. The Group emphasised the need for joined up working.

SSAFA offered help to ex army rough sleepers. The ODPM worked with the Ministry of Defence (MOD) too. There were a number of schemes in operation. The MOD had changed its discharge procedures; it was now planned more clearly. There are some situations where ex-army individuals required further support - this was provided at special units at Aldershot and Catterick. Ex army rough sleepers were a big problem in Corby. The Mental Health Trust had a lot of ex army referrals. L Barker added that the ODPM

had taken on two health advisors in respect of homelessness. She offered to ask the GP to contact the Task and Finish Group regarding the services that was offered. Leicester City Council defined common mental health problems at 80% (which included anxiety and depression). Rough sleepers were more likely to have mental health and substance and alcohol abuse. There was a need to work with Health Authorities.

In response to L Barker's query if a member of the public could contact CAN to notify it of a rough sleeper, (she felt this would be beneficial), F Rodgers advised that this was not presently the case.

The Chair advised that as rough sleepers was such a large area there was the need for a separate Task and Finish Group to investigate this issue in depth.

It was a key Government target to reduce and maintain levels of rough sleeping.

L Barker advised that the number of people residing in bed and breakfast accommodation was at its lowest level nationally. F Rodgers reported that six were residing in bed and breakfast accommodation in Northampton. This was on a short-term basis. L Barker commended the Authority, adding that it was clear that Northampton had made substantial progress in this area, it was very good news. The Chair stressed that the housing benefits situation had also improved dramatically.

In response to N Stock's comment that Social Services currently housed ten families in bed and breakfast accommodation, L Barker advised that the ODPM counted the submissions of statutory homeless people that Local Authorities provided on a quarterly basis.

L Barker advised that homelessness was always meant to be a safety net. Local Authorities often saw it as an administration process and part of the legislation and would start to process the forms. Good Councils have stopped doing this and used preventative measures. Fewer people were coming through as presented as homeless. The more homeless individuals/families Local Authorities accepted, the greater use of temporary accommodation. A guide to the prevention of homelessness would be produced in the summer. The LGA has also produced such a document – LGA Prevention Works.

Many good Local Authorities were providing mediation, counselling, home visits etc. Councils need to determine if an individual was homeless, officers will often visit or ring the parents. Sometimes parents used homelessness as a route for acquiring an independent home for their sons/daughters. Some Councils worked with Centre Point and the YMCA. M Bullock advised that violent relationships were a particular issue in Corby. A remedy for violent relationship breakdown was the Sanctuary Scheme, which had reduced homelessness by 50%.

The Sanctuary Scheme was very cost effective. It cost in the region of £200 per house to make the property safe. Changing the locks alone would not suffice. Sanctuary Schemes had to be client driven.

In 1986, the Audit Commission calculated the cost of homelessness to be £2,100 this is currently £2,500. However, some organisations put this cost at £6,000.

L Barker advised that historically Local Authorities had enough stock to allocate housing to homeless applicants. Since the Stock Options Appraisal there has been a greater reliance on RSLs for social housing. F Rodgers advised that there were 13 active RSLs in Northampton, it was difficult to establish relationships with all of them, but there was a need to establish partnership working. F Rodgers had asked for regular lists detailing the RSLs voids. L Barker referred to North Tyneside BC, which had a strict regime with its RSLs – if they did not comply, there would be no new builds. Walsall BC had taken a softer approach, middle managers liaised with the RSLs explaining the problem and an agreement was reached to share information on a weekly basis – joined up working.

M Bullock informed of NCC's Guaranteed Rent Scheme for young people up to the age of 25 - 30. NCC had come across the situation where the parent dies leaving their son/daughter with learning difficulties/special needs and effectively homeless. He added that people with learning difficulties had specific needs and the Supporting People link was missing. L Barker advised that if a parent died and left a son/daughter, technically they were not homeless, the issue was around support services. The Northamptonshire Commissioning Group determined how the budget was allocated in respect of Supporting People. Supporting People helped with support and did not pay for housing or care. Supporting People's consultation process was currently running comments could be made until June 2006.

M Bullock stressed that there was a need for all people with learning disabilities to register. L Barker offered to consult with her RSP colleagues to find boroughs that had addressed learning disabilities and housing issues. She would forward the names of the boroughs to F Rodgers.

F Rodgers reported that Northampton's Spend to Save Scheme had been agreed at SMT and was in the budget for 2005/2006. Rochdale BC had an example of a good Spend to Save Scheme. The Council had rehoused a partially deaf rough sleeper in flat. He continued to visit the pub on a daily basis and would come home put the television on very loud and fall asleep. This annoyed the neighbours who made regular reports to the Council and neighbourhood nuisance action began. The Authority asked Shelter to liaise with the individual and they purchased a timer plug for his television. An example of Harrow's scheme was that an Officer visited a family (owner/occupiers) who had had a mortgage redemption notice served from their building society. The husband worked in a factory and had been put on short time. The family was not aware of working tax credits. The Officer made a payment to the building society and by the time the working tax

credits had been sorted out, the family was back on track and arrears had been paid. L Barker emphasised the need for Spend to Save to be delegated to the front line. There was a need for proactive work before it became a problem.

L Barker gave an example of an authority that had decreased the number in temporary accommodation. Broxtowe had a lot of people in social housing but did not want to award them homeless, therefore they were housing in temporary accommodation. However, they had to live there for two years before they acquired points. Now the authority allocated them a permanent tenancy almost immediately and the number in temporary accommodation had decreased dramatically.

F Rodgers advised that Northampton now had 104 individuals in temporary accommodation. L Barker commended this reduction of 80 in four months.

F Rodgers reported that work with NCC was ongoing regarding integrated housing issues. The Authority's Corporate Debt Policy would go through the Council's procedures. For example, people with rent arrears to sustain their tenancy, keep them in their existing homes. The Policy was about prevention.

In response to L Barker's query if rent arrears were a major cause of intentionality, F Rodgers advised that there had been poor performance in relation to housing benefits and the lack of joined up working. Fran now managed these services and assured that there would be joined up working.

L Barker highlighted the need to understand the causes of homelessness and understand where the front line of homelessness was. There was a need to have the right people in the right place at the right time.

L Barker referred to DHP, advising if the Authority spent it they received more funding the following year, if not they got less.

L Barker emphasised that home visits were important. NBC carried out minimal home visits at present due to the restructure but the intention was for them to increase.

The Chair commented that people visited the CAB in cases of relationship breakdown and often had a lack of understanding in relation to budgets. L Barker advised that Bournemouth had a good scheme. The manager, Peter Hoyle, was very proactive. The authority worked with private landlords and held discussions in relation to homeless applications. The reasons for the landlords not wanting to house them was discussed. Mr Hoyle put a gold star on the housing benefit form, which meant it was treated as priority; therefore the benefits were fast tracked. The landlord was given a month's rent in advance and the Council would clear all back housing benefit. The landlord was also given £200 for AST (A year's secured tenancy). The Council took photos of the condition of the property when the tenant moved in and guaranteed to put right any damage. The Council credit referenced the tenant

and put insurance in place. F Rodgers confirmed that NBC used Experion for credit checking at a cost of £2 per individual.

F Rodgers advised that staffing in the homelessness unit was being redesigned and staff would be merged.

The Chair thanked L Barker and L McGowan for their fascinating and very useful presentation. It was good to hear that schemes were used elsewhere. L Barker confirmed that she was keen to continue to work with F Rodgers.

4 CASE STUDIES

The Group heard of Councillor Allen's visit to the Housing Advice Centre Team. She had observed Customer/Team member interactions. A copy of Councillor Allen's report is attached to the minutes.

It was agreed that N Stock's case studies be deferred to the next meeting.

5 CHAIR'S INTERIM REPORT

The Chair referred to her interim report that would be presented to NBC's Overview and Scrutiny Committee on 22 February. She confirmed that details of the Spend to Save Scheme would be included in the final report.

Councillor Allen reported that Councillor Glynane, Chair of Overview and Scrutiny Committee, had commented how well the Task and Finish Groups were working.

6 NEXT MEETING

The next meeting would be held on Friday 10 March commencing at 2pm in the Jeffery Room.

Councillor Allen then offered to carry out some work in relation to preventing homelessness for Mental Health Services. Details of which would be given to the next meeting.

M Bullock offered to report details of the number of ex-servicemen who were now rough sleepers to the next meeting. He suggested that a telephone number be published for people to report rough sleepers. He would liaise with F Rodgers regarding a 'quick fix.'

The agenda for the next meeting would include:

- Case Studies - N Stock, NCC
- Preventing homelessness for Mental Health Services - Councillor Allen
- Chair's Report – draft recommendations

The meeting closed at 12.10 pm

NORTHAMPTON BOROUGH COUNCIL/ NORTHAMPTONSHIRE COUNTY COUNCIL

HOMELESSNESS TASK AND FINISH GROUP

Friday, 10 March 2006

PRESENT:

Councillor Lee Mason	NBC (Chair)
Councillor Marion Allen	NBC
Councillor Margaret Pritchard	NBC
Councillor Mark Bullock	NCC

ALSO PRESENT

Fran Rodgers	Corporate Manager, NBC
Linda Brede	NBC
Margaret Martin	Consortium

1 Apologies

Apologies for absence were received from M Spencer (NBC) and N Stock and G Stokes (NCC).

2 Minutes

Subject to the following amendments:

Councillor Bullock **believed** that Daventry DC carried out its rough sleepers count

... there were **more** ex army rough sleepers in Corby. ***This was an area of focus required in the county.***

Councillor M Bullock informed of NCC's **proposed** Guaranteed Rent Scheme for young people

The minutes of the meeting held on 10 March 2006 were agreed.

3 Case Studies

The Task and Finish Group discussed Case Studies provided by N Stock, NCC. A copy of the case studies is attached to the minutes.

In discussing the case `Temi`, the Group made comments and asked questions:

- ILR stood for indefinite leave to remain in the country.
- CST stood for Community Support Team.
- Temi was in NCC accommodation, rather than NBC accommodation. If a child was under a certain age, NCC had parental duty; the Community Support Team would assess and determine whether accommodation was appropriate. NBC was in the process of agreeing a protocol with NCC so that there was closer working with the teams regarding children leaving care. This was a `grey area` where NCC did not have a statutory responsibility, and NBC would determine whether they were deemed as being in priority need.
- Part of the decision-making regarding priority need was whether the individual had a home to go to. In this case there was a home in Nigeria. Alternative preventative measures such as the Rent Assistance Scheme would be investigated.
- The 15 year old was clearly the responsibility of NCC, the 18 and 19 year olds were not but the 17 year old fell into the `grey area` category, both NCC and NBC had responsibility to help this individual.
- The Chair commented that this case study highlighted the need for the Protocol that NBC was currently devising with NCC.

Regarding the case study `Joanne`, the Group heard: -

- This case study reflected a common situation, where an individual did not want to stay at home and the question arose whether they were technically homeless. The Housing Options interview would look particularly around preventative measures, such as rent deposit scheme.
- Homeless applicants would be interviewed by the Housing Options Officer at the Housing, Money Advice Centre.
- In answer to a query regarding domestic violence and S17 (NCC having responsibility for the baby), L Brede advised that employees in her team were becoming champions in particular areas:
 - Rhiannon Kilbourn Domestic Abuse Champion
 - Guy Watts Learning Disabilities (particularly 16-17 year old Champion
 - Bahvna Karia Asylum Seekers/Immigration Issues Champion
- It was often difficult for Ward Councillors to receive feedback on cases. There was a need for feedback and the need to keep Councillors posted.
- There were now four permanent administrators in the Housing Needs Team. There were lots of different areas of expertise in the team. The employee handling the case was responsible for co-ordinating the response.

- There was a need for one of the Authorities to take a lead in cases such as this. In this case, as the applicant had a baby, it was felt that NCC should take the lead. F Rodgers confirmed that there was a need for more effective monitoring systems to be in place.

In discussing `Matthew`, the Group asked questions and made comments: -

- There was a need to respond promptly to emails.
- A letter was sent out with the application form for a tenancy describing the types of properties that the Authority had, the number of properties that had been allocated over the year and details of the points system. With young applicants there was often the need to go over the information with them. There was a need for staff to be more proactive and a need for awareness sessions to be held for staff dealing with young people.
- Housing Options Interviews were very useful.

Regarding the case study `Sam`, the Group commented: -

- This case highlighted the usual misconception that if you are pregnant you will be able to acquire a Council flat.
- More support was required for young people. It was important that young people were looked after.

Regarding the case study `Daniel`, the Group commented that there was a need for closer working with Northampton College and that college staff needed to be aware of homeless issues and who to direct them to. M Spencer was liaising with NCC regarding a Protocol for 16-18 year olds.

The Task and Finish Group felt that the case `Brodie` was a good example of an issue that L Barker, Homelessness and Housing Support, ODPM, had referred to at an earlier meeting. A discussion should be held with the landlord to ascertain why he wanted the applicant to leave.

The Group then discussed the `Housing Scenario – Broken Relationships.` L Brede confirmed that staff helped all applicants complete application forms, including those who were intentionally homeless. The applicant needed to visit the Housing, Money Advice Centre. The Housing Options Interview looked at homeless preventative measures. F Rodgers confirmed that there was a need for the Authority to extend its prevention agenda. The Chair commented that when individuals had previously been in employment they were often unaware how to claim housing benefits. Individuals often did not understand the homeless legislation; there was a need for clear monitoring systems. The law was very clear regarding intentionally homeless. The couple referred to in the scenario could potentially qualify for the Rent Assistance Scheme. In response to a query whether N Stock, NCC, could be contacted to inform him of this Scheme, L Brede confirmed that this could be done, but she was confident that such issues would have already been discussed in meetings between N Stock and M Spencer, NBC.

F Rodgers referred to the scenario, commenting that had this been one of NBC's tenants she would not have signed the eviction order unless all preventative measures had been carried out, such as mediation. She added that processes could be improved. The application form is submitted to the One Stop Shop, which should be checked that it is signed, filled out correctly and had the supporting papers included. There was an issue about application forms being accepted that the Authority could not process. This was an area that required tightening up. The Authority's 'Comino' system could log and monitor application forms. The FISH (Fully Integrated System for Housing) would be implemented in the next 12 months.

In response to a query whether homelessness decisions should be made at Corporate Manager level, the Group heard that the Homelessness Officer made the decision regarding homelessness but often discussed the case first with their Team Leader. F Rodgers confirmed that in the short term a sign off procedure could be introduced.

In answer to a question about the legal position if a tenant on an Introductory Tenancy fell behind with the rent and could not pay the arrears immediately, F Rodgers advised that Introductory Tenancies should not be used as a tool for the Authority to evict a tenant.

The Chair commented that the case studies had been extremely useful and conveyed the Task and Finish Group's thanks to N Stock, NCC.

4 Preventing Homelessness for Mental Health Services

Councillor Allen advised that she still had work to carry out to complete her report. She had contacted the directors of three PCTs: -

- Daventry and South Northants
- Northampton
- Kettering

Daventry - had not got a problem with homeless in the community but where there was a problem was with 'in patients.'

Kettering - the Community Health Team had their contacts set up. They had an 'in patient' situation. Patients had been moved from Kettering General Hospital to a new build.

Northampton - the Project Worker had raised the need for the whole of the county to consider where people coming into hospital would go after they had been discharged. More information would be available and Councillor Allen confirmed that she wished to follow this through.

L Brede advised that Guy Watts, Homelessness Officer, was looking to be a champion for individuals with learning difficulties and mental health problems and suggested that he be asked to contact Councillor Allen.

Councillor Bullock envisaged that due to NCC's budget proposals, that in the future there could be an increase of people with learning disabilities becoming homeless. The second long term medical condition was depression and mental health issues. L Brede confirmed that she had asked her Team to monitor the position.

Councillor Allen advised that it was often a common occurrence whereby a person was admitted into care and when they were discharged, their family or partner refused to take them back into the family home.

It was suggested that the Chair's final report could include reference to the need for investment in the preventative agenda. Services cut elsewhere could create the need for resources somewhere else.

Councillor Allen was thanked for her report.

5 Chair's Report – Draft Recommendations

The Task and Finish Group discussed the Chair's draft report making suggestions for inclusion in the final report including: -

- Particular concern should include previous poor NBC/NCC joint working and the relationship of NCC/NBC.
- That the work of this Task and Finish Group had been carried out jointly by NBC and NCC. This was the first example of a joint Scrutiny.
- The appendices to the evidence section of the report needed to include two to three important pieces of supporting evidence.
- Evidence from Brian Binley, MP, and Ann McGail, Learning Disabilities Unit should be included in the report, as should N Stock, NCC's case studies.
- The report needed to emphasise that this Group did not look at housing benefits.
- The Task and Finish Group agreed that there was a need for a service based around preventative rather than processing homelessness applications. Supporting evidence (appendices) would be included in the report.
- The Group's 'top recommendation' was in respect of homelessness prevention.
- The recommendations needed to reflect that employees were moving to the preventative role rather than the processing role.
- Recommendation headings would be listed in the following order: -
 - Homelessness Prevention
 - Partnership Working
 - Internal Processes and Procedures
 - Vulnerable People
 - Temporary Accommodation
 - Rough Sleepers

- Regarding Partnership Working, - introduce robust Protocols, particularly with NCC by **September 2006**
- The Police needed to be included in the Partnership Working recommendations.
- Regarding Rough Sleepers, an additional recommendation needed to be added. ***This was an area for further work.***
- Some of the recommendations should be forwarded to other District Councils in the county.

Councillor Bullock conveyed his concerns that the recommendation did not contain costings, commenting that where there were cost implications, information should be given as to the estimated costs. He confirmed that NCC's Cabinet would not accept an Overview and Scrutiny report without such information. Clarity would be sought whether the recommendations should contain estimated costings.

