

22 March 2017

CABINET – 3 APRIL 2017

A meeting of Cabinet will be held at 5.30 pm on Monday 3 April 2017 in the Council Chamber, Town Hall, Rugby.

Adam Norburn
Executive Director

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 6 February 2017.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Member must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 28 March 2017).

Growth and Investment Portfolio

- 5. Multi-Agency Safeguarding Hub (MASH) – Single Point of Contact Agreement.
- 6. Rugby Borough Council response to Nuneaton and Bedworth's Borough Plan 2017 Consultation.

Corporate Resources Portfolio

- 7. Removal of the Foundation Living Wage.
- 8. External wall insulation projects: phase 2- Long Lawford and phase 3 – Rokeby.

Communities and Homes Portfolio

- 9. Restrospective approval of the Council's consultation response for the future funding model of supported housing.

Environment and Public Realm Portfolio

- 10. Proposed Self-Management of Allotment Service.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

- 11. Fraud Response Plan.
- 12. Urgent Decision under Delegated Powers – Reconnection Principle.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be considered.

Any additional papers for this meeting can be accessed via the website.

The Reports of Officers (Ref. CAB 2016/17 – 8) are attached.

Membership of Cabinet:

Councillors Stokes (Chairman), Leigh Hunt, Mrs Parker, Ms Robbins and Mrs Timms.

CALL- IN PROCEDURES

Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Senior Democratic Services Officer (01788 533524 or e-mail claire.waleczek@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.

AGENDA MANAGEMENT SHEET

Report Title: Multi Agency Safeguarding Hub(MASH)
Single Point of Contact Agreement

Name of Committee: Cabinet

Date: 3rd April 2017

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: All

Prior Consultation:

Contact Officer: Tom Kittendorf, Sports & Recreation
Manager

Public or Private: Public

Report subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

Corporate Priorities: This report relates to the following
priority(ies):

COUNCIL - Engage in partnerships to
meet local needs, reduce costs and
increase efficiency.

Statutory / Policy Background: The Children and Families Act 2014
places a strong emphasis on inter-agency
cooperation

Summary: The Warwickshire Multi-Agency
Safeguarding Hub (MASH) is a multi-
agency team bringing together
safeguarding services from a number of
agencies to provide a single front door for

all safeguarding concerns to be considered regarding children and adults.

The Single Point of Contact agreement will support the Information Sharing Agreement in order to fulfil the requirements of safeguarding the Borough's residents.

Financial Implications:

None

Risk Management Implications:

There are no risk management implications for this report

Environmental Implications:

None

Legal Implications:

The Single Point of Contact is in regards to the Children's, Adult's & Domestic Abuse pathway within the MASH.

Equality and Diversity:

None

Options:

Option 1) To formally enter in to agreement with the Warwickshire Multi Agency Safeguarding Hub to provide a Single Point of Contact for information sharing

Option 2) To reject the request for a 'Single Point of Contact' agreement in partnership with the Warwickshire Multi Agency Safeguarding Hub.

Recommendation:

The Council formally enters in to agreement with the Warwickshire Multi Agency Safeguarding Hub to provide a Single Point of Contact for information sharing.

Reasons for Recommendation:

Endorsement of this recommendation will allow efficient sharing of information regarding safeguarding concerns for people in Rugby.

Cabinet - 3rd April 2017

Multi Agency Safeguarding Hub (MASH) Single Point of Contact Agreement

Report of the Head of Growth and Investment

Recommendation

The Council formally enters in to agreement with the Warwickshire Multi Agency Safeguarding Hub to provide a Single Point of Contact for information sharing.

1. INTRODUCTION

- 1.1 The Warwickshire Multi-Agency Safeguarding Hub (MASH) is a multi-agency team bringing together safeguarding services from a number of agencies to provide a single front door for all safeguarding concerns to be considered regarding children and adults. The MASH receives referrals regarding vulnerable individuals; assessing the level of safeguarding concern in order to determine quickly and effectively what services need to be delivered and by whom.
- 1.2 The MASH facilitates the sharing of information in a timely manner to enable a speedy response, which takes into account all potential services available to meet the needs of individuals referred to the MASH.

2. SINGLE POINT OF CONTACT AGREEMENT (SPOC)

- 2.1 The Council has identified that efficient sharing of information regarding safeguarding concerns can only improve outcomes for people in Warwickshire. Additionally, early identification of services to those in need of support or intervention is more likely to result in a positive outcome to the individual than a delayed response.
- 2.2 The Council is requested to provide a SPOC to the MASH to support it to fulfil its requirements for the duration of its involvement in the MASH with regards the Children's, Adults & Domestic Abuse pathway.
- 2.3 The Council's Sport & Recreation Manager will be the designated SPOC and will be available to receive and provide information to the MASH. The Council will provide information to the MASH (subject to the conditions of the MASH Information Sharing Agreement) regarding cases known to the Council. This information is shared in order to improve the ability of agencies within Warwickshire to safeguard the individuals concerned. Information will be

exchanged securely in line with the MASH and the Council's Information Security Policies.

- 2.4 Secondly, the Council's SPOC will provide support and guidance to plans developed in the MASH for services designed to support individuals referred to the MASH.
- 2.5 Communication between the Council's Sports & Recreation Manager and MASH Service Manager will be held to ensure there is good communication and discussion if difficulties fulfilling this agreement become apparent. Wherever possible the provision of support to the MASH will be secured by the Council.

3. INFORMATION SHARING.

- 3.1 Information sharing between agencies within the MASH and with the Council will be undertaken in accordance with the Information Sharing Agreement, information sharing guidance of the MASH, the Council's Information Sharing Guidance and the Warwickshire Information Sharing Protocol.
- 3.2 Information requests and returns will be made from the MASH system so there is an audit trail of whose information has been requested, who has provided information and who has complied with agreed timescales.
- 3.3 Information sharing will occur in writing, usually electronically via secure email. Where clarity may be required or in an emergency information may be requested and provided over the telephone if necessary.

4. RECORD KEEPING

- 4.1 The Council will be responsible for compliance with the MASH data recording procedures of the MASH during the execution of MASH business. Whilst undertaking the Council's responsibilities they will be required to comply with the requirement of the Council's policies and procedures.
- 4.2 Compliance with the data retention policies of the respective agencies is required, dependant on the task.

5. LIABILITY

- 5.1 The Council shall take out and maintain in full force with a reputable insurance company for the duration of this agreement adequate insurance cover for any loss injury damage or costs caused by or to the SPOC.
- 5.2 The Council shall indemnify and keep indemnified the MASH and its lead partner Warwickshire County Council fully at all times against any loss injury damage or costs (including but not limited to a third party) arising out of any act or omission by the Council's SPOC relating to this agreement (except for any claim relating to any act or omission of the MASH or its employees or agents).

6. CONCLUSION

- 6.1 Warwickshire MASH has requested local districts and borough Councils designate a suitable officer to be a single point of contact for the purpose of sharing safeguarding information.
- 6.2 By formally entering in to agreement with the MASH, Rugby Borough Council will be able to ensure that safeguarding is at the forefront of the Council's priorities.
- 6.3 Allowing information to be shared will improve the ability of agencies within Warwickshire to safeguard the individuals concerned. Information will be exchanged securely in line with the MASH and the Council's Information Security Policies.

Name of Meeting: Cabinet

Date of Meeting: 3rd April 2017

Subject Matter:

Multi Agency Safeguarding Hub(MASH) Single Point of Contact Agreement

Originating Department:

List of Background Papers

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|-------------------------|---------------------|----------------|
| 1. | | | | |

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

| Document No. | Relevant Paragraph of Schedule 12A |
|--------------|------------------------------------|
|--------------|------------------------------------|

* There are no background papers relating to this item.