It was confirmed that the Chair's report would be presented to both NBC's and NCC's Cabinets. NBC's Overview and Scrutiny Committee would receive the report at its meeting on 6 April 2006.

The Task and Finish Group suggested that a further meeting was required to finalise the amendments made to the report, as detailed above, and the inclusion of financial costings.

6 Date of next meeting

The next meeting of the Homelessness Task and Finish Group would be held on Wednesday 29 March 2006 commencing at 3pm in the Council Chamber, at the Guildhall.

The meeting concluded at 4:10pm

NORTHAMPTON BOROUGH COUNCIL/ NORTHAMPTONSHIRE COUNTY COUNCIL

HOMELESSNESS TASK AND FINISH GROUP

29 MARCH 2006

PRESENT:

Councillor Lee Mason	NBC (Chair)
Councillor Marion Allen	NBC
Councillor Margaret Pritchard	NBC
Councillor Mark Bullock	NCC

Fran Rodgers	Corporate Manager, NBC
Madeline Spencer	Housing Services Manager, NBC
Geoff Stokes	NCC
Nigel Stock	NCC

1 Apologies

Apologies for absence were received from Margaret Martin (Consortium) and Linda Brede (NBC).

2 Minutes

Councillor Allen clarified that *it sometimes occurred* when a person was admitted into care and when they were discharged, their family or partner refused to take them back into the family home.

Subject to the above, the minutes of the meeting held on 10 March 2006 were agreed.

At this point the Chair re-ordered the agenda.

3 Preventing Homelessness for Mental Health Services – Further Update

Councillor Allen circulated a report compiled by – Jon Olsen (Community Service Manager) and Philip Crooke (Principal Social Worker) on 9 March 2006. (Copy attached to the minutes). She emphasised that of the 24 of homeless service users across all teams, 21 were from Northampton. Of the 21, 9 were from the Duston area, a female was living in the community, two were in-patients and the others were in specialist units. It was highlighted that some might not be easy to re-home. In response to a query, out of the 21, the eldest individual was aged 48.

M Spencer had liaised with Jon Olsen. He was undertaking an audit focussing on NBC's usage of mental health users. A questionnaire had been

produced, which was very focussed. M Spencer would be meeting with Mr Olsen on 10 April to ascertain what information he required for his audit. Various ad-hoc protocols had been produced, and it was envisaged that they could be brought into a structured approach. Councillor Allen would attend meetings with M Spencer and J Olsen.

Councillor Allen advised that she would liaise with the PCTs and Mental Health Service to ascertain how they dealt with service users. She would also contact the Police to find a way forward.

The Chair suggested that information relating to homelessness for Mental Health Services should be included in the report. There was a considerable need for this area. Information provided by J Olsen would be included in the evidence section of the report.

Councillor Bullock advised that NCC's Health Scrutiny Committee could write to the PCT requesting it to put an item on the agenda of a forthcoming meeting. He suggested that issues relating to homelessness for Mental Health Services could be requested to be an agenda item. Councillor Allen added that there was a need to concentrate on the borough figures; there was a need to encourage Mental Health Trusts towards prevention.

- Agreed:**
- (1) That Councillor Allen attends meetings with J Olsen and M Spencer.
 - (2) That information relating to homelessness for Mental Health Services should be included in the report. There was a considerable need for this area. Information provided by J Olsen would be included in the evidence section of the report.

4 Chair's Report

Copies of the draft report, foreword and executive summary were circulated. F Rodgers advised that this version of the report took into consideration comments and suggestions made at the last meeting.

Regarding financial implications, advice had been sought and details included. G Stokes emphasised that the fundamental issue was whether the £100,000 that NBC had committed for homeless prevention initiatives would cover all the recommendations or whether there was a need for funding. F Rodgers commented that it was anticipated that the £100,000 would cover the recommendations, with the exception of the Sanctuary Scheme, for which separate funding would be required. This would be stated in the report. In terms of the recommendations regarding changing internal processing and inter-working it was envisaged that huge costs would not be involved. It would however be useful to highlight areas that could incur a cost.

F Rodgers would produce an action plan, appended to the report with key objectives and detailing how the £100,000 could be allocated. There was a

need to state in the action plan the significant risks to meeting targets due to cuts in other services.

The need for NCC funding for some of the recommendations was highlighted. N Stock confirmed that he was unable to agree NCC funding but he would investigate it in principle. He would provide wording for the report regarding joint working and funding. A protocol was being devised for looked after children. F Rodgers added that a specific project plan for reducing families in temporary accommodation was being put together, which could lead to a recycling of financial savings.

There was a need for the recommendations to link to targets, such as BVPIs, NBC's Recovery Plan and to also link to evidence that the Group had received. Recommendations should be written in a way that could be measured. Recommendations should inter-connect with the Conclusion, explaining that after hearing the evidence why the Group had come to its conclusion. For each recommendation there was a clear need for a link to evidence received.

The Group suggested that there was a need to include additional groups to Section 2 of the recommendations – Partnership Working:

- Mental Health and learning disabilities
- Potential homelessness in adults

Councillor Bullock referred to the ODPM's document *Survey of English Local Authorities About Homelessness – December 2005*, page 37 – Approaches to achieving Efficiency Savings in 2005/06, commenting that the headings used in this graph could be detailed in the report, possibly using them to head up the recommendations.

Councillor Bullock suggested that it would be useful to demonstrate in the report two to three initiatives that the Group would be continuing on an individual basis, such as Mental Health issues and signposting other issues, rough sleepers and ex-army rough sleepers.

In discussing the Foreword and Executive Summary, the Group agreed that the Foreword should be written in the third person signed by all the Homelessness Task and Finish Group Councillors. The Foreword would also contain a sentence detailing that NCC's Overview and Scrutiny had already programmed homelessness into its work plan.

Regarding the Executive Summary, the Group agreed that there was a need to ensure that it contained the key messages, such as preventative work and joint working. These would be expanded upon, together with the progress and examples.

F Rodgers undertook to amend the report and email out to the Group for comment.

The report would be presented to NBC's Overview and Scrutiny Committee on April 6th 2006 and would then be submitted to NBC's Cabinet at its meeting on either 8 May 2006 or 3 July 2006. The Group would be notified of the date of the Cabinet meeting that would be receiving its report. The Group would then monitor implementation of its recommendations six months after the report had been submitted to Cabinet. (December/January 2007).

A meeting would be arranged with the other district councils in the county on how the report would be presented to the 'wider public'.

F Rodgers advised that the ODPM had produced a DVD 'Tackling Homelessness' and confirmed that she would order copies for the Task and Finish Group.

M Spencer would liaise with Councillor Pritchard regarding her attendance at the Good practice seminar - *Homelessness: how does your council measure up? in May*.

The meeting closed at 4.30 pm



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Appendix H

Tackling Homelessness

Lisa Barker
Homelessness and Housing Support
ODPM

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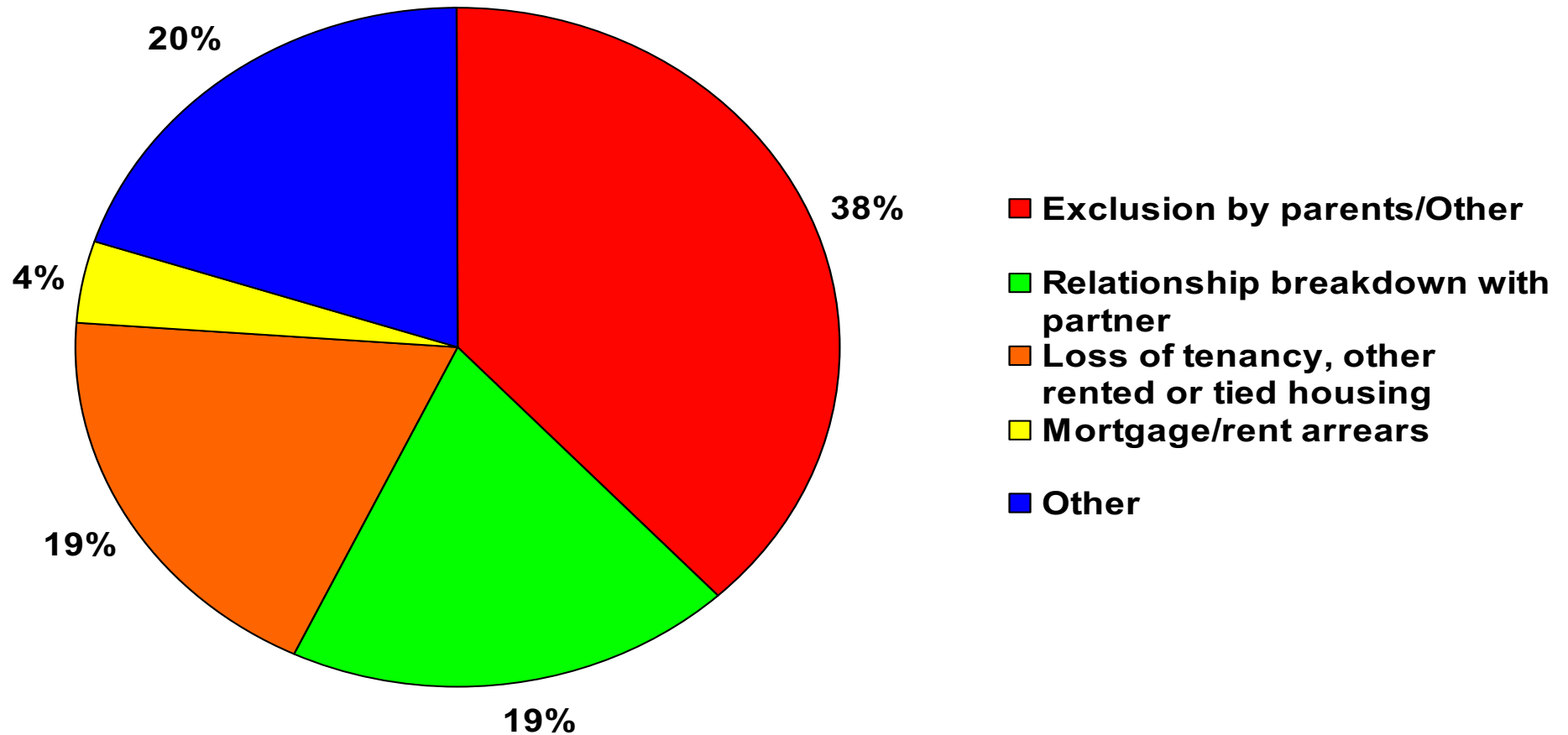
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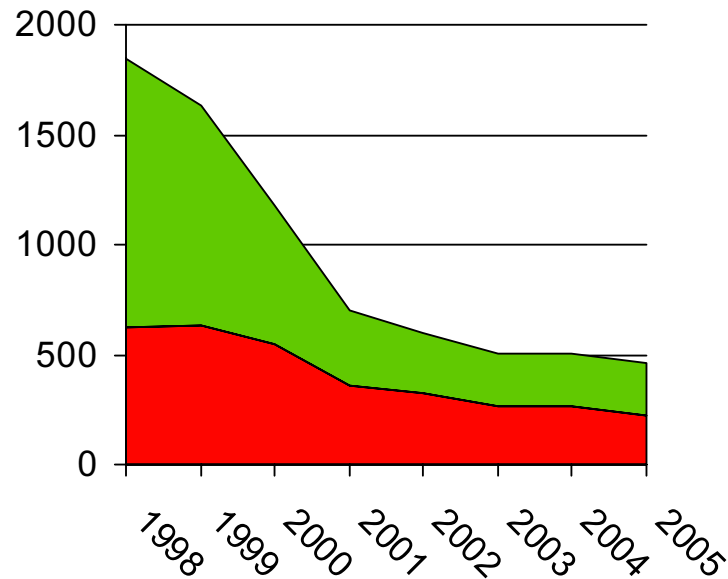


Reasons for loss of last settled home in England, 2004/05

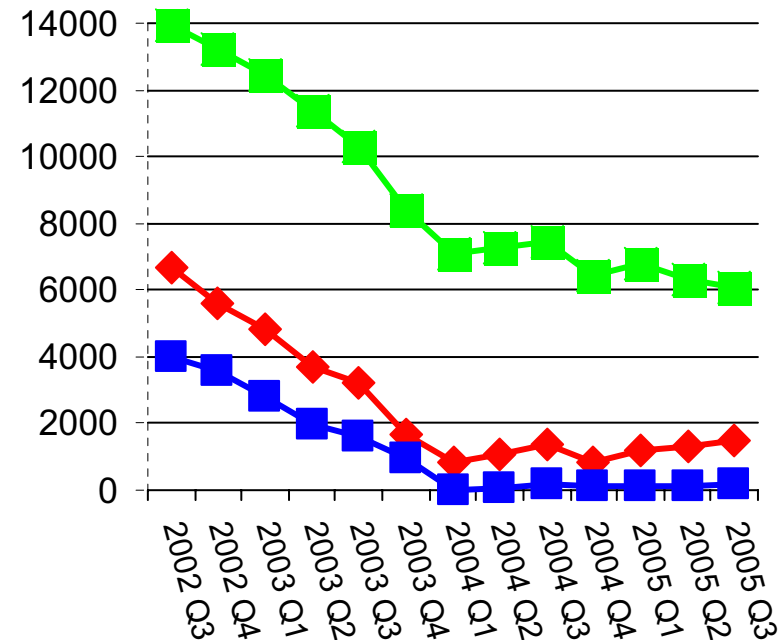




Success in reducing most severe problems



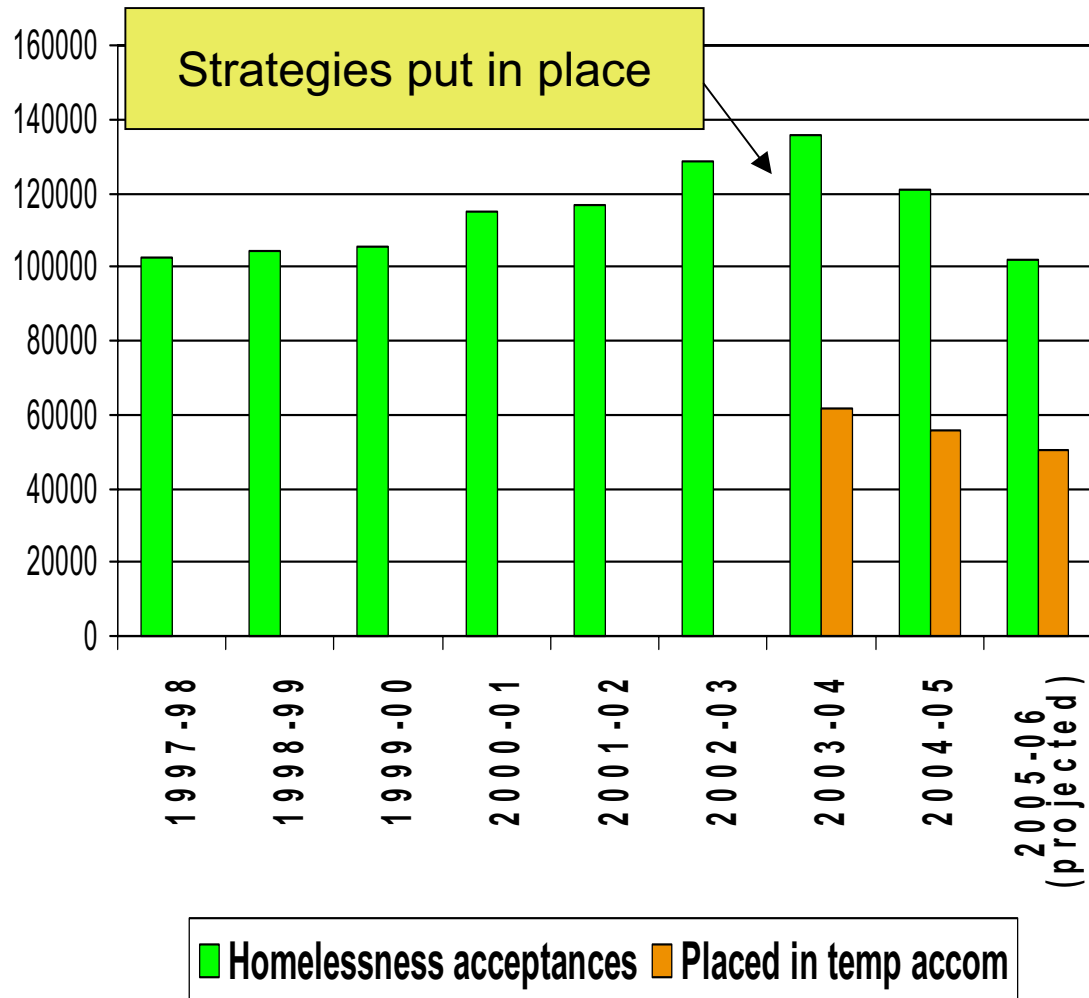
■ **Rough sleeping, rest of England**
■ **Rough sleeping, London**



■ **All use of B&B**
◆ **Families in B&B**
■ **Families in B&B over 6 wks**



We're starting to see results from your strategies and prevention work



Prevention is the key.

New local authority strategies and prevention approaches started in 2002

Homelessness falling since end of 2003

Increasing investment in prevention up to 2007-08 and expect further reductions in homelessness

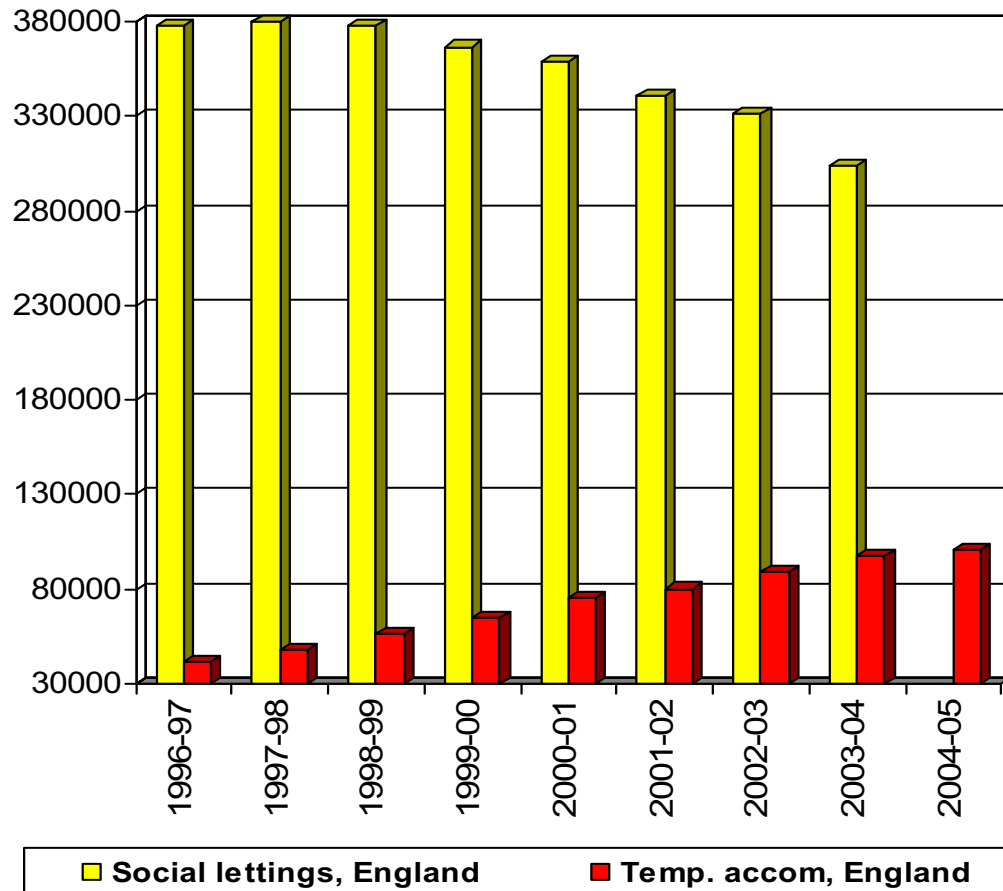


How is homelessness being prevented?

Cause	Action
Parents, relatives or friends exclusions, relationship breakdown (38%)	Mediation/counselling, home visits
Violent relationship breakdown (13%)	Sanctuary schemes
End of assured shorthold tenancy (13%)	Advice, landlord mediation/ negotiation, rent deposit/bond
Mortgage or rent arrears (4%)	Debt counselling, advocacy in court, resolving HB problems
Person poorly-equipped to sustain tenancy (??)	Advice and support (Supporting People), life skills, budgeting
Lack of information (??)	Early, proactive intervention, advice and good range of options



But here's the challenge



As social housing availability has declined,

number of households in temporary accommodation has more than doubled

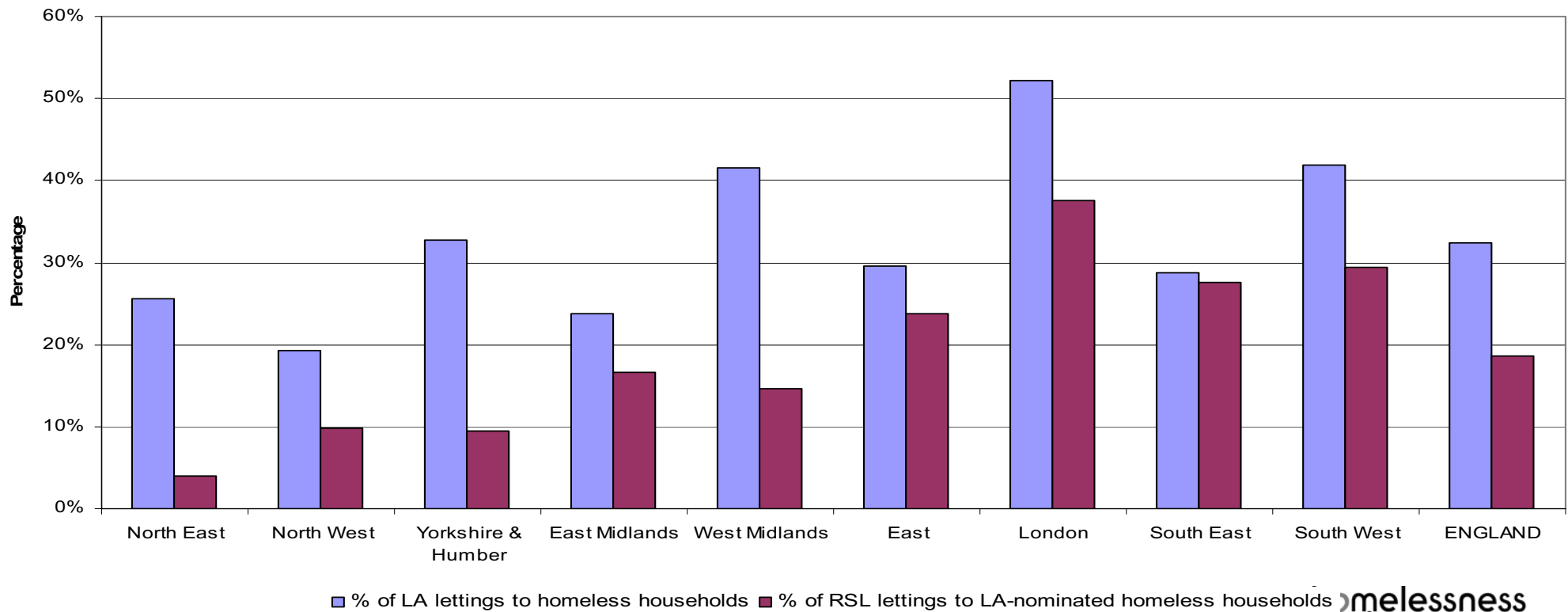
Reached an all-time high of 100,000 in 2004, but steady since then

Target is to halve number by 2010.

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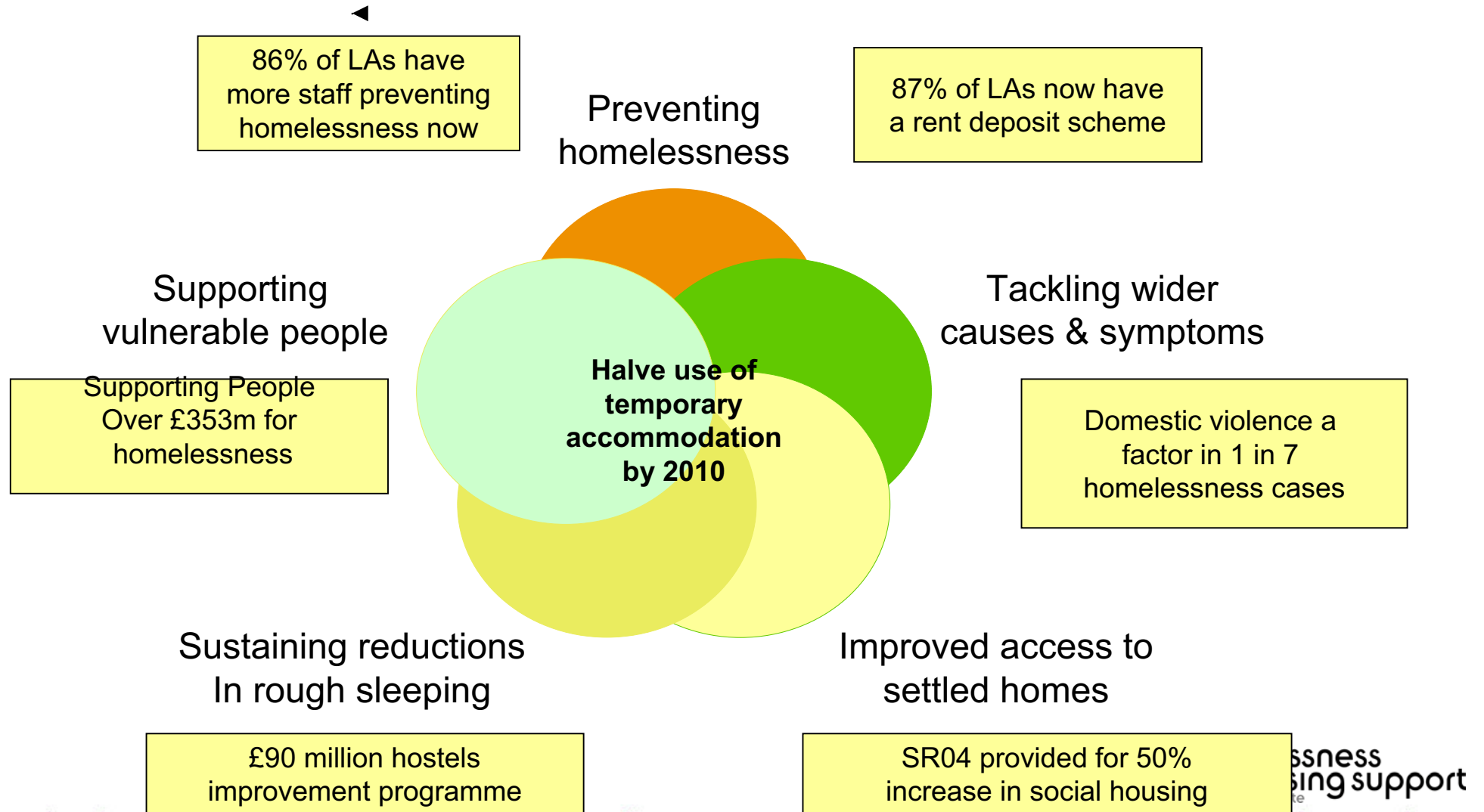


LAs make greater use of their own stock to house homeless households, RSL stock is used less (2003-04)



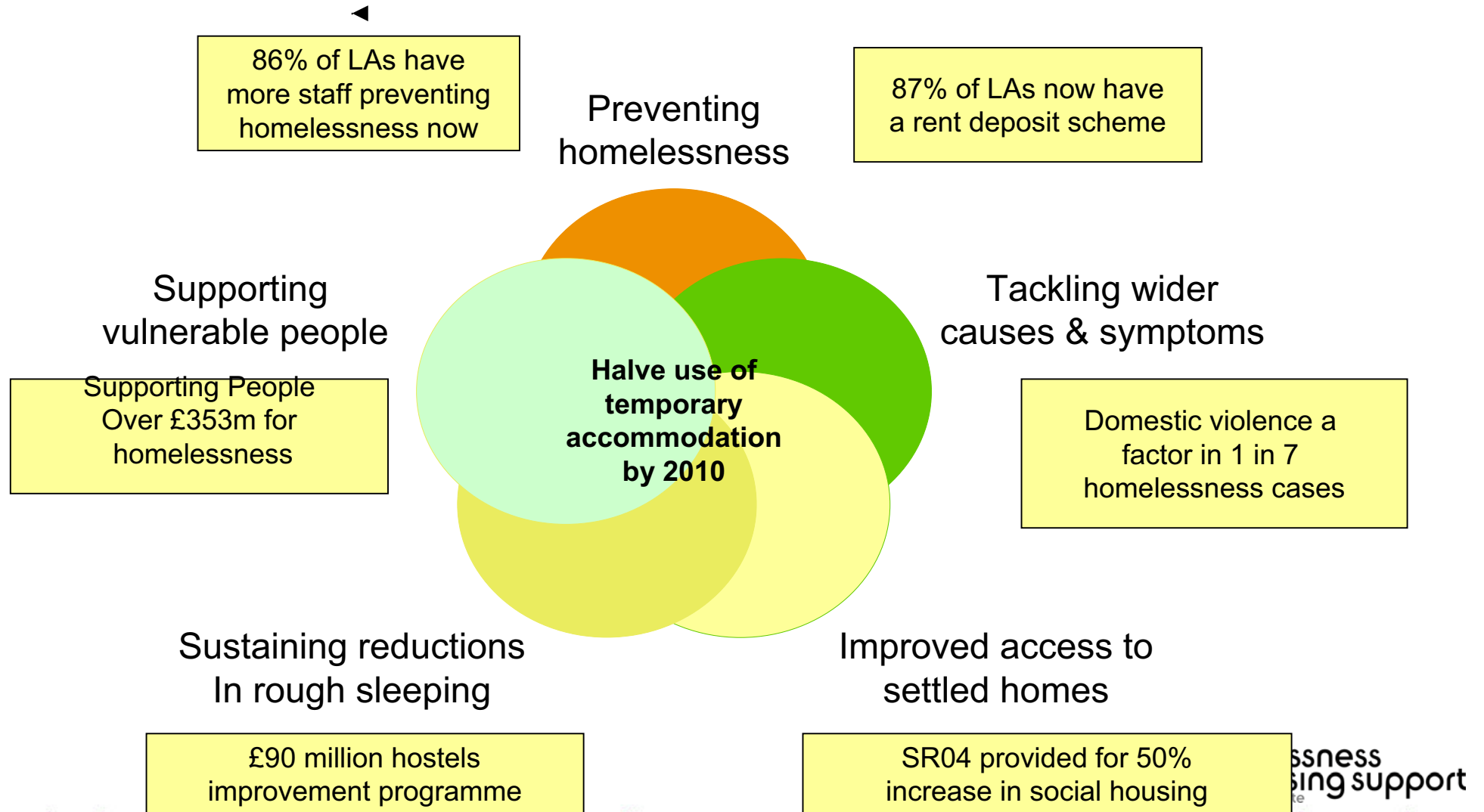


5 Year Strategy to Reduce Homelessness





5 Year Strategy to Reduce Homelessness





Prevention

- 289 have more prevention staff than in 2002
- 202 operate a spend to save policy
- 249 LA's have rent deposit/bond schemes
- 165LA's have or plan Sanctuary schemes
- 18,471 H/holds prevented Apr/Jun 05
- £21.202m efficiency savings nationally



Prevention – East Midlands



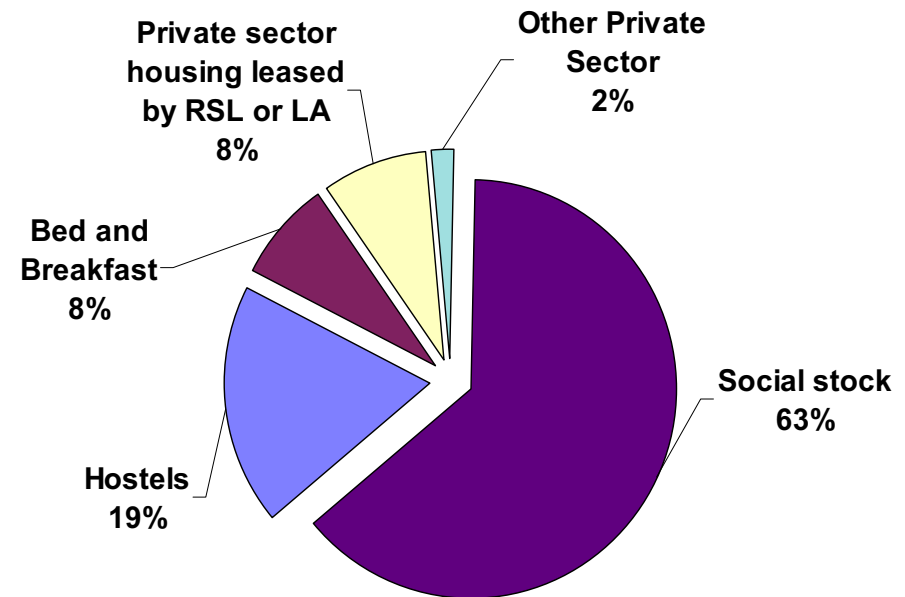
- 31% of East Midland Boroughs have a spend to save policy in place
- 27% of East Midland Boroughs have ten or more homeless prevention schemes
- Almost a quarter of East Midland Boroughs said that there were still more people employed in processing homeless applications than preventing homelessness.
- Still potential to increase prevention



Tackle the Backlog in Temporary Accommodation

- 63% in Social Housing
- 8% in Private Sector Housing leased by RSL or LA
- Why do these properties have to be “temporary”?
- How could you make more of them settled solutions?

Households in Temporary Accommodation arranged by authorities in East Midlands as at 30 September 2005





Providing more settled homes.... And better use of existing stock

- Improving housing supply and home ownership
- Increasing new social rented homes by 50%
- Making greater use of private rented homes
- Temporary accommodation as settled homes
- Maximising use of existing social housing



What are ODPM doing?