(*Delete if not applicable)

AGENDA MANAGEMENT SHEET

| | |
|---------------------------------------|---|
| Report Title: | Rugby Borough Council response to Nuneaton and Bedworth's Borough Plan 2017' consultation |
| Name of Committee: | Cabinet |
| Date: | 3rd April 2017 |
| Report Director: | Head of Growth and Investment |
| Portfolio: | Growth and Investment |
| Ward Relevance: | All Wards |
| Prior Consultation: | Portfolio Holder for Growth and Investment |
| Contact Officer: | Victoria Chapman |
| Public or Private: | Public |
| Report subject to Call-In: | No |
| Report En-Bloc: | No |
| Forward Plan: | Yes |
| Corporate Priorities: | Promote sustainable growth and economic prosperity |
| Statutory / Policy Background: | National Planning Policy and Guidance Planning Legislation |
| Summary: | This report sets out the Council's response to Nuneaton and Bedworth Borough Council 'Borough Plan 2017' consultation |
| Financial Implications: | There are no financial implications for this report |
| Risk Management Implications: | There are no risk management implications for this report |

Environmental Implications: There are no environmental implications for this report

Legal Implications: There are no legal implications for this report

Equality and Diversity: There are no equality and diversity implications for this report

Options:

- 1) Retrospectively endorse the Council's consultation response to Nuneaton and Bedworth Borough Council's 'Borough Plan'
- 2) Do not endorse the Council's consultation response to Nuneaton and Bedworth Borough Council's 'Borough Plan'

Recommendation: The response to Nuneaton and Bedworth Borough Council 'Borough Plan' consultation document, as contained in Appendix A to this report, be retrospectively endorsed.

Reasons for Recommendation: Option 1 is being recommended because this would ensure that the Council engages fully in the development of the Nuneaton and Bedworth Borough Plan.

Cabinet – 3rd April 2017

**Rugby Borough Council response to Nuneaton and Bedworth's
Borough Plan 2017' consultation**

Report of the Head of Growth and Investment

Recommendation

The response to Nuneaton and Bedworth Borough Council 'Borough Plan' consultation document, as contained in Appendix A to this report, be retrospectively endorsed.

1. INTRODUCTION

Nuneaton and Bedworth Borough Council (NBBC) has consulted upon its Publication Borough Plan 2017. This is the final consultation stage before submission to Government for Examination in Public. Like Rugby Borough's Local Plan Publication Draft, this will cover the time period 2011 – 2031 and it is also underpinned by same Coventry and Warwickshire Joint Strategic Housing Market Assessment. The consultation period ran from Monday 30th January 2017 ending on Monday 13th March 2017.

Given that the deadline for the response to the consultation is on the 13th March, a retrospective endorsement of the consultation response to NBBC's 'Borough Plan' is being sought due to the timing of the Cabinet meetings overlapping with the consultation period. There have also been a series of meetings held at a Coventry and Warwickshire officer and Member level to discuss the content and implications of the Borough Plan on other local plans within the Housing Market Area (HMA).

2. BACKGROUND

The Borough Plan (2017) consultation document is what NBBC consider to be a sound plan that they will submit to the Secretary of State for independent examination by a planning inspector. NBBC have previously consulted at this stage in a different iteration of the Plan back in 2015. The current consultation has sought to address objections received to their previous iteration of the Borough Plan raised by all of the authorities within the Coventry and Warwickshire HMA. The housing needs of the HMA are considered through one Strategic Housing Market Area evidence document, so it is important that each local plan within the HMA is consistent in this respect.

3. SUMMARY OF THE BOROUGH PLAN (2017) CONSULTATION DOCUMENT

The Borough Plan sets out the housing, employment and Gypsy and Traveller to targets that will be planned for within the plan period of 2011-203, alongside development management policies which will guide planning applications in the authority.

Housing

Borough Plan Policy DS4 identifies that 13,374 homes will be planned for and provided within the plan period. The Plan allocates 8,851 dwellings on strategic sites and 940 dwellings on non-strategic sites. The Plan will result in the release of Green Belt sites to accommodate the planned growth.

The number of dwellings to be delivered will meet the assessed need identified for Nuneaton and Bedworth Borough Council, as set out in the Coventry and Warwickshire Strategic Housing Market Assessment update 2015. The Borough Plan will also provide dwellings that will contribute to the unmet housing need within the housing market area as set out in the Memorandum of Understanding relating to the planned redistribution of housing within the Coventry and Warwickshire Housing Market Area (Housing MoU). However, the Borough Plan states that it can only accommodate 2,330 dwellings from Coventry City Council following the completion of the Council's Strategic Housing Land Availability Assessment (SHLAA), using the agreed sub-regional methodology alongside other evidence. This would result in there being a 1,690 dwellings shortfall against the NBBC redistributed housing figure contained within the Housing MoU, resulting in an unmet need within the housing market area.

Employment

Borough Plan Policy DS4 identifies 103.6 ha of employment land will be planned for and delivered within the plan period. The Borough Plan allocates 79.6 ha of employment and will result in release of Green Belt sites to accommodate the planned growth.

The employment land requirement of 103.6 ha is made up of 87.4 ha which is the identified need for NBBC and an additional 16.2 ha which will contribute to the employment land shortfall identified in Coventry and Warwickshire sub region, as a result of CCC not having capacity to accommodate all of its identified need. However, the amount of employment land being planned for falls short of the agreed Coventry and Warwickshire Employment Land Memorandum of Understanding redistributed figure to NBBC by 9.4 ha.

Gypsy and Travellers

Borough Plan Policy DS4 identifies 39 residential pitches and 5 transit pitches to accommodate Gypsies and Travellers will be planned for during the plan period. Policy H3 states sets out a criteria that will be used to identify suitable strategic sites for the pitches which will be delivered through a Gypsies and Travellers Site Allocations Plan.

4. RUGBY BOROUGH COUNCIL CONSULTATION RESPONSE

National planning policy, guidance and legislation places a duty upon Local Planning Authorities to cooperate with each other when developing Local Plans on matters of strategic priorities such as housing needs across a housing market area. NBBC form part of the Coventry and Warwickshire housing market area, in which Rugby BC are also within. The authorities within the HMA, with the exception of NBBC, are preparing or have a plan adopted in line with the housing and employment land MoU to ensure that homes and jobs within the sub region are met in full as required by national planning policy.

The response to the consultation is contained within Appendix 1 of this report in which Rugby Borough Council objects to the 'Borough Plan'. The reasoning for the objection is that it is considered that NBBC has not complied with the Duty to Co-operate process as they have not engaged constructively, actively and on an ongoing basis when developing their local plan. NBBC have belatedly informed the Coventry and Warwickshire authorities that the Borough Plan would result in a shortfall of housing need within housing market area. In addition the appended response also highlights soundness issues with the Borough Plan consultation. It is considered that NBBC's steps to address the housing need shortfall to ensure that they satisfy the Duty to Cooperate process has been done retrospectively and should have been embarked upon prior to the Borough Plan's endorsement for public consultation. The consultation response sets out a number of steps that NBBC should undertake to enable a reasonable prospect of resolving the outstanding issues and would enable this Duty to Cooperate objection to be withdrawn.

5. CONCLUSION

It is recommended that the response to NBBC's 'Borough Plan' consultation as contained in the appendix to this report is retrospectively endorsed. It is important that Rugby Borough Council take the opportunity to engage fully with this consultation as the document could have an implication for Rugby Borough Council should the Housing MoU need to be revisited.

Name of Meeting:
Cabinet

Date of Meeting:
3rd April 2017

Subject Matter:
Rugby Borough Council response to Nuneaton and Bedworth's Borough Plan 2017'
consultation

Originating Department:
Growth and Investment

List of Background Papers

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|-------------------------|---------------------|----------------|
| 1. | | | | |
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* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

| Document No. | Relevant Paragraph of Schedule 12A |
|--------------|------------------------------------|
| | |

* There are no background papers relating to this item.

(*Delete if not applicable)

Please ask for Victoria Chapman
Direct Line (01788) 533752
Fax (01788) 533866
E-mail Address Victoria.chapman@rugby.gov.uk
DX DX 11681 Rugby

Date Monday 13th March 2017

Dear Kelly Ford,

Rugby Borough Council's response to Nuneaton and Bedworth Borough Council consultation on their Borough Plan 2011-2031 Publication (2017)

Thank you for consulting Rugby Borough Council on your Borough Plan. I provide this response on behalf of Rugby Borough Council. This response will be taken to Rugby Borough Cabinet on the 2nd of April for retrospective approval. It should also be noted that Rugby Borough Council are signatory to a joint Coventry and Warwickshire authorities response (with the exception of Warwickshire County Council) in line with minutes (attached) of the Coventry, Warwickshire and Hinckley & Bosworth Joint Committee for Economic Growth and Prosperity meeting held on the 8th March 2017.

Background

The Council recognise that the Borough Plan (2017) consultation has been undertaken following further evidence base work to address Duty to Cooperate (DtC) concerns raised by Coventry City Council and the Warwickshire authorities in its joint response to NBBC Submission Version Local Plan (2015).