- Met 150 Boroughs to agree TA action plans and consider future funding
- Supporting development of temporary to settled schemes
- Working with DWP on the HB block grant approach
- Funding will increase from £60m in 05/06 to £74m in 07/08



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Boroughs Where TA has reduced in the last 12 months

- Broxtowe
- Gedling
- Mansfield
- Newham & Sherwood

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Good News – Well Done East Midlands

- 24% drop in acceptances in East Midlands over the last year
- Lowest recorded number of people sleeping rough on the streets
- Invested over £2m in East Midlands this year to tackle homelessness
- Regional Homelessness Forum
- Important that good work carries through into reductions in the TA target



Northampton

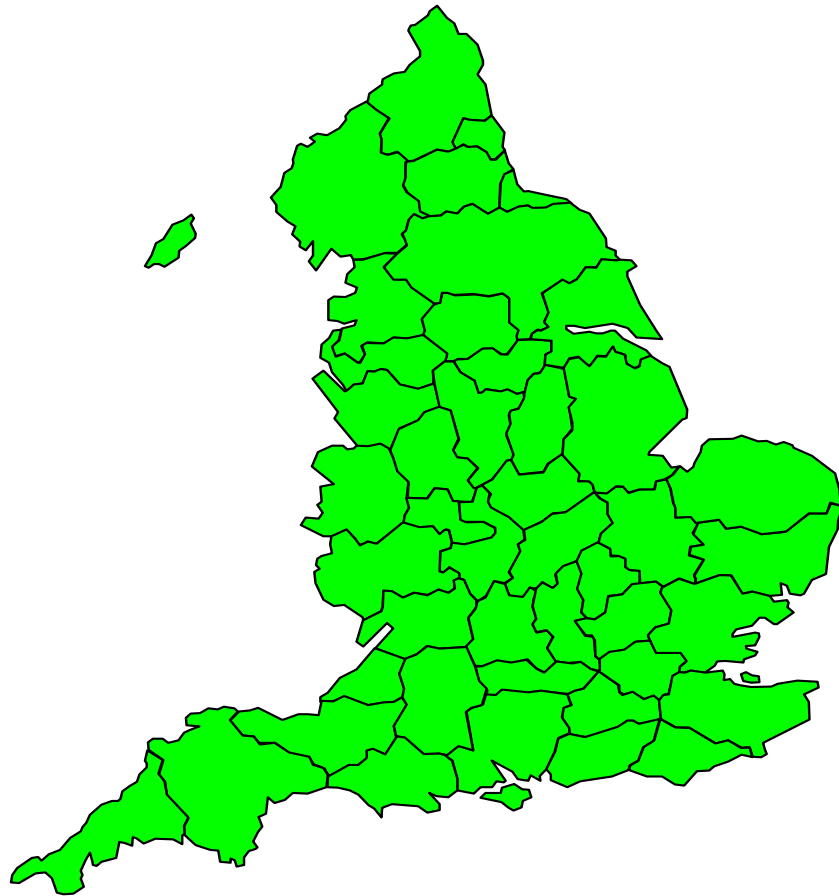
- TA increase from Dec 04 baseline of 183 to 198 (Sept 05)
- Acceptances have increases from 81 in Q3 2004 to 126 in Q3 2005 (up by 56%)
- 80% of acceptances are households with children
- 52 households in B&B (40%FWC); 61 in own stock and 73 in RSL stock
- Last rough sleeper figures from January 2005 count 8



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Key Messages from English Boroughs



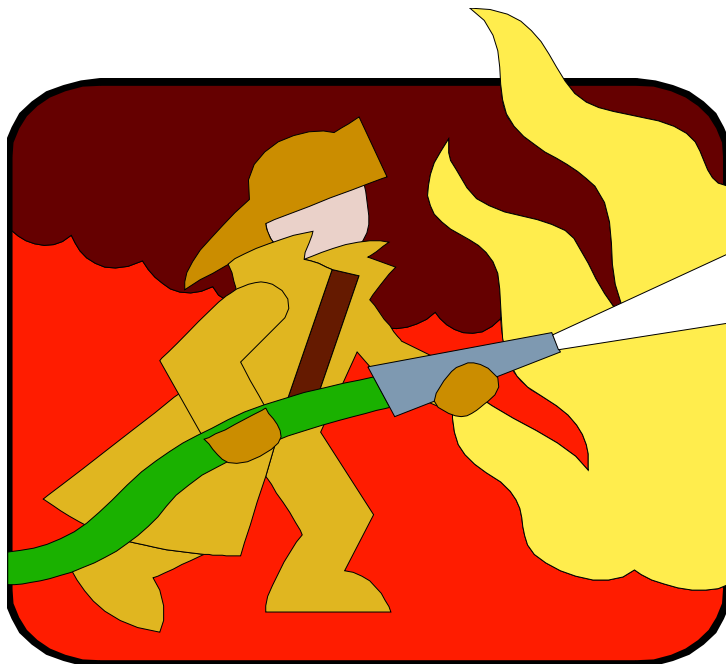
- Change Culture
- Prevent Homelessness
- Spend to Save
- Maximise Supply
- Use HB Better

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Administer Homelessness Differently...stop firefighting

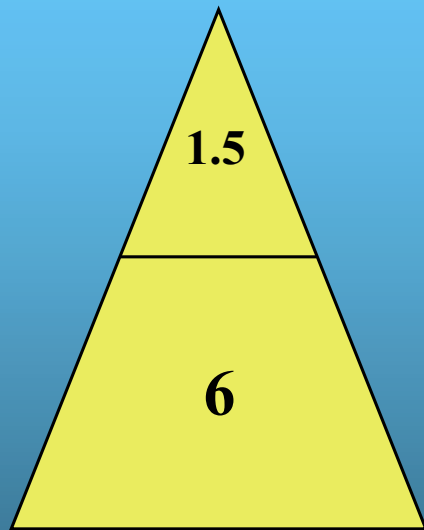


- Understand causes of local homelessness
- Understand where the front line in prevention really is
- **Have the right people in the right place doing the right things at the right time**



Staffing Triangles

Staffing Levels.....and responsibilities



Reception, Advice, Rent Deposits, Prevention, Landlord Liaison Housing Options

Homelessness Investigation Acceptance and Placement

Borough A - regular user of B&B



STAFFING TRIANGLES

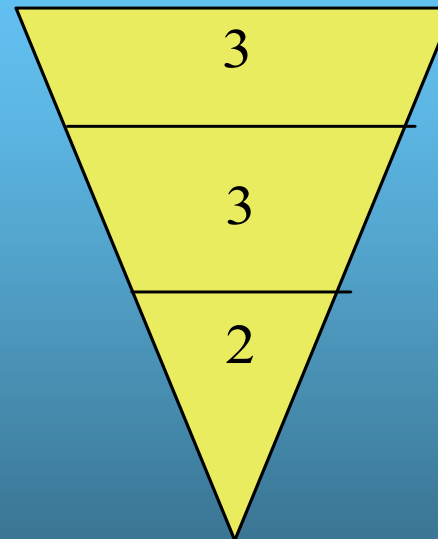
Responsibilities.....and staffing levels



Reception, Advice,
Deposits, Landlord Liaison

Prevention, Home Visits,
Homeless Prevention Fund

Homelessness Investigation
and Assessment



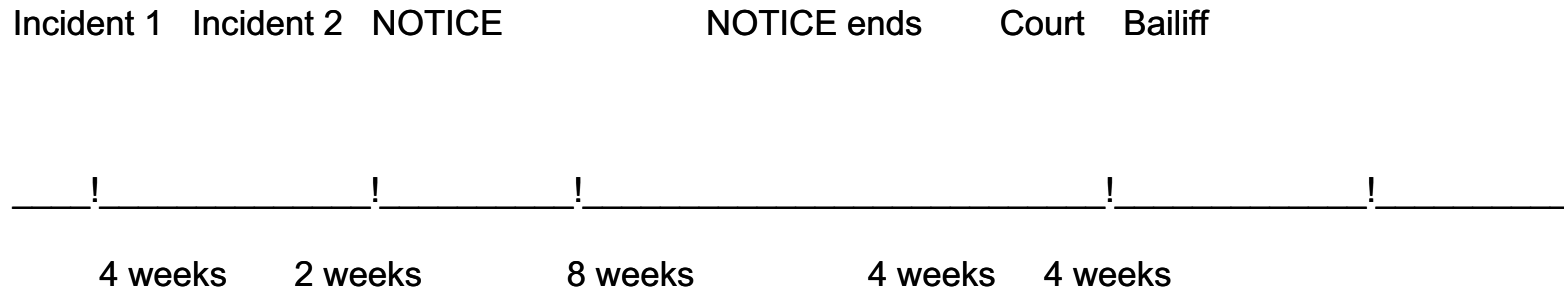
Borough B - not a user of B&B



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Get in Early



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Treat all potential Homelessness as Preventable

Well actually, I don't really want to sell...



- I want to put the rent up
- I want him out
- I don't want to manage the property any more
- I am fed up with his rent being late
- My lender has told me to stop letting

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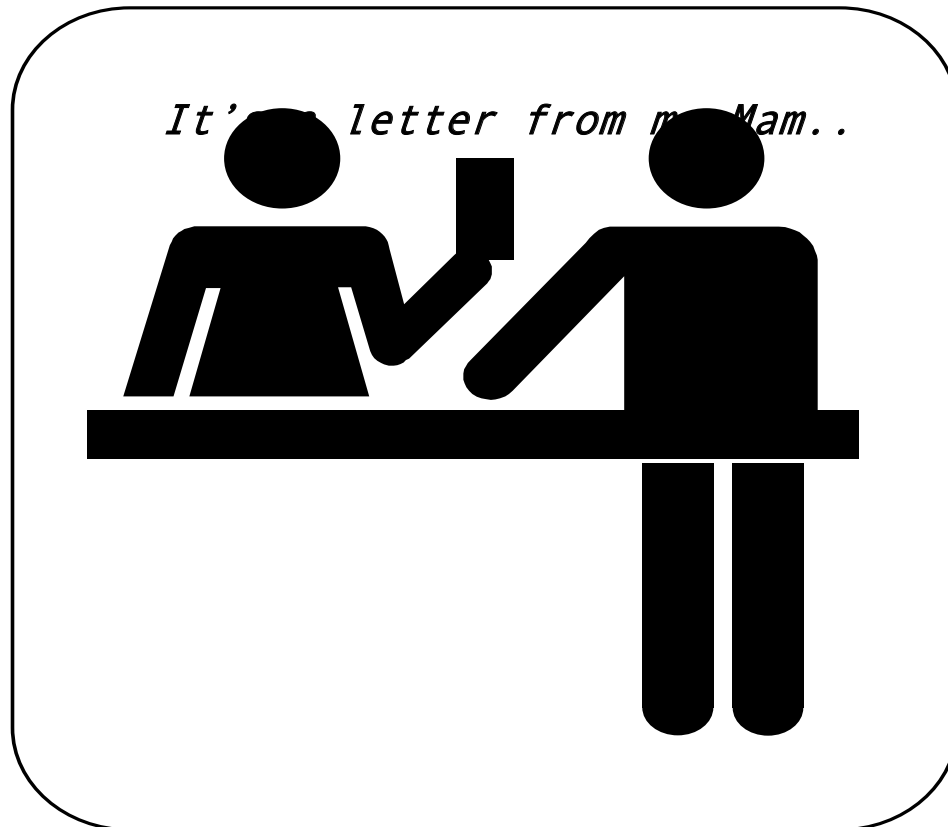
Signs that Council Officers can see



- Applicants are asked to sit and wait until their number is called
- No interviews will be available between 1.00pm and 2.00pm



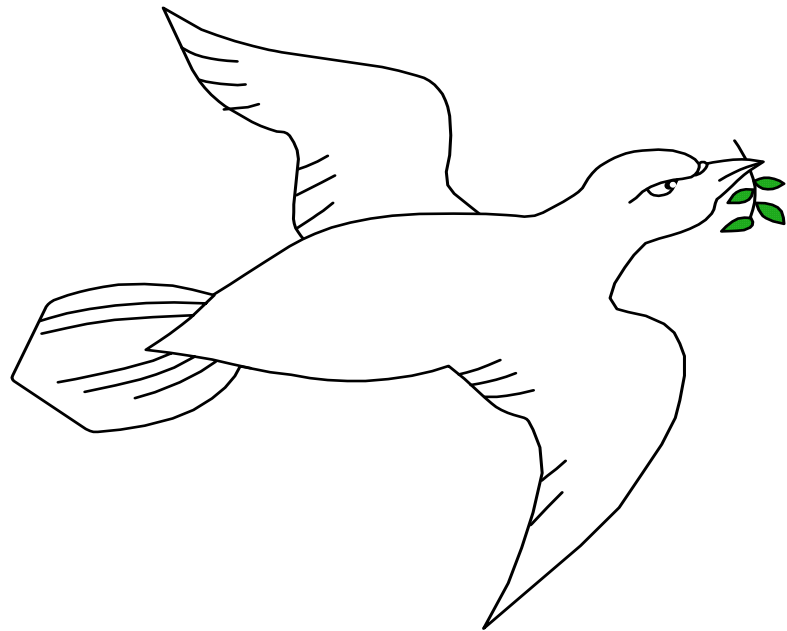
Signs that Council Officers **can't** **see**



- Don't worry! You can tell the Council anything. No-one ever visits to check
- Just take a letter in from your mum, that's all you need. Trust me! No-one ever visits to check



Family Friend Exclusion Professional Mediation or Home Visits?



- **Harrow employ professional Mediators (Relate, Family Mediation Service) 151/36**

Success Rate 76%

- **Sutton employ their own Visiting Officers**

Success? “the change has been startling”



What's the Endgame??

- More households appropriately housed with access to services
- More households offered options to prevent homelessness
- But not a zero target
- Settled homes:changing lives



HOUSE OF COMMONS

LONDON SW1A 0AA

BRIAN BINLEY MP

(NORTHAMPTON SOUTH)

20 JAN 2006

Fran Rodgers
Corporate Manager
Housing Services
The Guildhall
St Giles Square
Northampton
NN1 1DE

16th January 2006

Dear Fran

Our ref: BB/AJ/G 130 NBC

Your ref: Homelessness Task and Finish Group 27/01/2006

Thank you for providing this opportunity to offer my thoughts on the Homelessness Task and Finish Group.

You asked that I might provide one or two case scenarios and I am happy to do so.

I do have one constituent who shares custody of his children. The case is still not resolved so I will stray away from giving specifics. Primarily the problem occurred following the break-up of the partnership, from which there were two children. Whilst the mother was housed immediately, the father is yet to be housed, despite providing proof that he cared for the children for a higher number of days than the mother. In this instance I understand that a single man does not take priority need over single woman. However, given there were two children involved, for which he had primary care, the time factor in making a decision upon the case seemed unmerited. This delay might impact upon the court order granting the father joint care, for he would have been unable to fulfill the obligations of the order.

A second example again involves a break up and again involves children. In this instance, the break up occurred in another area and the child remained there with the mother. There seemed to be a period of time when neither Northampton Borough Council nor the Council there could categorically state which one had the duty of care for the gentleman. On this occasion, once Northampton Borough Council agreed that they had duty of care a home was found reasonably quickly. There is a genuine need for councils to correspond with each other quickly to establish responsibilities.

I hope the above is of help. If you require further examples or more details for those examples provided, please do not hesitate to contact me. I would add that I am aware that problems are primarily caused by the shortage of housing in Northampton but also

Please reply to constituency address

*Constituency Office: White Lodge, 42 Billing Road, Northampton, NN1 5DA
Tel: 01604 250252 Fax: 01604 250252 email: jackmana@parliament.uk*

that when dealing with the Homelessness Department of the Borough Council I have found that most cases are resolved quite quickly.

Le me finally add that I am grateful my views are considered.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Brian Binley', written in a cursive style.

Brian Binley MP
Northampton South Constituency

Please reply to constituency address

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**2005-2006 Service Level Agreement (SLA) Appraisal
Case Study**

Name of Organisation:

C A B

This is an extract of the documentation of an enquiry made of the Bureau recently. The customer comments relating to it were that although the bureau was unable to 'find' accommodation and no immediate solution was available that the adviser had explained matters 'very clearly'. The client has consented to speak directly to officers of the authority as it relates to the assessment of Bureau services. Contact details are available on request. Please note that the following represents the documentation required of membership of our National Association and is a good representation of documentation standards currently produced. The interview lasted around 45 minutes with 15/20 minutes devoted to documentation.

Details

Client presented as an emergency – Housing and Money Advice unable to see any more clients. Client is homeless and is living with mum of girlfriend. Mum is evicting. She is pregnant. previously living with dad - can't get on with him either - also been in prison for last couple of years. Has presented to the LA as homeless (initially just partner did) and she was told that she wouldn't get accommodation for the both of them as he wasn't living with her or claiming benefits for her. This they did and applied again was told no - not clear why - no written decision. Most recently (that afternoon) had been back to Housing and Money advice which I understand to be the body which the LA gives responsibility to interviewing/assessing obligations. There were 15 people presenting evidentially and they were told that they would have to go back to mums house - this was kind of agreed by mum - they will be interviewed tomorrow

Advice

Whether client qualifies as a homeless person is defined by law. The Housing Act 1996 (Part VII) and subsequent legislation sets out the legal duties of local councils towards people who are homeless or about to be made homeless. The council does not have to provide permanent housing to all homeless people.

Basically the council must check out certain things before it can help

- Eligible for assistance
- Legally homeless
- 'In priority need'
- Not intentionally homeless
- Have you a local connection

It must also be considered that the application made by one person should include another only if it is reasonable to do so. She has priority need.

The decision should be confirmed in writing.

Section 184 letter

21 days to appeal

**2005-2006 Service Level Agreement (SLA) Appraisal
Case Study**

Name of Organisation:

Further Action

Client to attend appt - return if decision unfavourable - warned investigations could take days although looks pretty straightforward in their case. Failure to make decision (as often happens) requires specialist advice (threat of judicial review /complaint etc) otherwise full decision appealable within 21 days. Other housing options may be available depending on duty of LA.

Homelessness Task and Finish Group

Temí (12/09/88) Referred to C.S.T. by Homeless Team on 27/10/05.

Temí was born in Nigeria, lived there with her dad until 2004, when dad sent her and her brother and sister to England to live with her mum, whom she'd never had a relationship with before. At the end of October 05, mum kicked all three children out. Eldest one went to friends, she is 19, younger child, age 15, was seen by referral team.

Rhiannon Kilborn, from homeless team saw Temí, she contacted Temí's mum, who said she didn't want the children back, but she was willing to pay for their tickets back to Nigeria. Because of this, homeless said they had a home to go to in Nigeria and would not assist them. Temí does have I.L.R. status and is attending Northampton College Full time. She had settled in Northampton and did not want to return to Nigeria. C.S.T. placed her in our accommodation at Ellfield Court, she is still there at this time.

Graham Pinder (Principle social worker. Community Support)

Joanne (11/11/89) Referred by Connexions on 11/01/06.

Joanne had left home in December 05, because of witnessing domestic violence between her mum and stepdad. Joanne's sisters also lived at home along with Joanne and her baby who was born on 23/11/05. Joanne felt her there was not enough room for herself and her baby at mums and she did not want to bring her baby up in an atmosphere of violence and aggression. Joanne, her baby and her partner are currently living with his aunt in a 1 bedroom flat.

Contacted Homeless team, they wouldn't assist but told Joanne to go to Housing, Money and Advice Centre. Joanne went there, they took her details, placed her name on the housing register and asked her for a letter from partner's aunt stating when she wants them out of her property. Joanne has taken a letter back to them, has not heard any more from them as yet.

Graham Pinder (Principle social worker. Community Support)

Matthew has an application for a tenancy with Northampton Borough Council, we filled it in together in early Sept as he had reached 17.75 years. NBC received the application on 22.09.05 and numbered it Z035555. In communication with the council since they have said they cannot find him anything as he has asked for popular areas, various communication have taken place since. The last e mail was sent on 17.01.05 I asked Emily Sawford to add two additional areas on Matt's behalf. I have as yet had no reply to that e mail.

Paul Pateman (Assistant Young person advisor)

Sam turned 18 on February 24th 2005.

A housing application form was put in by Sam to Corby Borough Council on March 2004.

Previous to her 18th birthday she was living with foster carers, in Stonham housing and then in her own privately rented bed-sit.

She moved into her bed-sit on 9/8/04 and was very settled and happy. She kept the council informed of all changes of address.

I took Sam for a final assessment interview with the council around her 18th birthday. The council request this of everyone just before they turn 18.

When speaking to the council at this meeting we were informed that Sam will be put on the list and it is anticipated that she will be placed somewhere within 6months to a year.

Unfortunately Sam's placement at the bed-sit broke down because she was burgled, had squatters and her property and room was trashed.

Sam was too scared to return.

She moved into a friend's home, sleeping on the sofa. This was expected to be a short term arrangement as she was keeping in regular contact with the council and was under the impression that a flat would become available soon.

Unfortunately this has never happened.

Sam is now pregnant and due at the beginning of March 2006, she has been to the council to explain her situation and they have informed her that she will not receive a flat or any type of property any time soon.

Sam is in desperate need of a suitable placement so she can settle in and raise her new born child.

Linsey Tiller – (Leaving Care Social Worker)

Daniel (21/06/89)

Daniel was kicked out of home last November after getting drunk one evening and being rude to his mum. Spoke to Mum, she refuses to have him back. Daniel is training to be a chef at Northampton College and works on Saturdays at Pizza Hut, has applied for Income Support and presents as a very mature young man, has no other needs apart from needing somewhere to live. Staying with friends parents, they went to council with him and explained that they could only keep him for a short while, N.B.C. told them to come to C.S.T. for accommodation. Still at friends at present.

Brodie (5/7/88)

Brodie was living with Mum until November 05, when he decided himself to go and live with his Dad. Dad lives in private-rented accommodation and Brodie lived there until Christmas. The landlady then found out he was there and told him he has to leave immediately or dad could lose his tenancy. Brodie went back to mums, but her partner's son had moved into Brodie's old room and there was no space for him there. Brodie went to N.B.C. and took in letters from both parents confirming his situation. They sent him to C.S.T. Brodie is currently moving between friends and has no fixed address. Has applied for J.S.A, is starting on Princes Trust Course next week, his only need is accommodation.

Housing Scenario-Broken Relationships

L & J and their 3 children were found intentionally homeless* 12 months after J lost his job. They completed their Housing Benefit forms incorrectly and therefore accrued arrears.

L was 6 months pregnant when they moved into Bed and Breakfast. They occupied 1 family room in a local hotel with no kitchen facilities, Schools for the eldest 2 were on the other side of town so they were often late when they managed to get them there. Washing and drying clothes was a problem as well as feeding the children properly .

L became very depressed about their situation and her midwife was concerned as she was not eating properly. Arguments between the couple increased which upset the children. J left the family about 3 months after the birth of their son.



They were intentionally homeless because housing Benefit wasn't processed =rent not paid=intentionally homeless.It happens with lots of families who struggle with Housing Benefit forms.
fiona

Subject: Homelessness Task & Finish group Visit to Housing Advice Centre Team

Dear Fran' please see mini-report of visit as above on 19th Jan,
Linda B had arranged for me to see/observe 'customer/team member interactions', unfortunately I was unwell and time became limited'

On arrival, I waited in queue observing discussions with waiting customers, there were a number of people in the waiting room, and the queue was around 6 people. I would totally support Cllr Pritchards comment that although there is a privacy sign, those waiting can overhear discussions at the reception desk.
After meeting some team members I observed a discussion with a young Man (20 something) who had not kept in touch with centre, had not left accurate addresses, and whose sister had told him he could no longer stay with her. The Centre had supported his application for 'shared ownership' as his income was adequate, but he had probably lost that opportunity due to time span. This young man would try the patience of a saint yet the 'officer' dealt with him extremely well and set about reinstating his support for shared ownership and/ or private tenancy'. I was shown some paperwork about the sort of cases that came in and then went with a Homelessness officer. We went to a home on a 'wellknown' council estate, where a mother had said she wanted her daughter and baby to be rehomed NOW!

The officer had hoped he could talk Mum round while he organised housing, but when we entered the house the mother very quickly and firmly reiterated her stance. The Lady concerned had a baby ? 6 months or so, and seemed to have taken up too much space and time. Her mother felt her daughter was extremely difficult and needed Psychiatric assessment, but the appointment was some time away and she had had enough. The officer explained the procedure emphasising the likelihood of Bed & Breakfast and that the daughter would be on her own, I was left with the unpleasant perception that the mother was possibly trying to precipitate a crisis to get her daughter the help she needed. When we left the officer was concerned too about the young Mum (late teens) would be on her own. When we got back he was going to see what he could do, but I had to leave at that point to return home.

I found the little time I had to be valuable in terms of understanding some situations and thank Linda and her team for their time and the reassurance that here we have an very good team of employees.

Councillor Marion Allen

PS Fran could you circulate to those I have missed. Thankyou

16/02/2006

**Report on the visit to the Homelessness Unit
on 16th January 2006 by Cllr Pritchard**

10.00 – Homeless exit interview

Visit to a St Barnabus House flat housing a single male foreign student. Previously Social Services were responsible for housing him as he was an asylum seeker who had been granted leave to remain, but as he was now 18, he was no longer their responsibility. He had been in B&B for a week then in this one bedroom flat which was RSL temporary accommodation. As NBC were taking back the flat from RSL, he was offered it as a permanent tenancy. The flat had been furnished, including a washing machine & two beds, which would remain. On his arrival the door to the airing cupboard was badly damaged & the sink & washbasin were blocked, which the officer promised would be repaired. The young man agreed to the tenancy & the paperwork would be sent to him shortly.

10.45 – Front desk of Housing & Money Advice

Very busy with two staff manning the desk & a constant queue of six or more, many who spoke poor English. Problems ranged from checking balance of outstanding debt, advising on action to take when bailiffs called, to needing urgent advice as facing eviction.

IT system seemed to work well & staff were friendly, calm, polite & good humoured, although under pressure.

I was concerned about the lack of privacy, at this first point of contact, although there was a barrier where people waited, all conversations could easily be overheard.

11.30 – Housing options interview held in a small room which contained Christmas decorations!

The single mother was being evicted by her private landlord at the end of January. She was on the housing list but only had only a few points which would not be enough to give her a council property. Her best option would be the rent assistance scheme & this was explained to her.

She had rent arrears & other debts. She was starting nurse training in February so would need to produce proof of grant & arrears would need to be repaid by instalments before she could be accepted on this scheme

13.15 – Rent assisted scheme

The details of how this worked was explained by the staff. Clients could find accommodation where they chose to live, but the rent had to be within the Housing Benefit they could claim. Negotiations with landlords had resulted in reduced rents to enable clients to afford them. Landlords also came to the Council to offer their property, so the staff could inform clients of available accommodation. This scheme had helped many who would otherwise become homeless.

14.00 – Interview with Debt Counsellor A disabled young woman who had Council tax & water arrears came for advice. She was also paying off catalogue & a finance company. A future appointment was made when she would bring details of all her debts & income so that a proper assessment could be made.

15.00 – Temporary accommodation meeting

I was told about the current availability of different types of accommodation. There was a move towards using less leased property which cost the NBC whether it was used or not.

This section was not on a computer so made working practices difficult & was time consuming.

There were concerns about Brer Court, as the budget of £2500 had already been spent & there was no money for window locks, & replacement furniture, & repainting which had been promised in house had not been done. In contrast £11,000 had been spent on resurfacing the play area.

SUMMARY

My visit was very interesting & gave me a better insight into the running of the Homelessness Department. I would like to thank all the staff who gave up their time & who were very honest about their work, which I perceived to be quite pressurised & emotionally draining.

I would suggest that further improvements could be made in

1. On the front desk as regarding privacy
2. In the interview rooms
3. Computer database for temporary accommodation units
4. Re-allocation of finance to improve the living conditions in Brer Court & especially the security of the houses.



Item No.	11
CPA Report	

Name of Committee	Council
Date	Monday 22nd May 2006
Report Title	CPA Progress Report
Key Decision	No

1. Recommendations

<ol style="list-style-type: none"> 1. Receive information provided in the report 2. Comment on the appropriateness of arrangements to address the areas identified for improvement.

2. Purpose and Brief Summary of the report

To formally present the outcomes of our recent CPA direction of travel report and to provide information on action planned to deliver the recommendations.
--

3. Options Available

Option Summary	
a	This is the only option available but this a draft action plan that will also be discussed at Government Monitoring Board on the 18 th of May and finalised by the Improvement Board

4. Relevant Background

<p>The final report was issued by the Audit Commission on the 30th March. The report is attached as appendix 1.</p> <p>The report states that the Council has made progress but that this is limited overall, however key building blocks to support future improvement and sustainable recovery such as streamlined political processes and improved Councillor leadership, are being put into place. The report goes on to state that:</p> <ul style="list-style-type: none"> • the Council's short and medium-term strategies are now clear, • there is a stronger focus on internal improvements, • partnership working is enhancing capacity, and • communications are now improving

A number of specific areas that the Council needs to improve upon were identified.

The report states that the Council needs to continue to:

1. have greater focus on improving its weakest services,
2. set out longer term ambitions,
3. focus on the views and needs of local people when putting into place key strategies,
4. develop a clear understanding of its resource base to fund its future ambitions
5. formalise a learning system that captures lessons learnt from the change process
6. continue to improve performance management, specifically by reporting progress on outcomes as well as tracking progress on the management of projects
7. enhance & develop the work of ward councillors in citizen engagement.

The key action points from the report have been noted and work is underway to include these in the Corporate Plan for 2006-2007 that is currently being produced. This new Corporate Plan will bring together projects and work areas identified within the current recovery agenda as well as additional agreed priority areas

The Council has spent the past year investing in the infrastructure that will support future improvements, such as the Root and Branch review. We now have focus on service improvement. Attached to this report as appendix 2 is the work plan to address the specific areas for improvement identified above.

The Council's response to the CPA Progress Report, in the form of the attached action plan will be discussed at the Government Monitoring Board meeting on the 18th of May and then finalised by the Improvement Board thereafter.

5. Evaluation of Alternative Options

	Option	Evaluation Summary
a		This is currently the only option, however it is a draft and there are further opportunities for Councillors to comment

6. Consultees (Internal and External)

Internal	The CPA Progress report has been made available to all Councillors and staff
External	Not applicable at present

7. Compliance Issues

Links to Relevant Council Priorities
Recovery Plan
Direct links
Corporate Plan
Direct links

Other Strategies	
Corporate Plan	Best Value Performance Plan
Local Area Agreement	Communication Strategy
Human Resources Strategy	IT Strategy

Financial Implications

It is anticipated these will be contained within the budget currently set although there maybe some further financial implications when the project plans are finalised

Legal Implications

We are required to respond to the CPA Direction of Travel report with an appropriate action plan

Crime & Disorder Issues

Crime and disorder issues are addressed indirectly within the recovery agenda.

Children Act Issues

Children Act issues are addressed indirectly within the recovery agenda

Risk Management Issues

Failure to respond to the CPA Progress Assessment report and to amend current plans for improvement will lead to a possible further 'poor' rating and ultimately could result in "intervention"

Equalities Compliance Issues

Equalities issues are key and central to all of the work of the council and are incorporated within all of the action points.

8. Background Papers

Title	Description	Source
CPA Progress Assessment	Audit Commission progress report for the Council	Audit Commission

Name	Signature	Date	Ext.
Author	Simone Wade. Operational Manager, Recovery Policy and Governance		7431
Corporate Manager	Ella Yeshin, Corporate Manager, Legal and Democratic Services		7431
Director	Mario Abela, Citizens, Governance & Finance		7870

NB: In relation to Key Decisions both the Monitoring Officer and the Section 151 Officer (or their deputies) will need to sign the report before it can be accepted by meeting services

APPENDIX 2

Work Plan to address issues raised by the CPA Progress Assessment

Area for Improvement: 1. Have greater focus on improving our weakest services		
Lead Councillor(s): Improvement Board	Lead Directorate(s): Citizens, Governance & Finance	
What is the Council trying to achieve? <ul style="list-style-type: none"> Effective political leadership and decision-making to ensure services for local people improve and the Council delivers on its priorities 		
Actions:	Outcomes:	Completed by:
Develop a Corporate Plan for 2006 – 2007	A sharp focus on what needs to be done to deliver improved services this financial year	June 2006
Area for Improvement: 2. Set out longer term ambitions		
Lead Councillor(s): Improvement Board	Lead Directorate(s): Citizens, Governance & Finance	
What is the Council trying to achieve? <ul style="list-style-type: none"> A clear purpose through which the communities needs and ambitions are met Planning over the longer term to forecast and put in place the financial capacity and resources to deliver future priorities & ambitions 		
Actions:	Outcomes:	Completed by:
Develop a Corporate Plan and Medium Term Financial Strategy for 2007-2010	<ul style="list-style-type: none"> Action for improvement that focuses on our weakest services Improved services based on the views and needs of local people Plans that shows robust longer term ambitions and priorities The delivery of overall sustainable service improvements Investment (financial & people) in priorities and disinvestment in non-priority areas 	February 2007

Area for Improvement: 3. Focus on the views of citizens when putting into place key strategies		
Lead Councillor(s): Improvement Board	Lead Directorate(s): Citizens, Governance and Finance Customer and Service Delivery	
What is the Council trying to achieve? <ul style="list-style-type: none"> • Services that are directly shaped by our customers and convenient to them • Clear, timely, effective and accurate two way communication with residents, stakeholders and employees • Continually improving local and national reputation and profile • Celebrate successes on the journey to excellence 		
Actions:	Outcomes:	Completed by:
Implementation of the Community Engagement Implementation Plan	Clear understanding of what matters to local people and that this shapes the development, delivery & improvement of our services	End of September 2006
Actions and milestones already incorporated in the Recovery Plan, in respect of establishing a Customer Contact Centre	Local people will recognise that they have improved opportunities to contribute to the Council's decisions and priorities	End of July 2006

DRAFT

Area for Improvement: 4. Develop clear understanding of its resources base to fund our future ambitions		
Lead Councillor(s): Improvement Board	Lead Directorate(s): Citizen, Governance & Finance	
What is the Council trying to achieve? A Medium Term Financial Strategy revised and aligned with corporate priorities		
Actions:	Outcomes:	Completed by:
Produce clear descriptions for budget key service areas	Improved understanding of what is provided for by the current budget.	May 06
Identify budget reductions in non priority service areas	Realignment of resources to reflect priorities.	July 06
Produce a Medium Term Financial Plan	A clear understanding of future budget priorities and resource envelope	September 2006

DRAFT

Area for Improvement: 5. Formalise learning into a system that captures lessons learnt from our change process		
Lead Councillor(s): Improvement Board	Lead Directorate(s): People, Performance & Regeneration	
What is the Council trying to achieve? <ul style="list-style-type: none"> • Be self-aware about previous successes and future challenges • Learn from our and others experience and make improvements based on that learning • Share the learning throughout the organisation to improve services 		
Actions:	Outcomes:	Completed by:
<ol style="list-style-type: none"> 1. A programme of service reviews across the Council 2. Establish 'practitioner networks' with other organisations 	<ul style="list-style-type: none"> • Efficient, economic and effective services • Culture of learning and sharing information 	<p>5 practitioner networks from weak service areas established by end of September 2006</p> <p>Methodology completed by 1st July 2006</p>

DRAFT

Area for Improvement: 6. Continue to improve performance management, specifically by reporting progress on outcomes as well as tracking progress on the management of projects		
Lead Councillor(s): Improvement Board	Lead Directorate(s): Customer & Service Delivery People, Performance & Regeneration Citizens, Governance & Finance	
What is the Council trying to achieve? To know we are making a difference & improving local people's quality of life by undertaking the activity		
Actions:	Outcomes:	Completed by:
<p>Complete the roll-out of cascade meetings, performance management and appraisals for all employees</p> <p>Implement monthly 'highlight' report of performance</p> <p>Implement the Quarterly Performance Reviews</p>	<ul style="list-style-type: none"> Development of a performance management culture; increased accountability by managers for service improvement; application of continuous improvement with progress measured via BVPI/KPI/LPI 	<p>All employees by the end of June 2006</p> <p>5th June 2006</p> <p>11th April 2006</p>

DRAFT

Area for Improvement: 7. Enhance and develop the work of ward Councillors in citizen engagement		
Lead Councillor(s): Improvement Board	Lead Directorate(s): Citizens, Governance & Finance	
What is the Council trying to achieve? <ul style="list-style-type: none"> All Councillors are engaged in the decision making process 		
Actions:	Outcomes:	Completed by:
<p>Develop & Implement a timetable for Improvement clinics</p> <p>Completion of programme based on Knowledge Sessions.</p> <p>Development of Individual Learning Programmes for Councillors</p> <p>Continuation of Coaching and Mentoring programme.</p>	<ul style="list-style-type: none"> Local people will have fully engaged & be participating with their local Councillors Councillors are enabled to develop skills and competencies to improve political leadership and decision making 	<p>September 2006</p> <p>23rd June 2006</p> <p>End of September 2006</p> <p>Ongoing</p>

DRAFT



Council

Date: 22 May 2006

Item No:

Report of Solicitor to the Council

Directorate: Finance, Governance and
Citizens

Mario Abela

Author/Contact Officer:

Jim Inch

Senior Solicitor

Ext. 7335

Title of the Report:

Authorisation of Staff to represent
Council in Magistrates Court

Recommendations

That Kathleen Greenwood and Paul Dixon, Legal Assistants, be authorised under Section 223 of the Local Government Act 1972 to prosecute, defend or otherwise appear on the Council's behalf in proceedings before a Magistrates Court.