A summary of the joint Coventry and Warwickshire authority's objection to the Submission Version Local Plan is set below:

- a) The Plan only accommodated 10,040 dwellings which related to NBBC need only. The Plan failed to address the 4,020 unmet housing need arising in Coventry as set out the Coventry and Warwickshire Housing Memorandum of Understanding (Housing MoU).
- b) The Plan was not based on up to date evidence in relation to the Strategic Housing Land Availability Assessment (SHLAA) therefore the Borough's housing capacity was unknown.

Rugby Borough Council Response

Section 33A of the Planning and Compulsory Purchase Act 2004 (as introduced by the Localism Act 2011) establishes the 'Duty to Cooperate' and requires local authorities to engage constructively, actively and on an ongoing basis when developing their local plans and the evidence to support them. The 'duty' cannot be met retrospectively and cannot continue to be discharged in relation to this aspect of the NBBC plan once it has been submitted to the Secretary of State.

As such, NBBC and RBC have sought to discharge their respective responsibilities in relation to this 'duty' through numerous areas of joint working. Of most relevance to this report are work on the Housing MoU and joint evidence such as the Green Belt and housing needs.

Whilst acknowledging the positive steps taken by NBBC since the Local Plan Publication Version (2015) RBC consider that NBBC has failed to comply with the DtC process. This is on the basis that NBBC has not engaged constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of the unmet housing needs within the Coventry and Warwickshire Housing Market Area (HMA). RBC is also of the view that there are a number of soundness issues with the Plan.

The principle reason for the failure of the DtC process is the timing in which NBBC disclosed the extent of the housing shortfall and the resultant approach to address any Duty to Cooperate concerns arising from the Borough Plan.

In late 2016 NBBC first indicated that their emerging Plan would result in a shortfall of housing need within the HMA. Following on from this on the 10th January 2017 NBBC proposed a series of steps to ensure that the development needs of the HMA are met in full, the extent of the shortfall was still not reported.

The steps set out by NBBC were as follow:

1. Sub regional authorities to review NBBC SHLAA in terms of its conformity with Coventry and Warwickshire Joint SHLAA methodology and supported by an appropriate evidence. This was to ensure that the authorities are satisfied that the NBBC's housing land capacity has been fully utilised
2. Officers to identify option(s) for way forward to ensure needs of the HMA can be met
3. Sub-regional Member meeting to be arranged where options for way forward can be discussed/ agreed with a view to preparing a report for the Joint Committee

It was only on the 17th January RBC were informed of the level of housing shortfall as a result of the Borough Plan, around the time when the Cabinet papers were uploaded to NBBC website.

The timescales for the next steps to review the MoU, as above, were set out in a report and agreed by the Coventry, Warwickshire and Hinckley & Bosworth Joint Committee meeting held on the 27th January 2017. The report highlighted that the timescales for the next steps were driven by the Borough Plan consultation period and that NBBC have indicated that they would find it extremely difficult to agree to an extension to the consultation timescale. The report continued that if any such request to extend the consultation timescale were

acceptable to NBBC, there would probably be insufficient time to reach agreement on a new MOU.

Given the timelines above RBC consider that NBBC, who were aware of their capacity issues for a period of time, should have engaged with the HMA authorities earlier. This would have enabled the more collaborative discussions about NBBC's SHLAA and the need to revisit the Housing MoU to ensure the strategic priorities are met in full in line with NPPF paragraph 179. The additional time would have also enabled NBBC to be satisfied that they have met their Duty prior to consultation on the Borough Plan. This would have removed the uncertainty for other HMA authorities who are progress their Local Plan's in line with the Housing MoU.

In reference to the first step detailed above is a positive approach in addressing the shortfall of housing needs within the HMA, this is on the basis that the other authorities accepted NBBC's position. The SHLAA had already received endorsement by NBBC's Cabinet and was subject to public consultation thus no changes could have been made to the Plan. Irrespective of the above, RBC welcomed the opportunity review NBBC's SHLAA. Officers raised a number of SHLAA queries such as whether large sites could be considered in smaller parcels; the need to have a consistent approach to Green Belt and defensible boundaries; the application of landscape evidence; clarity on evidence base documents; and demonstration that NBBC have tried to overcome constraints identified in a positive manner.

Further to this whilst not strictly related to the NBBC SHLAA, the Borough Plan contains a number of housing allocations where the capacity of the sites are based on a local dwellings per hectares (dph) assumption in line with the Joint SHLAA methodology, though some sites have a higher dph assumption based on additional evidence base work. It is not clear why the additional evidence base work did not make density for all of the allocated sites. It is also considered that whilst the lower dph assumption is based on local evidence, consideration should have been given to higher assumptions given that NBBC is of the view it has maximised its housing land capacity. This is in line with the Government's 'Fixing our broken housing market' consultation document. This sets out the Government proposals to amend the National Planning Policy Framework to make clear that plans should make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing requirement.

NBBC have provided responses to the queries raised by RBC and the other HMA authorities where they reiterate their selection of sites proposed for allocation and have indicated no changes will be made to Borough Plan. RBC still has concerns on the justification of the sites rejected and density assumptions that have been applied and remains of the view that NBBC's full housing capacity has not been achieved.

In relation to the second step set out by NBBC, RBC consider that without being satisfied that the full housing capacity of NBBC has been achieved discussions on the Housing MoU are unproductive. RBC also raised questions to NBBC as to apparent extent of housing shortfall against the housing MoU. The Borough Plan makes provision for a maximum of 13,374 dwellings to be delivered within the Plan Period but states there will be a shortfall of 1,690 dwellings within the HMA.

However, RBC considers the HMA shortfall figure, based on the figures contained within the Plan, is in fact 686 dwellings. This is as a result of the removal of a contingency figure that

has been applied to NBBC assessed housing need only and not against the whole housing target, which is inclusive of some unmet need from CCC. RBC fundamentally disagree with this approach as it appears that sites which form the contingency will be delivered in any event within the Plan Period – they do not seem to be performing a role of contingency which would be released when other sites fail to come forward. Further, the Borough plan will be monitored against all of the 13,374 being delivered.

RBC does not think a plan which states it is delivering at capacity, to the point where there remains unmet need within the HMA, can have a contingency. There is no precedent within the MoU for a requirement to place a local authority contingency ahead of meeting the housing needs of the HMA in full nor is there for a contingency requirement at all. Furthermore there is no evidence or discussions that have taken place about the decision to move away from the MoU target took any account of the consequent implications elsewhere. This is of particular concern to RBC and other HMA authorities who are in latter stages of their respective Local Plans making which are in line with the Housing MoU.

RBC is of the view that there is no justification or clarification made of the 10% contingency contained within the Borough Plan for NBBC's OAN. As such this should be removed and the Borough Plan clarify that the housing target for the plan period is 13,374, which therefore incorporates significantly more of the unmet need within the HMA, as detailed in the Housing MoU, which all other authorities' plans are informed by.

Given the above, RBC considers that the next steps undertaken by the HMA authorities with NBBC have not been constructive as they have retrospectively embarked on these discussions. A more active approach would have been to undertake these steps in advance of finalising the Publication Borough Plan. The approach taken by NBBC seems to try and rectify a decision that they have made to ensure that by the time the plan is submitted for examination that there will be no DtC concerns, as they would be not able to rectify these after submission.

A further issue regarding Duty to Cooperate has been the irregular attendance of NBBC members at critical Duty to Cooperate meetings, with the most recent occasion being on the 28th February 2017 in line with NBBC's next steps process set out above.

This has led to a perception that NBBC are (at least to an extent), disengaged from the political processes that have been central to the development of the MOUs. Issues regarding the distribution of housing and employment land across the HMA are inevitably political in nature and require ongoing and sensitive dialogue to find effective and justified ways forward. Given this background, it is critical that NBBC engage in constructive dialogue with all the Councils in the HMA prior to the submission of the Borough Plan. This would provide a reasonable prospect of resolving the outstanding issues and would enable this Duty to Cooperate objection to be withdrawn.

Whilst the above response sets out a number of concerns in relation to the DtC RBC consider that NBBC could still pass the legal test, should the following actions be undertaken:

- Ensure that the SHLAA is clearly supported by evidence base and a consistent approach is applied to site selection. This will enable HMA authorities to be certain that NBBC housing land capacity has been fully utilised.

- Review housing density assumptions for the allocated sites in light of capacity concerns raised by the Borough Plan.
- Remove the 10% contingency applied to NBBC assessed need. This amendment would be a minor amendment to the supporting text of Policy DS4 which relates to the figure that the Borough Plan would be accommodating from CCC.