Background

Section 223 of the Local Government Act 1972 enables a local authority to authorise individual employees to appear for the Council in proceedings in a Magistrates Court. Normally only solicitors and barristers have rights of audience in Court.

The authorisation of Kathy Greenwood and Paul Dixon, who are both experienced legal assistants, will add to the capacity of the Legal Services section. The authorisations will be of general application, but it is envisaged that they will be of particular use in the enforcement of fixed penalty notices under environmental legislation.

Background Documents

None.



NORTHAMPTON
BOROUGH COUNCIL

Council		Date	22 May 2006
Report Title	Political Structures and Miscellaneous Matters		
Item No			

Name	Signature	Date	Ext.
Author	Jim Inch/Francis Fernandes		
Corporate Manager			
Director			

Report of: Jim Inch/Francis Fernandes	Political Structures and Miscellaneous Matters
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Key Decision	NO
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1. Purpose and Brief Summary of the report

To seek Council's approval to a number of detailed matters in relation to the Political Structures and the Constitution.
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2. Options Available

	Option	Summary
<i>a</i>	To agree the report recommendations.	
<i>b</i>	Not to agree the report recommendations or to modify them.	

3. Recommendations

- (1) To ratify the appointment of Councillor Caswell as a substitute member of the Improvement Board.
- (2) That the Portfolios and responsibilities specified in Appendix 1 be approved
- (3) That the Leader be given delegated powers to choose both the content and the allocation of portfolios to Cabinet Members.
- (4) That the Scheme of Delegations for Cabinet members and its associated protocol both at Appendix 2 be noted.
- (5) That Council Procedure Rule 13 (Sealing of Documents) be amended so that Rule 13(2) begins "The Seal of the Council shall be attested by the Chief Executive, or by the Solicitor to the Council (or other Solicitor of at least team leader level who is so authorised by either the Chief Executive or the Solicitor to the Council) etc."
- (6) That the Solicitor to the Council be authorised to make changes to the Constitution to implement the changes outlined in this report.

4. Relevant Background

Improvement Board – Substitute

Prior to Councillor Larratt's resignation as Leader, Councillor Palethorpe was the Administration's substitute member of the Improvement Board. Upon Councillor Palethorpe's appointment as Deputy Leader he became a full member of the Board, and Councillor Caswell has undertaken the role of substitute. Council is asked to ratify that arrangement.

Portfolios and Scheme of Delegation

As part of the Constitutional changes agreed last September the Leader was given the power to specify the details of the Cabinet's Scheme of Delegation. However it was provided that each Cabinet member shall have designations in the following portfolios:

Community Engagement (Leader)
Financial Strategy; Democratic Services (Deputy Leader)
Business Intelligence; People Support; E-Government
Local Environment
Residential Operations
Economic and Infrastructure

A Scheme of Delegations for Cabinet members has been developed and agreed together with a protocol for its use. Both these documents are attached at Appendix 2 for noting.

The Leader's proposed portfolios and their allocation is attached at Appendix 1 and differs from the above. This has come about largely because of the reorganisation of the Cabinet made necessary by the previous leader's resignation. Council is asked to approve the revised description and allocation of the Portfolios. This will enable the Scheme of Delegation to be brought into operation and for delegated decision-making to commence immediately thereafter.

As stated in an earlier report to Council, the Council's Constitution is currently unclear as to where the responsibility for assigning Portfolios lies. The Leader currently has powers to specify and change his scheme of delegations to cabinet members. It is appropriate and in line with the changes brought about by the Local Government Act 2000 for the Leader to be given powers to identify both the content of the portfolios and their allocation to Cabinet members. Further, the context of this Council and the rapid pace of change makes it particularly important for the Leader to have the flexibility to swiftly align Cabinet responsibilities to meeting priority service needs.

Council is therefore asked to delegate powers to the Leader to choose both the content and allocation to Cabinet members. to consider giving the Leader the power in future to make changes in the allocation of Portfolio responsibilities, subject to reporting the changes back to the next available Council meeting.

Sealing of Documents

Following the organisational changes only two persons remain who can attest the fixing of the Council's seal to documents, namely the Chief Executive and the Solicitor to the Council.

In practice it is nearly always done by the latter, the majority of documents being procedural conveyancing ones, of which right to buy transfers probably form the biggest number. In order to provide for situations where neither the Chief Executive nor the Solicitor to the Council is available, changes to the Constitution are requested to authorise a Solicitor of Team Leader rank or above to attest the fixing of the seal.

5. Evaluation of Alternative Options

	Option	Evaluation Summary
<i>a</i>	Agree the report.	Suggested approach.
<i>b</i>	Not agree the report.	Delegated decision-making is critical to the Council's Governance arrangements and failure to agree this aspect could put decision-making at risk.
<i>c</i>		

6. Consultees (Internal and External)

Internal	
External	

7. Compliance Issues

Links to Relevant Council Priorities
Recovery Plan
Development of appropriate political structures has been identified as essential to Recovery.
Corporate Plan
Effective decision-making is critical to implementing the strategies within the plan.
Other Strategies
N/A

Financial Implications
None directly

Legal Implications
All recommendations comply with the appropriate legislative requirements.

Crime & Disorder Issues
None directly

Children Act Issues
None directly

Risk Management Issues
The proposed clarification of some issues may reduce the risk of legal challenge.

Equalities Compliance Issues
None

8. Background Papers

Title	Description	Source
The Constitution Previous reports and minutes		The Council

Appendix 1

NORTHAMPTON BOROUGH COUNCIL CABINET PORTFOLIOS

LEADER OF COUNCIL

– COMMUNITY PARTICIPATION & FINANCIAL STRATEGY

Community Participation (incl. Forums, Partnerships, Participation Panel Community Centres and Public Consultation)
Cultural Development
Finance Management
Financial strategy & Accounting Services
Audit
Insurance and Risk Management
Asset Management
Markets
Project Development & Co-ordination

DEPUTY LEADER OF COUNCIL

- BUSINESS INTELLIGENCE, PEOPLE SUPPORT & E-GOVERNMENT

Business Process & Improvement
Community Safety (incl. Health & Safety, CCTV, Call Care, Crime & Disorder, Partnerships)
Customer Services (Corporate)
Grants
Human Resources (People Operations and Development, Employee Welfare, Equalities and Diversity in the workplace, Local Joint and Health & Safety)
IT Customer Support
IT Systems and Infrastructure
Performance Management (continuous improvement)

COMMUNITY ENGAGEMENT & DEMOCRATIC SERVICES

Communications
Community Wellbeing
Community Development
Emergency Planning
Legal Services (incl. Right to Buy, Licensing and Land Charges)
Councillor & Management Support
Meeting Services (Cabinet, Scrutiny, Audit, Regulatory etc.)
Electoral Services
Street Cleansing & Street Scene
Parks and Open Spaces

RESIDENTIAL OPERATIONS

Housing Services and Management
Housing Estates
Housing Advice and Homelessness
Housing Allocations
Rents
Council Tax Collection
Revenue and Benefits
Travellers

ECONOMIC AND INFRASTRUCTURE

Planning Policy & Conservation (incl. Housing Strategy)
Regeneration (incl. WNDC and English Partnerships Link and Funding opportunities)
Town Centre
Economic Development & Intelligence
Tourism
Car Parks

LOCAL ENVIRONMENT

Waste Management (incl. Waste Operations and Minimisation)
Recycling
Events/Museums
Environmental Health (incl. Environmental protection)
Leisure (incl. Sports Development)
Development & Building Control
Neighbourhood Wardens
Direct Services Organisations
Property Maintenance

Appendix 2

LEADER'S SCHEME OF DELEGATIONS

A. INTRODUCTION

The Council has delegated powers to the Leader to determine his/her own Scheme of Delegations for Executive functions.

This Scheme of Delegations sets out the powers which are reserved to Cabinet and the Leader and those powers which are delegated to individual Cabinet Members. This Scheme of Delegations can and will be changed in accordance with the wishes of the Leader but prior notification will be given in accordance with the Protocol that accompanies this Scheme of Delegations.

The Leader's Scheme of Delegations does not in any way impact upon delegations to the Improvement Board already in the Constitution.

B. DELEGATIONS

1. Powers Reserved to Cabinet

- 1.1 To be responsible for decisions which the Leader or the Deputy Leader (when deputising for the Leader) or Cabinet direct should be referred to Cabinet.
- 1.2 To be responsible for any Executive functions which involve a recommendation to Council including budget and policy proposals.
- 1.3 To be responsible for making Key Decisions.
- 1.4 To receive and respond to:
 - (a) reports to the Executive from the Overview and Scrutiny Committee, Monitoring Officer and Section 151 Officer;
 - (b) recommendations from Council;
 - (c) reports from external and internal auditors.
- 1.5 To be responsible for those Local Choice functions identified as the responsibility of Cabinet, in Part 3 of the Constitution.
- 1.6 To be responsible for any matter within a Cabinet Member's powers that has been referred to Cabinet by the Cabinet Member concerned.
- 1.7 To be responsible for matters that cross two or more Cabinet Members' portfolios.

2. General Powers Delegated to all Cabinet Members

Subject to the limitations in section 3 below, Cabinet Members shall within their respective areas of responsibility have the following powers:-

- 2.1 After consulting the Chief Executive or his/her nominee to approve and set priorities, programmes and service plans.
- 2.2 To monitor budgets and the performance of services.
- 2.3 To receive formal reports.
- 2.4 To agree the submission of bids for funding and resources from the Government or other agencies.
- 2.5 After consulting the Chief Executive or his/her nominee to agree to the appointment of consultants.
- 2.6 To take those Executive decisions which it is within the delegated powers of an Officer to take, and the Officer having such power, nevertheless refers to the Cabinet Member by reason of the decision's importance, sensitivity or precedence value.
- 2.7 To consider reports and agree to recommendations regarding the acceptance of a tender which is not the lowest (where payment is to be made by the Council) or the highest (where payment is to be received by the Council) in accordance with the Council's Contract Procedure Rules.
- 2.8 To make decisions on requests for waiver of the Procurement Code of Practice.
- 2.9 To be responsible for all staffing matters within his/her portfolio area not allocated or delegated to another Officer, individual or body.
- 2.10 To refer any matter within his/her delegated powers to Cabinet for decision.

3. Limitations on Delegated Powers

- 3.1 Nothing in this Scheme of Delegations authorises a Cabinet Member other than the Leader or the Deputy Leader (when deputising for the Leader) to make a decision which is a Key Decision. For the purposes of this Scheme of Delegations Key Decisions are defined as follows:
 - Any decision in relation to an Executive function which results in the Council incurring expenditure which is, or the making of savings which are significant having regard to the Council's budget for the service or function to which the decision relates. For these purposes the minimum financial threshold will be £50,000.
 - Where decisions are not likely to involve significant expenditure or savings but nevertheless are likely to be significant in terms of their effects on communities in two or more wards or electoral divisions.

- For the purposes of interpretation a decision which is ancillary or incidental to a Key decision which has been previously taken by or on behalf of the Council shall not of itself be further deemed to be significant for the purposes of the definition.

3.2 Nothing in this Scheme of Delegations authorises a Cabinet Member to make a decision which is:

3.2.1 contrary to the Council's policy framework or budget

3.2.2 contrary to the Council's Financial Procedure Rules

3.2.3 contrary to the Council's Contract Procedure Rules

3.2.4 contrary to any decision made by the Council or by Cabinet collectively

3.2.5 by law only to be taken by some other person or body or in some other way

3.2.6 subject to a requirement by either Cabinet or the Leader to be referred to Cabinet

3.2.7 not the responsibility of the Council's Executive

3.2.8 a decision that has been specifically reserved to the Council, other body or (except where 2.6 above applies) delegated to Officers.

4. **Powers Delegated to Particular Cabinet Members**

4.1 Cabinet Members who hold certain portfolios are given the specific powers given below. These powers are in addition to the powers delegated to all Cabinet Members described in section 2 above. For the avoidance of doubt if any specific power described below contains a limitation then a decision or action outside the limitation cannot be taken by the Cabinet Member concerned under his/her general delegated powers under section 2 but must be referred to full Cabinet. The limitations in section 3 above also apply to the specific powers below.

4.2 **Powers Reserved to the Leader of the Council – Community Participation and Financial Strategy Portfolio**

4.2.1 To vary this Scheme of Delegations of Executive functions.

4.2.2 To direct that particular decisions or classes of decisions within the powers of Cabinet Members be referred to the Leader or Cabinet for decision.

4.2.3 To exercise any Executive powers and duties not reserved to Cabinet or delegated to an Officer, a Cabinet Member, individual or other body.

- 4.2.4 To act on behalf of any other Cabinet Member who is absent or unable to act, or to authorise another Cabinet Member to do so.
- 4.2.5 To determine any conflicts of opinion or decision which may arise between two or more Cabinet Members exercising delegated decisions under this Scheme of Delegations.
- 4.2.6 To make Key Decisions in matters of Urgency or Special Urgency.
- 4.2.7 To exercise the Executive powers and duties of the Council for the areas within the following portfolio:

Community Participation and Financial Strategy Portfolio

Asset Management
Audit
Community Participation (incl. Forums, Partnerships, Participation Panel, Community Centres and Public Consultation)
Cultural Development
Finance Management
Financial Strategy & Accounting Services
Insurance and Risk Management
Markets
Project Development & Co-ordination

4.3 **Powers of the Deputy Leader – Business Intelligence, People Support and E-Government Portfolio**

- 4.3.1 To deputise for the Leader in his/her absence, or at his/her instruction, in relation to all functions which are the Leaders responsibility.
- 4.3.2 To exercise the Executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Business Intelligence, People Support and E-Government

Business Process and Improvement
Community Safety (incl. Health & Safety, CCTV, Call Care, Crime & Disorder, Partnerships)
Customer Services (Corporate)
Grants
Human Resources (People Operations and Development, Employee Welfare, Equalities and Diversity in the Workplace, Local Joint and Health & Safety)
IT Customer Support
IT Systems and Infrastructure
Performance Management (continuous improvement)

4.4 **Powers of the Portfolio Holder - Residential Operations Portfolio**

To exercise the Executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Residential Operations Portfolio

Council Tax Collection
Housing Advice and Homelessness
Housing Allocations
Housing Estates
Housing Services and Management
Rents
Revenue and Benefits
Travellers

Without prejudice to the generality of the powers above to have the following specific powers:

- 4.4.1 Agreeing changes (virement) within the housing capital budget (but which require no overall increase in the budget) where the amount of virement is in excess of £50,000 in the current year, or where it is less but the change affects future years.
- 4.4.2 Agreeing to the disposal of dwellings (subject to the terms of any specific or general consent of the Secretary of State) in circumstances or in a manner not covered by the Right to Buy, and in particular under arrangements to enable tenants to finance the purchase of their homes by methods compliant with Islamic law (Sharia).
- 4.4.3 Agreeing to demand less than the maximum amount of discount recoverable on the further disposal of a sold Council dwelling.
- 4.4.4 Adopting policies, practices or protocols (including arrangements with one or more registered social landlord) to deal with offers of first refusal of sold Council dwellings.
- 4.4.5 Adopting policies, practices and standards (so far as is within the Council's discretion) with regard to the implementation of the following Parts of the Housing Act 2004:
- Part 1 (Housing Conditions).
 - Part 2 (Licensing of Houses in Multiple Occupation).
 - Part 4 (Additional Control Provisions in relation to Residential Accommodation).

4.5 **Powers of the Portfolio Holder - Local Environment Portfolio**

To exercise the Executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Local Environment Portfolio

Development & Building Control
Direct Services Organisations
Environmental Health (incl. Environmental Protection)
Events/Museums
Leisure (incl. Sports Development)
Neighbourhood Wardens
Property Maintenance
Recycling
Waste Management (incl. Waste Operations and Minimisation)

Without prejudice to the generality of the powers above to have the following specific powers:

- 4.5.1 Accepting on behalf of the Council facilities provided under projects such as CASPAR and approving arrangements for the ongoing maintenance of such facilities.
- 4.5.2 Authorising amendments to the rules made by the Council under Section 28 of the Smallholdings and Allotments Act 1908 as amended after the Northampton Allotment Council have been consulted on and agree to any such amendments.