Whilst some of the actions are related to soundness issues of the Plan, it is believed that they are vital to ensure that the HMA authorities are satisfied to a greater extent that the capacity of NBBC has been fully explored. This will enable a better understanding as to whether there would remain any housing shortfall within the HMA and the next steps the authorities would need to take should there be one. RBC are happy to discuss the above in greater detail and hope this response is constructive, to enable NBBC to progress their Plan and to ensure housing needs of the HMA are met in full. If NBBC submit the plan without allowing sufficient time or resources for effective dialogue, then the objection is likely to be sustained in to the Examination process.

Yours sincerely

Victoria Chapman

Development Strategy Manager
Rugby Borough Council

AGENDA MANAGEMENT SHEET

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|---|---|
| <i>Name of Meeting</i> | Cabinet |
| <i>Date of Meeting</i> | 3 April 2017 |
| <i>Report Title</i> | Removal of the Foundation Living Wage |
| <i>Portfolio</i> | Corporate Resources |
| <i>Ward Relevance</i> | All Wards |
| <i>Prior Consultation</i> | None |
| <i>Contact Officer</i> | Mannie Ketley - Head of Corporate Resources, Tel: (01788) 533416 Or Suzanne Turner – HR Manager Tel: 5370 |
| <i>Report Subject to Call-in</i> | Yes |
| <i>Report En-Bloc</i> | No |
| <i>Forward Plan</i> | No |
| <i>Corporate Priorities</i> | This report relates to the following priority(ies): All |
| <i>Statutory/Policy Background</i> | <p>The Foundation Living Wage (not to be confused with the National Living Wage) is an informal benchmark based on the amount an individual needs to earn to cover the basic costs of living. It is an initiative of Citizens UK and receives guidance and advice from the Living Wage Foundation Advisory Council. It is currently set at £8.45 an hour for outside of London.</p> <p>The National Living Wage was introduced by the government on 1 April 2016 and is currently £7.20 per hour. Employers must pay at least this rate to all employees aged 25 years and above, except for those on apprenticeship contracts.</p> |

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|-------------------------------------|---|
| Summary | This report advocates that we cease paying the Foundation Living Wage now that we have the National Living Wage. |
| Risk Management Implications | The risks attached to the removal of the Foundation Living Wage for the Council's permanent staff are insignificant as there are only 8 employees currently affected. |
| Financial Implications | The financial implications are relatively insignificant as there are only 8 employees currently affected. The current employees on the Foundation Living Wage would remain on pay protection for a period of two years, or until either the National Living Wage, or the pay rate for their job, overtakes their current hourly rate. The net saving relating to the removal of the Foundation Living Wage from 2020/21 is estimated at £2,381pa based on current pay rates |
| Environmental Implications | There are no environmental implications arising from this report. |
| Legal Implications | There are no legal implications arising from this report. Appropriate statutory or contractual notice will be given to employees of the decision to remove the Foundation Living Wage. |
| Equality and Diversity | There could be claims that our lowest paid employees are not paid a wage rate that is sufficient to cover typical living costs. However, the national living wage will be increasing significantly each year to reach £9 per hour or more. |
| Options | <ol style="list-style-type: none"> 1. Remove the Foundation Living Wage for the Council's permanent staff at an estimated net saving of £2,381 per year from April 2020 onwards. 2. Retain the Foundation Living Wage for the Council's permanent staff. |
| Recommendations | The Foundation Living Wage for the Council's permanent staff be removed at an estimated net saving of £2,381 per year from April 2020 onwards. |
| Reasons for Recommendations | To simplify our payment system and maintain differentials between employees on grade A and grade B. |

Cabinet – 3 April 2017

Removal of the Foundation Living Wage

Report of the Corporate Resources Portfolio Holder

Recommendation

The Foundation Living Wage for the Council's permanent staff be removed at an estimated net saving of £2,381 per year from April 2020 onwards.

1. Background

- 1.1 The Foundation Living Wage (not to be confused with the National Living Wage) is an informal benchmark based on the amount an individual needs to earn to cover the basic costs of living. It is an initiative of Citizens UK and receives guidance and advice from the Living Wage Foundation Advisory Council. It is currently set at £8.45 an hour for outside of London.

The National Living Wage was introduced by the government on 1 April 2016 and is currently £7.20 per hour. Employers must pay at least this rate to all employees aged 25 years and above, except for those on apprenticeship contracts.

There remains a National Minimum Wage which is still used for employees below the age of 25 years and, within the Council, this is used for apprenticeship rates of pay.

- 1.2 Cabinet adopted the Foundation Living Wage on 6 January 2014 for all permanent employees not in an apprenticeship or trainee post. Initially this just included three part time employees on Grade A. However, with the latest increases to the Foundation Living Wage (in October each year), five employees at the lower end of Grade B are also now on the Foundation Living Wage. It is expected some of these employees will move back onto the Council's pay scale with the local government pay increase due on 1 April 2017.

2. Rationale to Remove the Foundation Living Wage

- 2.1 It is confusing for staff (on Grade B) that move between the Foundation Living Wage, when it is increased each October, and the Council's own pay scales, which are increased each April.
- 2.2 It is administratively complex to maintain the Foundation Living Wage for some employees; and the National Living Wage for all employees over 25 years.
- 2.3 As the Council now has a National Living Wage, the need for a Foundation Living Wage is diminished.
- 2.4 The Foundation Living Wage erodes the differentials between employees on Grade A and Grade B, which causes some resentment.

Name of Meeting: Cabinet
Date of Meeting: 3 April 2017
Subject Matter: Removal of the Foundation Living Wage
Originating Department: Corporate Resources

LIST OF BACKGROUND PAPERS

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|-------------------------|---------------------|----------------|
| 1. | | | | |

There are no background papers relating to this item.

AGENDA MANAGEMENT SHEET

| | |
|--------------------------------------|---|
| Name of Meeting | Cabinet |
| Date of Meeting | 3 April 2017 |
| Report Title | External wall insulation projects: phase 2- Long Lawford and phase 3 - Rokeby |
| Portfolio | Corporate Resources |
| Ward Relevance | Wolston & the Lawfords / Rokeby & Overslade |
| Prior Consultation | None |
| Contact Officer | Michelle Dickson tel: (01788) 533843 michelle.dickson@rugby.gov.uk |
| Report Subject to Call-in | Yes |
| Report En-Bloc | No |
| Forward Plan | Yes |
| Emerging Corporate Priorities | Ensure residents have a home that works for them and is affordable |
| Statutory/Policy Background | The Home Energy Conservation Act 1995 requires English local authorities to set out the energy conservation measures that the authority considers practicable, cost-effective and likely to result in significant improvement in the energy efficiency of residential accommodation in its area. Rugby Borough Council Carbon Reduction Plan |

| | |
|-------------------------------------|---|
| Summary | The report outlines the potential for phase 2 (Long Lawford) and phase 3 (Rokeby) of an external-wall insulation programme for a number of hard to heat non-traditional construction council homes. |
| Risk Management Implications | A risk register (appendix 1) has been developed and will be maintained throughout the project. |
| Financial Implications | The project cost to update 90 non-traditional build properties for External Wall Insulation (EWI) and ancillary works is estimated at £900,000 to be funded from HRA capital balances. Properties will be revalued following completion of works and future target rents (at the point of re-let) re-assessed in light of the new valuation. The potential to secure additional ECO funding will reduce later in the financial year. |
| Environmental Implications | Carbon reduction through a reduced need to heat the properties. |
| Legal Implications | <p>The procurement and legal teams will offer support in terms of:</p> <ul style="list-style-type: none"> • ensuring compliance with the correct procurement route • developing the scope of works and resulting contract and conditions • identifying where permissions are required to enter private-gardens to facilitate the works <p>The services of a surveyor will be engaged to identify any requirements for party-wall notices and easements.</p> <p>Consultation and negotiation would be required with the lease-holder of a flat in Rokeby.</p> |
| Equality and Diversity | The project would have no direct impact on the diversity strands. |
| Options | <ol style="list-style-type: none"> 1. Progress with both recommended phases 2. Progress with Long Lawford phase 2 only 3. Progress with Rokeby phase 3 only 4. Progress with a partial phase of Rokeby 5. Do not carry out the proposed works |

Recommendation

IT BE RECOMMENDED TO COUNCIL THAT -

1. Phase 2 for Long Lawford and phase 3 for Rokeby external wall-insulation and ancillary works be approved;
2. a supplementary HRA capital budget of £900,000 be approved for 2017/18 for external wall insulation to be met from HRA capital balances; and
3. officers continue to seek and secure ECO funding and other funding opportunities as they arise.