4.6 **Powers Reserved to the Portfolio Holder - Economic and Infrastructure Portfolio**

To exercise the Executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Economic and Infrastructure

Car Parks
Economic Development & Intelligence
Planning Policy & Conservation (incl. Housing Strategy)
Regeneration (incl. WNDC and English Partnerships Link and Funding Opportunities)
Tourism
Town Centre

4.7 Powers Reserved to the Portfolio Holder - Community Engagement & Democratic Services Portfolio

To exercise the Executive powers and duties of the Council for the areas within the following portfolio unless a direction by the Leader under sections 1.1 and 4.2.2 has been issued and communicated in writing to the Cabinet Member:

Communications
Community Development
Community Wellbeing
Councillor & Management Support
Electoral Services
Emergency Planning
Legal Services (incl. Right to Buy, Licensing and Land Charges)
Meetings Services (Cabinet, Scrutiny, Audit, Regulatory etc)
Parks and Open Spaces
Street Cleansing & Street Scene

4.7.1 Agreeing to accept donations of land for use as public open space or community purposes pursuant to agreements under Section 106 of the Town and Country Planning Act 1990 or in similar circumstances.

4.7.2 Agreeing to the disposal or appropriation of areas of public open space of not more than 5,000 square metres, subject to public advertisement and the consideration of any objection by full Cabinet.

CABINET MEMBER DECISIONS – PROTOCOL

1. INTRODUCTION

1.1 The Council has formally delegated powers to the Leader of the Council to prepare a Scheme of Delegations for individual Cabinet Members. This scheme is separate from the Scheme of Delegations for Officers. To prevent any confusion between the different schemes this Protocol will refer to the “Leader’s Scheme of Delegations”. This Protocol accompanies the Leader’s Scheme of Delegations but does not formally form part of it. However, the Protocol will appear in the Constitution.

Under the Leader’s Scheme of Delegations the following will have delegated powers to make Executive decisions:-

- Cabinet collectively
- The Leader
- The Deputy Leader
- Individual Members of Cabinet

Under the Leader’s Scheme of Delegations Cabinet Members will **not** be able to make Key Decisions. Cabinet will be the main body making Key Decisions, although the Leader or the Deputy Leader, when deputising for the Leader, will be able to make Key Decisions when they are required urgently.

The Council has never operated delegated Executive decision-making and there is therefore a need for close attention to be paid to this Protocol. It is also important for legal advice to be taken whenever there is uncertainty or lack of clarity.

This Protocol is aimed at:-

- Members of Cabinet
- Senior Staff advising Cabinet Members
- Staff responsible for preparing and submitting reports for decision
- Staff operating the Protocol’s requirements (e.g. Meetings Services)

The Leader will be able to change this Scheme of Delegations but will only be able to do so if the following is complied with. At least 21 calendar days written notice will be given to all Cabinet Members; the Chair of Overview and Scrutiny; the Head of Paid Service; the Council’s Monitoring and Section 151 Officers. Any changes to the scheme will not affect the validity of decisions already taken.

1.2 Decision- making some brief comments

Council functions and the decisions that follow have various legal classifications and the classification impacts upon who can make a decision. For the purposes of this Protocol only what the law classifies as “Executive functions” will be discussed.

Executive functions are defined by the Local Government Act 2000 (the 2000 Act) and its associated regulations. After the changes brought about by the 2000 Act, the Executive (Cabinet) are responsible for functions of the Council not allocated by legislation or the Constitution elsewhere. The way this works is that there are some decisions that can only be made by the Executive, there are some decisions that may be made by the Executive (referred to as Local Choice functions) and some decisions that cannot be made by the Executive (for example development control and licensing decisions).

Post the 2000 Act changes, full Council is responsible for the broad strategic/policy decisions, for example the policy framework and the Executive are responsible for decisions within that framework (unless of course they have been allocated elsewhere). The legal analysis can be complicated and often there needs to be a proper legal assessment of whether a decision is an Executive decision, or whether some other body should make the decision, for example, full Council or the Improvement Board.

2. DELEGATED DECISIONS

Once an Executive decision has been identified, the issue the report writer needs to grapple with is who will be making the decision. There are a number of possibilities. It may be covered by the Officer’s Scheme of Delegations in which case the Officer with the delegations should be approached in the normal way. If the decision is covered by the Leader’s Scheme of Delegations an assessment needs to be made whether it is a decision for Cabinet, Improvement Board, the Leader or individual Cabinet Member. **If in doubt seek legal assistance.**

If the decision is an Executive decision and it has a strong improvement/recovery impact then the Constitution allows the decision to be made by the Improvement Board (technically by Executive members on the Improvement Board). In cases where improvement or recovery is a strong theme a manager at Corporate Manager level or above should be consulted as to where the decision lies. Legal advice should be sought if appropriate.

Whatever the case the Officer requiring a decision will have to prepare a formal report. A decision by a Cabinet Member must **not** under any circumstances be made without a full written report outlining all the relevant issues. A report will have to be completed in the format attached at **Appendix 1**. The report will need to have clear recommendations and the body of the report will need to have sufficient information to enable the

decision-maker to make an informed decision. Normal compliance issues such as legal and financial implications will need to be considered very carefully. It is extremely important to bear in mind that the vigour and approach in relation to delegated decision-making must not in any way be less than the approach for normal decision-making meetings.

Whilst the report represents the end product of a required decision, Officers and Cabinet Members should develop effective working relationships and the expectation is that there should be clear and effective dialogue between the Cabinet Member concerned and the senior management before a report is prepared and presented for decision.

2.1 The process to be followed

When an Executive decision is required, unless it is urgent (see further provisions for urgent decisions) the Officer requiring the decision will need to notify Meetings Services of the decision required and the title of the likely report. Proper authority must be obtained from the relevant Corporate Manager or Director. Meetings Services will not accept reports unless there is confirmation in writing (or e-mail) that Corporate Manager or Director authority has been obtained.

Meetings Services will, on receipt of a title of a report, send these details to the Leader and Deputy Leader for their information.

On receipt of the title of a proposed report Meetings Services will add to the Non-Statutory Decision List (the List) and an updated List will be published on prearranged publication dates. The List will take effect on the first working day of each month and the List will be published at least 14 calendar days before it takes effect. The format of the List will be similar to the draft attached at **Appendix 2**.

From the publication of the List, Councillors or members of the public will have at least 14 calendar days before the List comes into effect to request that a certain item should be held in public (i.e at least 14 calendar days working backwards from the first working day of each month). If the Councillors or members of the public comply with this time limit, the item will be considered in a normal open, public meeting. The normal rules of access, notice requirements for publication of agendas, etc. will apply as currently apply in the Council's Constitution.

The operations of the timings are relatively complicated, so Meetings Services should be contacted for guidance if required.

It should be noted that there are provisions in the Constitution that protect against abuse of the requirement for the holding of public meetings. For example where block requests are made without good reason. In these cases the Council's Monitoring Officer will be asked to determine whether there has been unreasonable abuse of the requirement to hold public meetings. If the Monitoring Officer is of the opinion that there has been abuse (a written decision by the

Monitoring Officer will be required) then any request to hold a public meeting can be disregarded.

2.2 Delegated decision-making where prior notification of requirement for a public meeting

Where a Councillor or a member of the public indicates that a decision on the Non-Statutory Decision List should be held in public (and the time limits are complied with) then the matter will be considered in a public meeting. The normal rules for public meetings will apply. Papers will be published at least 5 clear days before the meeting etc.

It is important to point out that if grounds set out in Schedule 12A (as amended) of the Local Government Act 1972 apply, then a matter will be considered in private notwithstanding that a valid request for the matter to be held in public is made.

2.3 Delegated decision-making where no prior notification of requirement for a public meeting

Where Cabinet Member delegated decisions are **not** to be made in public meetings, the following requirements will apply.

At least 5 clear working days before the decision is made:

- A copy of the report in the required format, with Appendices must be submitted and published on the intranet. Meetings Services will need to be contacted in relation to this.
- All Councillors will be notified by Meetings Services by e-mail of the publication of the report.

Unless the decision is urgent, the Cabinet Members will not be able to make the decision until the 5 clear days have passed (5 clear working days means that the day of publication or the date the decision is actually made is not included in calculating the 5 days).

During the 5 clear working days notice period, Councillors will be entitled to make any comments, observations or representations to the Cabinet Member concerned about the report. These can be sent to the Cabinet Member direct or sent to Meetings Services for forwarding on. The Cabinet Member will have regard to the comments if appropriate and will be entitled to refer the report back to Officers for comments and advice as appropriate.

A flow chart outlining the main decision points is attached at **Appendix 3**.

2.4 Once the decision is made

Once the decision has been formally made by the Cabinet Member (outside the 5 clear working days), a decision notice in the form of the template appended at **Appendix 4** will be completed and posted on the Council's inter-intranet. A hard copy of the decision notice will be sent to the Chair of Scrutiny by Meetings Services, together with electronic copies of the decision notice to all Members of Overview & Scrutiny Committee. The decision notice will clearly specify the date the decision was made, the date it was posted on the inter-intranet and the date the call-in period expires. The decision will not be implemented by Officers until 3 clear working days have passed from the date of publication (unless the Urgency and Special Urgency provisions apply). This is to enable the normal call-in provisions to apply.

2.5 General principles for Individual Cabinet Member decisions

Individual Cabinet Members will apply the same strict criteria to decision-making that they would in normal open meetings:

- A decision should not be made if
 - a conflict of interest arises
 - a personal and prejudicial interest exists
 - the procedures outlined in this Protocol have not been complied with
 - the Monitoring Officer or the Section 151 Officer has advised that the decision cannot be made
- In making any decision, Cabinet Members **must have due regard to professional advice received from Officers, especially legal and financial advice.** No decision should be made unless proper advice has been sought and provided. Normally details of professional advice should be clear within the body of the report.

2.6 Reporting Requirements

Each Cabinet Member will be required to report periodically (at least every 6 months) to Cabinet on all the delegated decisions made by the Cabinet Member concerned. Details of all items considered together with the decision and the date of the decision will be provided.

2.7 Matters of Urgency

There may be times where urgent decisions will need to be made and if not made will seriously prejudice the Council's or the public's interests. In these cases it may not be practicable for normal procedures to be followed, such as complying with the publication of the item on the Non-Statutory Decision List.

In these cases the decision can still be made so long as the procedures in the Overview and Scrutiny Procedure Rules are complied with (Part 4 of the Council's Constitution). These rules provide that:

“the Mayor must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency”.

Urgent decisions that have not appeared on or cannot by reason of time, be put on the Non-Statutory Decision List and/or which by reason of urgency need implementation immediately (so Call-In does not apply) can be made so long as the Mayor consents that the matter is to be treated as an urgent matter and that it is reasonable to use the urgency procedure. If the Mayor is unavailable the Deputy Mayor's consent shall be required. In the absence of the Deputy Mayor the Head of Paid Service or his or her nominee's consent shall be required.

Please note that the above applies to non-Key Decisions.

Unlike other Cabinet Members the Leader or the Deputy Leader when deputising for the Deputy Leader will be able to make Key Decisions when a decision is required urgently. Where the Key Decision is not on the Forward Plan, then the urgency provisions and the special urgency provisions will apply (as outlined in Part 4 of the Council's Constitution (clauses 25 and 16).

These rules provide for decisions to be made and implemented immediately so long as notice requirements are complied with and the Chair of Scrutiny is consulted and in some cases his or her agreement is obtained.

Whilst the Leader has the power under the Leader's Scheme of Delegations to make urgent Key Decisions this power will only be used in exceptional circumstances. Key Decisions will therefore, in the main, be made by Cabinet collectively.

Matters for Cabinet Members to consider before making a decision

- *Were you consulted or contacted prior to the report being prepared?*
- *Has a report in the proper format been submitted?*
- *Does the decision fall within the Leaders Scheme of Delegations?*
- *Is the decision one you would rather or the Leader has requested be referred to Cabinet?*
- *Is the decision an Improvement Board matter?*
- *Have there been proper departmental consultations especially legal and financial implications?*
- *Is a Key decision involved?*
- *Are there any reasons why you cannot make the decision for example a personal and prejudicial interest?*
- *Has the report appeared on the Non- Statutory Decision List?*
- *Can the decision be made in private or must it be made in a public meeting?*

Matters for Officers to consider before making a decision

- *As above*
- *Have you got senior management authority to submit a report for decision?*
- *Have you had early discussions with the Cabinet member about any report to be submitted?*
- *If you are asking for an urgent decision, have you taken legal advice on whether the urgency criteria apply?*

Useful Contact Numbers:

- Francis Fernandes
Solicitor to the Council ext 7334
- Jim Inch
Senior Solicitor ext 7335
- Frazer McGown
Team Leader –
Meetings Services ext 7101



NORTHAMPTON
BOROUGH COUNCIL

Council		Date	22 May 2006
Report Title	Councillors Allowances, Further Report of Remuneration Panel		
Item No			

Name	Signature	Date	Ext.
Author	Francis Fernandes, Solicitor to the Council Jim Inch, Senior Solicitor		
Corporate Manager			
Director			

Report of: Finance, Governance & Citizens Francis Fernandes, Solicitor to the Council Jim Inch, Senior Solicitor	Councillors Allowances, Further Report of Remuneration Panel
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Key Decision	NO
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1. Purpose and Brief Summary of the report

To seek Council's approval to the amendment of the Members Allowance Scheme to take into account the Recommendations made by the Independent Remuneration Panel.
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2. Options Available

	Option	Summary
<i>a</i>	To accept the Panel's recommendation	The Authority is obliged to take into account the Panel's recommendations but not necessarily to accept them.
<i>b</i>	Not to accept the Panel's recommendation	

3. Recommendations

1. The Council accepts the advice of the Independent Remuneration Panel and in accordance with such advice amends the Council's Members Allowance Scheme in the following respects:-
 - (1) The Leader's Special Responsibility allowance to be increased from £10,000 to £11,000 per annum.
 - (2) The Deputy Leader's Special Responsibility allowance to be increased from £6,000 to £6,600 per annum.
 - (3) The Special Responsibility allowance for other Cabinet members to be increased from £4,000 to £5,000.
 - (4) The above increases to have effect from 1 April 2006.
 - (5) That the Council reaffirms the allowances approved at its 27th March Council meeting.
 - (6) Basic allowance and all Special Responsibility allowances to be revised annually in line with the Local Government pay award (the first revision to be from April 2007).
2. To note that the Panel will be making recommendations on the Mayor's allowance at a future Council meeting and to agree to hold the status quo in the interim.

4. Relevant Background

Background

Section 18 of the Local Government and Housing Act 1989, as amended by the Local Government Act 2000, makes provision in relation to various allowances for members of local authorities.

The Local Authorities (Members Allowances) (England) Regulations 2003 provide that each local authority has to decide its own scheme and the amounts to be paid under that scheme.

At its meeting on 27 March, Council accepted a number of changes for the 2005/2006 financial year to Councillors Allowances in accordance with recommendations from the Independent Remuneration Panel. It was noted that the panel would be continuing its work in reviewing the whole of the Council's scheme and would report to this meeting.

A copy of the Panel's further report is annexed. The combination of the earlier recommendations and the present is intended as a complete review of the Councillors Allowance Scheme, but without ruling out further investigations if these are required.

The Panel suggested no changes to the allowances already approved by Council at its March 2006 meeting so Council is being asked to reaffirm those. In essence the Panel, in its further report, has recommended that the Leader's and the Deputy Leader's Special Responsibility allowance be increased by £1,000 and £600 respectively and the Special Responsibility allowance for Cabinet members be increased by £1,000.

The Panel also recommended an annual increase to the allowances in line with the Local Government pay award, but subject to ratification by Council.

If the Panel's recommendations are accepted by Council the allowances will be as follows:

Basic Allowance for all Councillors £6,000

Special Responsibility Allowances

Leader £11,000

Deputy Leader £6,600

Other Cabinet Member £5,000

Leader of the Opposition £2,000

Leader of the Third Party £2,000

Chair of Overview and Scrutiny Committee £3,000

Chair of Audit Committee £2,000

Chair of Planning Committee £2,000

Chair of Licensing Committee £2,000

Chair of Standards Committee £2,000

(not at present a Councillor)

Councillor on the Improvement Board £6,000

(Note: that this is in addition to any other Special Responsibility Allowance payable)

Mayor's Allowance

The Remuneration Panel has also been asked to assess the Mayor's allowance. Whilst it is not strictly a legal requirement for the Mayor's allowance to be put through the Panel, it is regarded as good practice and certainly in line with the spirit of the Local Government Act 2000, for such an assessment to be made.

Unfortunately, the Panel have not been able to make the assessment in time for the Council meeting, but are scheduled to commence the assessment immediately.

It is proposed that the Mayor's current allowance continues on a pro-rata basis until Council has considered any recommendations from the Panel.

5. Evaluation of Alternative Options

	Option	Evaluation Summary
a	To not accept the Panel's recommendations.	While the Council do not have to accept their Independent Remuneration Panel's recommendations, the general expectation is that they will; and they should only depart from this for very good reasons.
b		
c		

6. Consultees (Internal and External)

Internal	
External	

7. Compliance Issues

Links to Relevant Council Priorities
Recovery Plan
Appropriate levels of Councillor remuneration are seen as relevant to the recovery process.
Corporate Plan
Other Strategies

Financial Implications
There is no budgetary provision for the increases in remuneration outlined in the report, but existing budgets will be re-prioritised to meet the identified expenditure.

Legal Implications
The Council must have regard to their Independent Remuneration Panel's recommendations.

Crime & Disorder Issues
None

Children Act Issues
None

Risk Management Issues

Equalities Compliance Issues
A fair system of allowances will accord with the Council's equal opportunities' objectives.