Reasons for Recommendation

This is an opportunity to significantly improve properties in two wards, with significantly higher levels of harder to heat homes. This will help to ensure a reduction in CO2 emissions whilst tenants will benefit from improved health and wealth.

Initiating Phase 2 now will give officers the best possible chance of securing limited additional ECO funding that may be available early in the 2017/18 financial year. The potential to secure additional ECO funding will reduce later in the financial year.

Cabinet – 3 April 2017

External wall insulation – Long Lawford Phase 2 and Rokeby

Report of the Communities & Homes Portfolio Holder

IT BE RECOMMENDED TO COUNCIL THAT -

1. Phase 2 for Long Lawford and phase 3 for Rokeby external wall-insulation and ancillary works be approved;
2. a supplementary HRA capital budget of £900,000 be approved for 2017/18 for external wall insulation to be met from HRA capital balances; and
3. officers continue to seek and secure ECO funding and other funding opportunities as they arise.

1. BACKGROUND

The Council has a stock of 219 Wimpey no-fines properties. These are solid concrete-wall constructed properties which, in the absence of a traditional cavity, are harder to heat. These properties are concentrated in Wolston, Rokeby and Long Lawford.

To date 39 of these properties, in Long Lawford, have benefitted from external wall insulation, plus ancillary works, which has improved the thermal performance of the homes from an Energy Performance Rating of D to C, with the added benefit of improving the look of the properties which in turn contributes positively to an overall up-lift in the street scene.

As from the 1st April 2018 there will be a requirement for any properties rented out in the private-rented sector to normally have a minimum energy performance rating of E on an Energy Performance Certificate (EPC). The regulations will come into force for new lets and renewals of tenancies with effect from 1st April 2018 and for all existing tenancies on 1st April 2020. It will be unlawful to rent a property which breaches the requirement for a minimum E rating, unless there is an applicable exemption.

It should be noted that at this time, social-rented housing is exempt from the new EPC requirements. Although social housing is currently exempt it would be unusual for Local Authorities to be allowed to continue offering sub-standard accommodation

ad infinitum. Local Authorities are often expected to lead by example and it is anticipated that compliance for social housing will be enforced in the short to medium future.

The Minimum Energy Efficiency Standards are projected to increase to a “D” EPC around 2025 and a “C” EPC by 2030.

There may be an additional round of ECO funding available at the start of the 2017/18 financial year. This will be a limited amount compared to previous years and it is expected that the funding will deplete quite rapidly. Any delay in confirming eligible 2017 schemes may result in a substantial reduction of funding rate or missing out altogether.

2. POTENTIAL ADDITIONAL PHASES

Two more areas have been identified as being candidates for additional phases of external wall insulation works are. These are:

- Long Lawford (phase 2) – comprising 19 units on Ashman Avenue, Prentice Close and Holbrook Road – see appendix 2.
- Rokeby estate (phase 3) – comprising 71 units on St. Andrew’s Crescent, Rosewood Avenue, Charlesfield Road and Anderson Avenue – see appendix 3.

Long Lawford (phase 2):

- The poor energy performance of the properties, is evidenced by low ratings in Energy Performance Certificates (EPC)
- 78% of households living in the Wimpey no-fines properties are in receipt of either full or partial housing benefit
- Competition from new affordable housing in the village is potentially making RBC stock less attractive, creating a risk in terms of future rental income and voids levels
- The 19 properties identified would potentially be relatively straight-forward to improve as the requirement for obtaining easements and party-wall notices appears limited. However, professional advice would be obtained on this matter as part of the wider due diligence works ahead of project commencement.
- Due diligence would also be required to ensure that where neighbouring properties have been sold through the right-to-buy we have preserved a right of access across the land for maintaining and improving the neighbouring properties
- As the properties are houses planning permission is not required for external-wall insulation, as it falls within permitted development rights

Rokeby Estate (phase 3):

- The poor energy performance of the properties is evidenced by low ratings in Energy Performance Certificates
- The area also sits within the E01031146 Overslade NW LSOA which is one of the top 10 areas for fuel poverty within the borough (14% of all properties).
- 83% of households living in the Wimpey no-fines properties are in receipt of either full or partial housing benefit
- There is a lower concentration of properties lost through the right to buy, providing opportunities for longer runs of properties to benefit from the improvements.
- The properties identified would potentially be relatively straight-forward to improve as the requirement for obtaining easements and party-wall notices appears limited. However, professional advice would be obtained on this matter as part of the wider due diligence works ahead of project commencement.
- Due diligence would also be required to ensure that where neighbouring properties have been sold through the right-to-buy we have preserved a right of access across the land for maintaining and improving the neighbouring properties.
- The properties identified do include 7 flats. An additional flat has been acquired on a leasehold basis so both consultation and negotiation would be required with the leaseholder in terms of the potential works as they will exceed £250. One way to mitigate this risk would be to remove this particular block or two flats (one upstairs and one downstairs) from the proposed programme but this means that an RBC tenant would miss out on the opportunity for a home that is easier to heat.
- The external wall insulation will require planning approval, in respect of the flats only.

Issues with Wolston:

From a technical perspective it would be far from straight-forward to deliver such a scheme on Wolston as there are significant drops in levels between many of the properties (see appendix 4 for an example) which would require significant ground-works to ensure compliance with external-wall installation requirements. There will also be a need to negotiate easements with owner-occupiers. There is no guarantee that such negotiations would be successful, without significant financial incentives for owners. There is also a requirement that the council would incur costs in securing the legal consent, and potentially that of mortgage lenders too. These issues will present significant additional risk to project programming, delivery and cost.

3. ANCILLARY WORKS

In addition to the EWI, this is an opportunity to carry out additional works to improve the look of the properties but also to reduce future maintenance liabilities. Such works would include:

- Replacement or over-boarding of soffits / fascias with UPVC (maintenance free)
- New gutters and downpipes in UPVC (maintenance free)
- The existing concrete canopies, above the front doors, will have to be removed as they can create a cold-bridge, potentially resulting in condensation. These will be replaced by UPVC (maintenance free) canopies.

4. COST OF WORKS

Using data from the Long Lawford Phase 1 project, completed end of March 2017, it has been calculated that the cost of improving each property (EWI plus ancillary works) will be approximately £10,000, including contingency.

From a value for money perspective, this ensures that the council is retaining an income generating asset, reducing future maintenance costs as well as improving outcomes for tenants. Following completion of the works, properties will be revalued to assess their new market value and target rents reassessed in light of the new valuation total. The new target rent will be applied to properties at the point of re-let.

Officers will fully appraise the initial Phase 1 and seek to reduce costs through efficiency and value engineering going forwards.

Officers will continue to seek out additional ECO funding and other funding/grant opportunities as they arise to support the scheme.

Other alternatives for improving the stock are limited in terms of financial viability, for example demolition and re-build given that opportunities to increase density are constrained by the dispersal of right-to-buy units as well as increased mandatory costs associated with decanting to permit vacant possession, which is now £5,800 plus costs of moving per household.

Name of Meeting: Cabinet

Date Of Meeting: 3 April 2017

Subject Matter: External wall insulation projects – Long Lawford phase 2 and Rokeby

Originating Department: Communities & Homes

LIST OF BACKGROUND PAPERS

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|------------------------------------|---------------------|----------------|
| 1. | | Risk register V1 | | |
| 2. | | Long Lawford – proposed properties | | |
| 3. | | Rokeby – proposed properties | | |

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

| Document No. | Relevant Paragraph of Schedule 12A |
|--------------|------------------------------------|
|--------------|------------------------------------|

* There are no background papers relating to this item.

(*Delete if not applicable)

Rugby Borough Council
Project risk register

| | |
|--|--|
| <p>Project: Rokeby External Wall Insulation Project</p> <p>Objective: To improve the thermal efficiency of 72 Council properties within Rokeby</p> | <p>Version 1 prepared 22 February 2017</p> <p>Project group: Michelle Dickson, Lee Kirkbride, Chloe Britton</p> <p>Project sponsor: Rob Kindon</p> |
|--|--|

| Risk | Current assessment of risk | | Assessment of risk | | | Controls | Responsibility / lead |
|--|---|--|--------------------|--------|------------|--|--------------------------------------|
| | Opportunity | Consequences | Likelihood | Impact | Risk score | | |
| 1. ECO funding expires / unavailable for the project | - Re-evaluate opportunities for financially viable improvements | - tenants struggle to keep homes warm. - Cost increase for project | 2 | 4 | 8 | - thorough options appraisal carried out | Project Manager |
| 2. Contractor's cost plan exceeds funds available | - Re-evaluate opportunities for financially viable improvements | -Reputational -Project delays -Project could stop -Potential impact on HRA balances -increased borrowing requirements -Potential impact on revenue to support additional borrowing | 3 | 3 | 9 | Engaging services of a cost consultant to protect RBC interests Retain use of cost consultant to validate / challenge contractors costs | Project Manager |
| 3. Planning permission is required and not granted | - Review of future projects | - Reputation damage - Unable to meet the housing needs of the Borough - 7 flats will not benefit from EWI | 2 | 2 | 4 | - early discussion with planning highlighted no obvious issues | Project Manager |
| 4. Councillors do not support the scheme | - Early involvement of councillors | - Project stops - Unable to meet identified housing need - Reputational damage | 2 | 4 | 8 | - Councillors will be involved from the beginning | Rob Kindon |
| 5. ECO refuses to release payment(s) due to late delivery / non delivery of milestones | | Reputational Impact on services / projects Potential impact on RBC HRA fund -increased borrowing requirements -Potential impact on revenue to support additional borrowing | 3 | 4 | 12 | - Early briefing of contractors that delivery according to key milestones - Align activities for early start on site - ECO funding written into contract | Project Manager |
| 6. Economic changes | - Contractors reduced costs | - Political changes - Inflation - Higher cost inflation - Contractors increased costs - fluctuating costs in materials impacting on supply chain - Potential impact on RBC HRA fund -Potential impact on revenue | 4 | 4 | 16 | - Expert cost consultant on group - Short-term project rather than long-term - Scanning economic horizon - Allow for a prudent contingency budget | Mark Finnegan |
| | | | | | | - Ensure that tenants are aware of the benefits of the | Pratik Popat / Lee Kirkbride / legal |

| | | | | | | | |
|--|--|--|----------------|----------------|----------------|--|--------------------------------|
| 7. Tenants/homeowners refuse access to allow the refurbishment works | - Implement an early programme of tenant engagement | Contractual issues Reputational Impact on ECO deadlines Potential impact on RBC general fund -Potential impact on revenue | 2 | 2 | 4 | work we are doing - Work with legal team to establish legal remedies to counter this and have clear processes in place to deal with it - Work with estates team to develop relationships with tenants, update records and informing them of any additional information not already recorded - Confirm leaseholders situation and do their leases support recharging for work - Injunctions can be forced within 48 hours | |
| 8. Force majeure | | - Effect RBC's priorities and finances - Public perception - Project stopped - Political damage - Potential impact on HRA fund -Potential impact on revenue | Cannot predict | Cannot predict | Cannot predict | - Included in all contracts - Contingency fund | Project group |
| 9. Alteration of timescales | - Earlier finish leading to more immediate benefits for tenants - Good public perception - Opportunity for changes to plans - Benefit to tenants - Demonstrates track record to successfully deliver ECO funded projects | - Project delay - Contractual issues - Public perception - Media involvement - Legal action -defects liability -reputation and trust -non release of ECO monies -ECO milestones - Potential impact on HRA -Potential impact on revenue | 3 | 4 | 12 | - Contract monitoring - Regular meetings with contractors - Selection of client side specialists with track record demonstrating ability to keep on track - Change management procedures in place - Contractor aware of change management procedures from outset -robust client brief | Project Manager |
| 10. Effect of proposed changes/errors to design | - Benefit to tenants | - Delay in build - Contractual issues - Public perception - Media involvement - Legal action Potential impact on RBC HRA -Potential impact on revenue | 3 | 3 | 9 | - Contract monitoring - Regular meetings with contractors - Project evolving in terms of timescales | Project Manager |
| 11. Failure to achieve value for money through poor procurement process | - Achieve better value for money | - Stakeholder concern - Delay in build - Contractual issues - Public perception - Media involvement - Legal action -Miss ECO deadlines / milestones Potential impact on RBC HRA fund -Potential impact on revenue | 1 | 2 | 2 | - Target cost managed project | Catrina Rimen, project manager |
| 12. Criticism about procurement process from local suppliers and contractors | - Possibility of using open tender - Clause written into contract - Economic development in Rugby - Link with apprenticeship schemes | - Political - Failure to use jobs and skills - Delay in build - Contractual issues - Public perception - Media involvement - Legal action Potential impact on RBC general fund -Potential impact on revenue | 2 | 3 | 6 | - Framework compliant - Effective contract management - Contractor contract documentation to be accurate and up to date | Catrina Rimen |

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| 13. Time is not available for officers to work on the project | - Using other resources | - Delay - Political impact - Reputation damage - impact on other workloads Potential impact on RBC HRA fund -Potential impact on revenue | 2 | 3 | 6 | - Effective time management of diary - Examine resourcing of finance - Reviewing existing workloads and priorities - Managing expectations - Secondment availability to cover work - Provision of sufficient resources - project manager and CDMC to be engaged | Project Manager |
| 14. Dispute between contractor and client | - Gain reputation of being a 'good client' - Opportunity to change contractor | - Reduced morale - Operations management - Operational transfer - Delay in build - Contractual issues - Public perception - Media involvement - Legal action Potential impact on RBC HRA fund -Potential impact on revenue | 2 | 3 | 6 | - Project delivery team to manage client process - Regular reviews and site meetings with contractors and client design team, lead consultant - Agreed schedules for meetings - Prompt decision making - Defined mechanism for change | Project Manager |
| 15. Adverse weather | | - Construction delays and disruption - Potential impact on RBC HRA fund -Potential impact on revenue - Weather can severely affect the cladding process | 3 | 3 | 9 | - Feedback within a week of incident to help monitor contract compliance - Standard agenda item for site meetings - Maintenance of inclement weather diary | Project Manager |
| 16. Quality of workmanship | | - Delay in build - Contractual issues - Public perception -Reputation issues - Media involvement - Legal action - Political issues Potential impact on RBC HRA fund -Potential impact on revenue | 3 | 3 | 9 | - clear brief / employers' requirements - Warranties - Insurances - Existing work at Long Lawford used as example | Project Manager |
| 17. Professional negligence | | - Delay in build - Contractual issues - Public perception - Media involvement - Legal action - Reputation issues - Political issues Potential impact on RBC HRA fund -Potential impact on revenue | 1 | 3 | 3 | - Contractors selected due to experience -insurance cover in place | Verity Knighton and Karen Hillman |
| 18. Liquidation /insolvency / receivership of any contractor in chain | | - Loss of confidence in project - Reduced morale - Contractual issues - Public perception - Media involvement - Legal action -ECO milestones missed Potential impact on | 2 | 3 | 6 | - The securing of a replacement contractor is a part of the framework delivery agreement - Understanding of supply chain management - Selection of main contractor | Framework delivery partner |

| | | | | | | | |
|--|--|--|---|---|----|--|-------------------|
| | | RBC general fund -Potential impact on revenue | | | | | |
| 19. Breach of site security or control | - Limited opportunity | - Health and Safety implications - Delay in build - Contractual issues - Public perception - Media involvement - Legal action - Political - Reputation - Injury to persons -losses arising (time and material) push up price of project Potential impact on RBC HRA fund -Potential impact on revenue | 2 | 2 | 4 | - Contractor responsibility - Employers' requirements - Regular site visits / on site meetings - contractor required to provide 24 security personnel - Liability written into contract - Compound to be in sight of residents | Project manager |
| 20. Lack of available funds | | - Project stops - Financial impact - Contractual issues - Public perception - Media involvement - Legal action | 3 | 4 | 12 | - Cost plan, budget agreement and monitoring in place (post survey / viability / capacity stage) - Selection of consultant (appointed as client) | Mark Finnegan |
| 21. Defects | | - Design/construction failure - Impact on tenants - Political - Reputation | 3 | 2 | 6 | - Building control - Insurance cover - Project management - Snagging process | Project Manager |
| 22. Absence or change within project delivery team | - Gain experience from new members of the team | - Disruption - Lack of continuity - Lack of commitment - Lack of experience - Lack of resilience - Financial impact - Delay to project -impact on ECO milestones | 4 | 3 | 12 | - Correct people on the team in the first place - Make resources available should need arise - Effective handover process - Clear audit trail of progress (via minuted project group meetings) - Project admin/archive email inbox established - Flexibility - Communication - Large team - Ensure that the securing of a replacement contractor is part of the framework delivery agreement | John Hier |
| 23. Industrial disputes (client or contractor) | | - Delay in build - Contractual issues - Public perception - Media involvement - Legal action -impact on ECO milestones Potential impact on RBC HRA fund -Potential impact on revenue | 1 | 2 | 2 | - Constructive dialogue - Regular meetings and updates - Open discussions - Ensure that the securing of a replacement contractor is a part of the framework delivery agreement | John Hier / Legal |
| 24. Human factors i.e. teambuilding issues | | - Breakdown in communication - Lack of continuity - Disruption to the project | 2 | 1 | 2 | - Effective and regular communication - Regular and productive meetings/updates - Inspirational leadership - Design team meetings every two weeks | John Hier |
| 25. Health and Safety – Accident and injury | | - Personal injury / death - Legal implications - Adverse publicity - Delay to project -impact on ECO milestones | 3 | 4 | 12 | - Health and Safety training -Employers' requirements - Selection of appropriate design team and contractor - Constant vigilance - Appointment of CDM co-ordinator | Everyone |