8. Background Papers

Title	Description	Source
Remuneration Panel Report May 2006 Remuneration Panel Report March 2006 Various Papers File ref FJF Remuneration		

NORTHAMPTON BOROUGH COUNCIL

REPORT BY INDEPENDENT PANEL FOR COUNCILLORS' ALLOWANCES

REVIEW OF COUNCILLORS' ALLOWANCES 2005-2006

Introduction

The Panel submitted a previous report to the Council in March of this year recommending a number of amendments to the Councillors' Allowance Scheme. Those changes were intended as a short-term step to address the changes that had been made in the Council's governance arrangements. The present report is intended as a medium-term step to take a wider look at the allowances regime.

Consideration by Panel

The Panel met at the Guildhall on 10 May 2006 and heard information from Councillor Hadland (Leader), Councillor Flavell (Cabinet Member), Councillor Crake (Whip for Liberal Democrat Group) and Ella Yeshin (Corporate Manager - Legal and Democratic Services).

The Panel also took into account information they had gathered from a number of Councillors and other sources as part of their previous report.

The Panel had before them information on the level of allowances in comparable authorities.

Panel Advice

1. The special responsibility allowance for the Leader should be increased from £10,000 to £11,000 pa, and for the Deputy Leader from £6,000 to £6,600 pa.

Note that although the Panel took into account the particularly heavy workload that fell on the Leader and Deputy at the present time, they considered that much of this additional responsibility must be regarded as compensated for by their Improvement Board allowances, which were additional.

2. The special responsibility allowance for other Cabinet Members should increase from £4,000 to £5,000 pa.

Note that the Panel took into account the proposal, shortly to be implemented, under which individual Cabinet members will have delegated authority to take decisions within their portfolios. However, the Panel considered that the effect of this upon workload and

responsibility levels was not really known at present and the above recommendation was based more upon a consideration of the comparative data from other authorities. The question could be reviewed again once the delegations' scheme had been operating for a time.

3. The position of whip does not appear to have any clearly defined role in the Council's management, as opposed to the party's, and it was not therefore recommended that any special responsibility allowance be paid in respect of it.
Note that the Panel were conscious that they had heard from only one of the whips.
4. It is recommended that the basic allowance and all special responsibility allowances should be revised annually in line with the Local Government pay award (the first revision to be from April 2007, but subject always to the Council's approval each year).
5. It is recommended that the increases described at 1 and 2 above should be backdated to 1 April 2006.
6. No other changes are recommended at present.

Budgetary Implications

Increase in Leader's allowance	£1,000
Increase in Deputy Leader's allowance	£600
Increase in Cabinet Members' allowance	£1,000 x 4 = £4,000

Panel Members

Ros Catlin

Gary Smith

Ray Starkey (not present at meeting on 10.05.06)



NORTHAMPTON
BOROUGH COUNCIL

Full Council		Date	22/5/06
Report Title	Appointment of Monitoring Officer and Section 151 Officer		
Item No			

Name	Signature	Date	Ext.
Author	Howard Crabtree	16/5/06	7377
Corporate Manager			
Director	Clive Thomas		

Report of: Mairi McLean Chief Executive	Appointment of Monitoring Officer and Section 151 Officer
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Key Decision	NO
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1. Purpose and Brief Summary of the report

To appoint the Council's Monitoring and Section 151 Officers as required by the Local Government and Housing Act 1989 and the Local Government Act 1972 respectively, following interim arrangements during the period 2005/2006.

2. Options Available

	Option	Summary
<i>a</i>	Continue interim arrangements	Continue appointments on a temporary basis
<i>b</i>	Consider alternative employees	Appoint others to these roles

3. Recommendations

- I. That Council affirms the appointment of Francis Fernandes, Solicitor to the Council, as the Council's Monitoring Officer
- II. That Council affirms the appointment of Alison Betts as the Council's Section 151 Officer

4. Relevant Background

The Monitoring Officer: Council considered a report in April 2003 recommending the appointment of Francis Fernandes as Monitoring Officer during the period of the transitional authority.

Following Root and Branch review Francis Fernandes was appointed to a Level 4 Management role in the Council. As a further adjustment to that structure approved by the Chief Executive. Francis Fernandes now occupies the role of "Corporate Manager – Solicitor to the Council" to enable him to focus on compliance, monitoring and legal issues essential to the Council's operation.

Section 5 of the Local Government and Housing Act 1989 places a statutory duty upon the Council to appoint a Monitoring Officer to conduct the functions and duties contained within section 5 of the Act and other relevant legislation. The role oversees legality issues and places a duty on the office holder to report to the Council if he/she thinks any proposal, decision or omission would give rise to unlawfulness or maladministration.

The Monitoring Officer also has the role of promoting and maintaining high standards of conduct and probity and in this role supports the Council's Standards Committee and advises individual members on compliance with the Council's Code of Conduct.

Other duties include being the proper officer for ensuring executive decisions, reports and background papers are publicly available and ensuring registers of interest are properly maintained.

Francis Fernandes currently occupies the role in a temporary capacity. He is the most senior lawyer within the Council and is recommended for appointment as the Council's Monitoring Officer now organisational structures have been established.

The Section 151 Officer: This section (Section 151) of the Local Government Act 1972 requires Councils to "make arrangements for the property administration of their financial affairs and secure that one of their Officers have responsibility for the administration of those affairs"

Council considered a report in September 2005 which recommended that Alison Betts, then the Council's Technical Finance Manager, was qualified as defined in Section 113 of the Local Government Finance Act 1988, to discharge the duties of the role and that she should be appointed to it on a temporary basis. It was also

noted that once the Council's structures had been settled a view would be taken on who should occupy this role.

Alison was appointed Corporate Manager – Finance and Asset Management in April 2006. It is therefore recommended that she be appointed to the role of Section 151 Officer now structures have been settled and her new job confirmed.

5. Evaluation of Alternative Options

	Option	Evaluation Summary
a	Continue interim arrangements	Not sustainable in the long term
b	Consider alternative employees	The named individuals represent the most senior/experienced employees in relation to the roles required and can act with appropriate authority.
c		

6. Consultees (Internal and External)

Internal	Legal Services
External	

7. Compliance Issues

Links to Relevant Council Priorities
Recovery Plan
Failure to maintain appointments to both roles would lead the Authority to be in breach of the respective Acts
Corporate Plan
Corporate Plan would assume both post holders are in place.

Financial Implications
Remuneration contained within salary for the jobs.

Legal Implications
Breach of 1972 and 1989 Acts if S151 and Monitoring Officers not in place.

Risk Management Issues
The Authority is open to significant challenge if either of these posts is unfilled.

Equalities Compliance Issues

The appointments comply with the relevant requirements of Council Employment Policies.
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8. Background Papers

Title	Description	Source
	Previous Reports to Council	On website



NORTHAMPTON
BOROUGH COUNCIL

Full Council		Date	22 May 2006
Report Title	Delegated Powers regarding Planning matters		
Item No			

Name	Signature	Date	Ext.
Author	Jennifer Chance		8909
Corporate Manager	Christine Stevenson		
Director	David Taylor		

Report of: Customer and Service Delivery Miss Jennifer Chance 838909	Delegated Powers regarding Planning matters
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Key Decision	YES
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1. Purpose and Brief Summary of the report

A number of powers relating to the planning service are already delegated to officers. It is proposed to amend the delegated scheme to include responding to consultations on behalf of NBC on applications to be determined by West Northamptonshire Development Corporation that would have fallen within the NBC scheme of delegation, and also to include the refusal of Prior Notification applications for telecommunications. It is also proposed to rationalise the existing scheme for ease of use.

2. Options Available

	Option	Summary
a		
b		

3. Recommendations

To **APPROVE** the attached scheme of delegation.

4. Relevant Background

Best Value performance indicator 188 sets a target of 85% of applications to be dealt with under delegated powers. Last year 84% of applications were dealt with under delegated powers.

In April, the power to determine certain planning applications was transferred from NBC to the West Northamptonshire Development Corporation (WNDC). The Borough Council signed an interim Service Level Agreement with the WNDC to help the delivery of the Corporation's development control service. The Borough Council will be measured by the WNDC on the effectiveness of the service by a number of performance measures.

5. Evaluation of Alternative Options

	Option	Evaluation Summary
a	Leave Scheme of Delegation as existing.	Not effective Use of Resource. Impact on delivery of BPVIs
b	Extend Delegated Powers further.	Loss of Councillor input.

6. Consultees (Internal and External)

Internal	Legal Services; Planning Policy and Conservation
External	None

7. Compliance Issues

Links to Relevant Council Priorities
Recovery Plan
Delivering Growth Effectively
Corporate Plan
The Corporate plan identifies a need to work collaboratively with the WNDC to improve economic, social and environmental well being, and to deliver high quality development within Government set timescales.
Other Strategies

Financial Implications
The effective delivery of the planning function has financial implications in terms of securing the Planning Delivery Grant. There are also financial implications in meeting the requirements of the Service Level Agreement with the WNDC.

Legal Implications
None

Crime & Disorder Issues
None

Children Act Issues
None

Risk Management Issues
Risk of not meeting BPVI timescales mitigated

Equalities Compliance Issues
None

8. Background Papers

Title	Description	Source
Existing and Proposed Scheme of Delegation	Attached	

Report

A number of powers relating to the development control service are already delegated to officers. Best Value Performance Indicator 188 sets a target of 85% applications to be dealt with under delegated powers. Last year 84% of applications were dealt with under delegated powers.

It is also proposed to rationalise the existing scheme for ease of use. The existing scheme is attached for Members' information. A number of minor changes are proposed, however the two main changes are to introduce delegated powers for:

- 1) responding on behalf of NBC to consultations on some applications to be determined by WNDC;
- 2) the refusal of all prior notification applications for telecommunications apparatus.

In April the WNDC became the Local Planning Authority for a number of applications that fall within the Borough.

Pursuant to this, the Borough Council signed an interim Service Level Agreement with the WNDC to deliver the planning services. The Borough Council will be measured by the WNDC on the effectiveness of the service by a number of performance measures.

In addition to providing a development control service to WNDC the Council is a consultee on applications to be determined by them. However, there are no delegated powers to deal with these consultations and therefore all applications are being reported to the Planning Committee for comment. It is proposed to amend the delegated scheme to include consultations on applications that would have fallen within the scheme of delegation had they remained applications to be determined by NBC. This will help to improve efficiency, and help to meet the performance measures set out in the Service Level Agreement.

Prior Notification applications for telecommunication apparatus must be determined in 56 days or they are deemed approved. Currently the scheme of delegation allows for officers to determine all prior notification applications provided there are no objections, in which case the application is reported to Planning Committee. However, this means that in cases when an objection is received, even if the application was to be refused by officers, the application would have to be reported to Planning Committee. It is proposed to amend the scheme of delegation to include the refusal of Prior Notifications for telecommunications and for demolitions.

Scheme of Delegation

That the following matters be delegated to Corporate Manager of Planning, Environmental Health and Leisure and Corporate Manager of Regeneration, Policy and Conservation, subject to the exceptions listed below.

<p>Applications All applications related to Planning; Listed Building; Conservation Area Consent; Prior Notifications (demolitions, telephone masts); Tree Preservation Orders; Advertisements; Certificates Of lawfulness; Conditions of permissions; Historic Building Grants; Hedgerow Removal Notices; Satellite Dishes and other Telecommunications Apparatus; and Minor Amendments.</p> <p>To decline to determine a planning application under Section 70 A of the Town and Country Planning Act 1990</p>
<p>Notices Issuing of Notices:- Planning Contravention Notice (under Section 171 C of the Act), Temporary Stop Notices; Breach of Condition Notices; Hedgerow Retention.</p>
<p>Screening and Scoping Screening and scoping of applications under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.</p>
<p>Consultations Consultations from WNDC, subject to the exceptions listed below.</p> <p>Consultations from neighbouring authorities and the County Council that would not prejudice the policies and provisions of the Development Plan or have other strategic consequences</p>

Exceptions

<p>Applications that a Ward Councillor has made a written request to the case officer to be determined by Planning Committee</p>	
<p>Applications that officers consider ought to be determined by the Planning Committee.</p>	<p>Such as due to: -prejudicial interest. -contentious nature.</p>
<p>Residential</p>	<p>Full applications for the erection of 3 or more dwelling units (not reserved matters approval or substitution of house type)</p>
	<p>Conversions to 3 or more residential units</p>

Residential (Continued)	Hotels, boarding houses, guest houses
	Care Homes
	Hostels
Industrial Use Classes B1, B2, B8	Applications outside of areas allocated in the Development Plan for industrial use and are over 1000sqm.
Retail Use Classes A1 – A5	Applications for Public Houses (Use Class A3), restaurants (Use Class A4), applications for Hot Food Shops (Use Class A5)
	Applications creating floorspace over 1000sqm
	Applications for additional A1 floorspace outside of recognised Centres
Education	Applications creating floorspace over 1000sqm
Prior Notification	Prior notifications that are recommended for approval and have objections when the same shall be determined in consultation with the Chair of the Planning committee unless there is a meeting of that committee prior to the expiry of period for determination.
Assembly and Leisure Use Class D2	Applications creating floorspace over 1000sqm
Miscellaneous	Applications for variation or non-compliance of a condition imposed by Planning Committee
	nightclubs
	Children's nurseries
	Petrol filling stations
	Amusement centres
	Places of worship
	Applications by NBC

Appendix 1

Planning

- 3.1 Subject in the relevant cases to consultation with the Borough Solicitor on non-standard proposed conditions and reasons for refusal, determining the following applications pursuant to the provisions of the Town and Country Planning Act, 1990:-
- 3.1.1 applications for consent under an Order under Section 198 of the Act to the cutting down, topping, lopping, uprooting, damage or destruction of trees;
 - 3.1.2 applications for consent under Regulations pursuant to Section 220 of the Act to display advertisements;
 - 3.1.3 applications for a certificate of lawful use or development under Section 191 of the Act and an application for a certificate of lawfulness of proposed use or development under Section 192 of the Act.
 - 3.1.4 applications for an approval required by a development order or by a condition imposed on the grant of planning permission;

- 3.1.5 applications for planning permission for the change of use of a dwelling to permit the minding of not more than 3 children; the construction of an additional room in the roof space; extensions subordinate to private dwelling houses; erection of fences and private garages serving dwelling houses and their relocation where these are not included in a General Development Order;
- 3.1.6 applications for planning permission for new shop fronts;
- 3.1.7 applications for planning permission for the installation of Teller machines.
- 3.1.8 applications for Listed Building Consent for the alteration of Grade II Listed Buildings, their extension or partial demolition up to a maximum of 50 cubic metres which do not have to be referred to the Secretary of State for the Environment, Transport and the Regions.
- 3.1.9 applications for Conservation Area Consent for the demolition of walls, structures and buildings up to a maximum of 50 cubic metres.
- 3.1.10 applications for planning permission for external alterations to the appearance of buildings.
- 3.1.11 applications for planning permission for alterations to and extension of commercial/retail/institutional and educational premises up to 200 cubic metres.
- 3.1.12 applications for planning permission for the installation of satellite antennae or other telecommunication apparatus on existing sites and a single satellite antenna or piece of telecommunication apparatus on existing buildings.
- 3.1.13 applications for planning permission for the substitution of house types on approved housing schemes where no additional dwellings are proposed.
- 3.1.14 applications for the variation of and/or non-compliance with conditions which have previously been the subject of a delegated decision.
- 3.1.15 applications for first renewals of planning permission where there have been no changes in planning circumstances.
- 3.1.16 applications for planning permission for the change of use of buildings to a maximum of three residential units.
- 3.1.17 applications for planning permission for the boundary treatment to industrial/commercial/retail/institutional and educational premises.

- 3.1.18 applications for planning permission for temporary buildings under 200 cubic metres.
- 3.1.19 applications for planning permission for the erection of buildings or changes of use of existing buildings or land to Use Classes B1, B2 or B8 (offices, industrial, warehousing/distribution) within existing or proposed business areas (or subsequent equivalent designation) in the adopted Northampton Local Plan.
- 3.1.20 applications for the erection of single dwellinghouses.
- 3.2 To accept and agree minor amendments to planning permissions.
- 3.3 To make application for planning permission on behalf of the Council.
- 3.4 To determine an application for a determination of whether a prior approval of the Council is required to the method of proposed demolition and any proposed restoration.
- 3.5 To determine whether prior approval is required to the siting and appearance of telecommunication apparatus and to determine such applications except where there are objections, when the same shall be determined in consultation with the Chair of the Planning committee unless there is a meeting of that committee prior to the expiry period for determination.
- 3.6 Responses to neighbouring authorities on Fringe Area Applications which would not prejudice the policies and provisions of the Northampton Local Plan or have any other strategic consequences.
- 3.7 Responses to the County Council on its own planning applications which would not prejudice the policies and provisions of the Northampton Local Plan or have any other strategic consequences.
- 3.8 The service of notices pursuant to Section 171C of the Act provided that any reference to a time and place as referred to in sub-section (4) shall be to the Planning committee.
- 3.9 The determination of applications for Historic Buildings Grants.
- 3.10 The powers to carry out the statutory duties under the Environment Act 1995 including (with the agreement of the Borough Solicitor) the issuing and serving of Notices pursuant to the Act.
- 3.11 The determination of Hedgerow Removal Notices, and when it is considered appropriate the service of Hedgerow Retention Notices.

3.12 The screening of planning applications to determine whether environmental impact assessments are required under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Suggested Additional Matters to be Incorporated In the Scheme of Delegation

- (1) Applications for changes of use (excluding changes of use from Class A1 Retail and changes of use to create Class A3 Food and Drink or more than three residential units).**
- (2) Applications for Listed Building Consent for alteration, extension or partial demolition of Grade II Listed Buildings which do not have to be referred to the Secretary of State.**
- (3) Applications for Conservation Area Consent for the demolition of walls, structures and buildings.**
- (4) Applications for planning permission for alterations to and extension of commercial/retail/institutional and educational premises up to 500 cubic metres.**
- (5) Applications for planning permission for temporary buildings under 500 cubic metres.**