| | | | | | | | |
|--|---|---|---|---|---|--|-----------------|
| | | Potential impact on RBC general fund -Potential impact on revenue | | | | - Any works must be covered by a method statement and a risk assessment - Client has sat operatives test for CSCS yellow regular visitors card - No contractors to visit site without authorisation of project team - Housing teams understand that site is now a construction site and is subject to CDM regulations - site must be F10 registered with the HSE | |
| 26. Ineffective management of environmental pollution | -To keep residents updated / act as good neighbour | - Health and Safety implications - Delay in build - Contractual issues - Public perception - Media involvement - Legal action - Political - Reputation Potential impact on RBC HRA fund -Potential impact on revenue | 1 | 4 | 4 | - Planning - Project Manager - Building Control - Contractor Method Statements - Updates to tenants and ward members - Regular Site Visits - Employers Requirements - Intrusive asbestos survey - Early surveys as part of viability / due diligence works Contractor insurance | Project Manager |
| 27. Noise and HRA disruption to residents living around scheme | - Early identification of what we need to do | - Health and Safety implications - Delay in build - Contractual issues - Public perception - Media involvement - Legal action - Political - Reputation Potential impact on RBC general fund -Potential impact on revenue | 4 | 2 | 8 | - Tenants updated with programme of works - Effective liaison - Clear schedule | Project Manager |
| 28. Increased cost of raw materials | | Delay in build Reputational Political Potential impact on RBC HRA fund -Potential impact on revenue Shortfall in ECO grant | 3 | 3 | 9 | Early cost plan Fixed cost of project Adequate contingency | Project manager |
| 29. Insufficient identification of external issues | -Allow project to run smoothly and ahead of programme | - Delay to project - Internal resource issues - Cost financially | | | | - Bespoke internal survey from Long Lawford Lessons learned (DPC level, hanging baskets, washing line hooks, Sky dishes, grab rails) | |
| 30. Land available for compound | - Establish relationship with Warwickshire County Council | - Site is located near a school | | | | - Advice from CDM advisor - Construction phase plan | |
| 31. Rear access to terraced properties | - Engage with private residents | - Limited access between private residents | | | | - Paragraph from deeds outlining that scaffolding and maintaining properties is permitted - Early engagements with tenants and residents | |
| 32. Cost implications of Refurbishment and Demolition surveys | - To improve the quality of reports across the borough | - Impact of project budget | | | | - Quote obtained from Long Lawford costings | |
| 33. Early agreement of private resident offer | - Be able to publicise and show support for owner occupiers | - Officers time spent advising - Recommending a contractor | | | | - Look at renovation loan to be able to fund EWI for private residents | |

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| 34. Lack of understanding of party wall issues and easements | <ul style="list-style-type: none"> - Gain knowledge in house - Training event | <ul style="list-style-type: none"> - Wrong information given to homeowners - Reputational | | | | <ul style="list-style-type: none"> - Working with Julia Garrigan to establish where party wall and easements are needed - Work closely with Quantity Surveyor framework | |
| 35. Requirement to consult and negotiate with leaseholder of flat 27 St Andrews | <ul style="list-style-type: none"> - Engage with neighbours | <ul style="list-style-type: none"> - need to consult over the proposed improvements - Potential reputational risks | | | | | |

Last updated: February 2017

**EWI Phase 2:
Houses X 20**



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CUSTOMER & INFORMATION SERVICES

Scheme Title
PROPERTY NUMBERING

LLPG UPRN No.

Drawing Title
Long Lawford Ownership



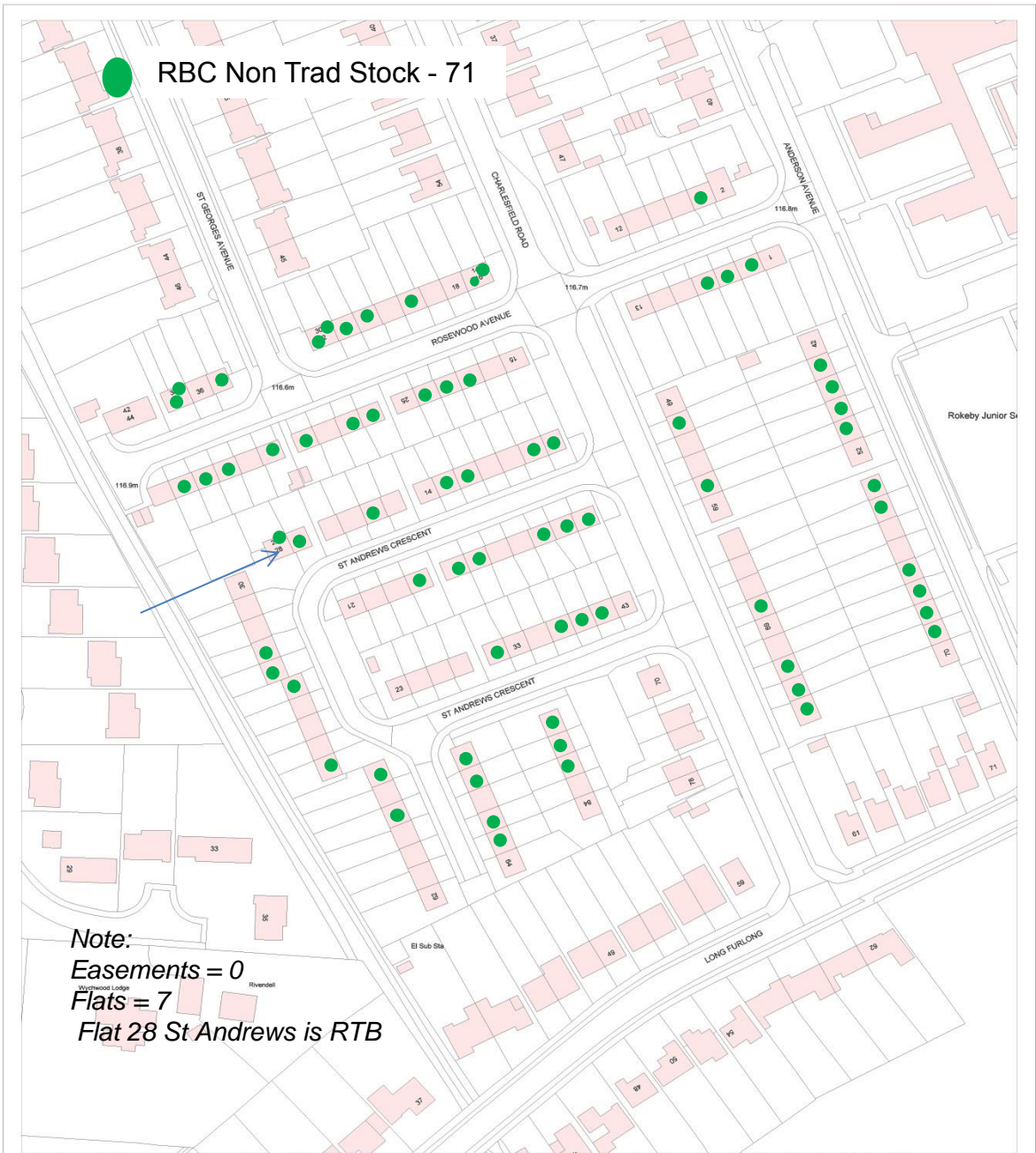
Drp. No.

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| Drawn CB | Date 1/12/2016 | Scale 1900 | Grid Ref. |
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|---|--------------------------|----------------------|-----------|-------------------------------|--|
| CUSTOMER & INFORMATION SERVICES | | | | | |
| Scheme Title PROPERTY NUMBERING | | LLPG UPRN No. | | | |
| Drawing Title Rokeby | | | | | |
| Drg. No. | | | | | |
| Drawn CB | Date 14/2/2017 | Scale 1750 | Grid Ref. | | |
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86 Manor Estate
 Wolston, England
 Street View - Jul 2009



AGENDA MANAGEMENT SHEET

| | |
|---------------------------------------|---|
| Report Title: | Retrospective approval of the Council's consultation response for the future funding model of Supported Housing |
| Name of Committee: | Cabinet |
| Date: | 3rd April 2017 |
| Report Director: | Head of Communities and Homes |
| Portfolio: | Communities and Homes |
| Ward Relevance: | All |
| Prior Consultation: | Support providers, local authorities across Warwickshire and Housing Associations partners. |
| Contact Officer: | John Hier, Housing and Regeneration Manager |
| Public or Private: | Public |
| Report subject to Call-In: | Yes |
| Report En-Bloc: | No |
| Forward Plan: | Yes |
| Corporate Priorities: | <p>This report relates to the following priority(ies):</p> <p>PEOPLE - Facilitate the provision and upkeep of good quality housing to meet local needs and to cater for the growth of Rugby.</p> |
| Statutory / Policy Background: | <p>The Department for Communities and Local Government (DCLG) and the Department for Work and Pensions (DWP) launched the consultation exercise to consider their preferred funding model approach from 2019-20.</p> |

| | |
|--------------------------------------|--|
| Summary: | Given the limited response timescales retrospective approval of the consultation response in appendix 1 has been sought by Cabinet. |
| Financial Implications: | The funding models will potentially result in devolved top-up funding provided to local authorities for supported housing which will include emergency and short-term accommodation. |
| Risk Management Implications: | None identified |
| Environmental Implications: | None identified |
| Legal Implications: | None Identified |
| Equality and Diversity: | The government is considering the impact on vulnerable groups as part of the consultation process and the council's consultation response has considered the impact on vulnerable groups including the homeless. |
| Options: | Cabinet agrees the retrospective consultation response. |
| Recommendation: | The retrospective consultation response for the government's proposed funding model for Supported Housing be approved. |
| Reasons for Recommendation: | <p>Because of the short-times scales a retrospective Cabinet decision has been sought for the supported housing consultation response that was returned by the Government deadline on 13 February 2017.</p> <p>The consultation response sets out the council's opinions on the potential changes to funding supported housing from 2019-20 and have been agreed following discussion with council officer's, other local authorities, support providers and housing associations.</p> |

Cabinet - 3rd April 2017

Retrospective approval of the Council's consultation response for the future funding model of Supported Housing

Report of the Communities and Homes Portfolio Holder

Recommendation

The retrospective consultation response for the government's proposed funding model for Supported Housing be approved.

Background

The government launched its 12-week consultation exercise on the new housing costs funding model for supported housing on 21 November 2016.

The consultation covers the following topic areas:

1. Devolved top-up funding to local authorities in England and
2. Funding for emergency and short-term supported housing placements across Great Britain

As part of the supported housing and emergency housing placements funding model recommendations, the government wants core rent to be provided through Universal Credit or Housing Benefit up to the local Housing Allowance Rates and to allow devolved decision making at local authority level on any additional supported housing costs.

The government argues that this will provide an improved more coherent approach to commissioning by local authorities to meet need across, housing, health and social care.

The consultation explores 5 key areas which have been considered as part of the responses to each of the questions: These are:

1. Fair access to funding for example detail of the ring fence for the funding
2. Expectations of local roles and responsibilities such as partnership arrangements
3. Confirmation of additional arrangements to provide oversight
4. Exploring appropriate balance between local flexibility and provider certainty
5. Developing options for a workable funding model for short-term accommodation

Conclusion

The Council's responses to the consultation questions are detailed in Appendix 1.

Name of Meeting: Cabinet

Date of Meeting: 3rd April 2017

Subject Matter: Retrospective approval of the Council's consultation response for the future funding model of Supported Housing

Originating Department: Communities and Homes

List of Background Papers

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|-------------------------|---------------------|----------------|
| | | | | |

Appendix 1. Consultation Response

Supported Housing Consultation – response from Rugby Borough Council

1. *The local top-up will be devolved to local authorities. Who should hold the funding; and, in two tier areas, should the upper tier authority hold the funding?*
 - We recommend that one organisation administers the top-up but there must be collaboration between local authorities especially in two-tier authorities.
 - We believe that the intensive housing management top-up component should be ring-fenced to ensure that it is not spent in other areas where there are potential funding pressures.
 - It would be positive to ensure that decision on the top-up element is made at a local level. This will help to provide assurances in respect of value for money in terms of the cost of services.
 - Top-up must be maintained in the longer-term to assist in the strategic planning and commissioning of services.
 - We are opposed to sheltered housing being defined as supported housing for the purpose of this consultation. Sheltered housing services are fundamentally different as the tenants are generally secure tenants / longer terms tenants, with relatively low levels of void turn-over. Supported housing tends to be geared toward a more transient need / client base with higher levels of voids and turnover.

2. *How should the funding model be designed to maximise the opportunities for local agencies to collaborate, encourage planning and commissioning across service boundaries, and ensure that different local commissioning bodies can have fair access to funding?*
 - There must be a requirement for collaborative working between local agencies. This will help to prevent duplication of services for people with multiple needs and improve outcomes for individuals.
 - It is recommended that a local delivery panel be established, with a broad membership. Terms of reference should include mechanisms for reaching decisions, for example qualified majority voting.
 - There are potential tensions between what can be seen as short-term acute services, for example those addressing homelessness and longer-term services, for examples those supporting client with Learning Disabilities.

3. *How can we ensure that local allocation of funding by local authorities matches local need for supported housing across all client groups?*

- Funding decisions should be made based on need.
- Clear outcomes are required and these need to be monitored to ensure delivery / meeting client needs.
- This links to the recommended local delivery panel having a diverse membership, increasing the likelihood of all vulnerable groups being represented and benefitting advocacy.

4. *Do you think other funding protections for vulnerable groups, beyond the ring-fence, are needed to provide fair access to funding for all client groups, including those without existing statutory duties (including for example the case for any new statutory duties or any other sort of statutory provision)?*

- Yes, this would need to be an operational decision that should be locally determined based on need and agreed across partners/commissioners.
- Collaborative working increases the potential to achieve more for less
- Care has to be taken so as not to undermine the ability of agencies to deliver services that meet the challenges within their locality. Whilst the idea of legislating to protect certain groups is attractive it may have unintended consequences.
- Care has to be taken not to make things too complicated and administratively burdensome, whilst retaining a client centred, quality of life focus

5. *What expectations should there be for local roles and responsibilities? What planning, commissioning and partnership and monitoring arrangements might be necessary, both nationally and locally?*

- Certainties of funding are required to ensure the effective planning, commissioning and delivery of contract that are responsive to need
- There is the potential to encourage (or require) closer collaboration between organisations to commission and deliver services (for example Housing and the NHS)
- Following on from Q4 legislation may be better targeted at ensuring that the broad representation referred to in Q1 & Q2 is a statutory requirement. Within this context the processes referred to in Q5 would be overseen by this group and reported back to government who would have national oversight.

6. *For local authority respondents, what administrative impact and specific tasks might this new role involve for your local authority?*
- It is likely to have a significant administrative impact for the responsible local authority in relation to procurement, data/evidence gathering, decision making, ongoing monitoring of contracts/oversight, scrutiny and will involve a broad cross section of teams including legal, finance, IT and procurement.
7. *We welcome your views on what features the new model should include to provide greater oversight and assurance to tax payers that supported housing services are providing value for money, are of good quality and are delivering outcomes for individual tenants?*
- Accreditation could potentially provide an assurance of quality
 - The data from the monitoring of quality should be publicly available
 - This could be a requirement imposed by a statutory framework.
 - Banding of guideline rents would be a useful tool
 - Joint approach to value and outcomes could be established through contract monitoring / management.
8. *We are interested in your views on how to strike a balance between local flexibility and provider/developer certainty and simplicity. What features should the funding model have to provide greater certainty to providers and in particular, developers of new supply?*
- Certainty of funding for longer term contracts (10-15 years).
 - An assurance of index-linking for the contract period would be helpful
 - Without this, there is a potential unintended consequence of increased costs elsewhere, for example in care packages.
 - There is the potential for fixed term 'franchises', a bit like the way rail franchises are awarded. These should have mechanisms for review and dispute resolution. Award of provision for a set period would create certainty for providers but allow commissioning bodies to shop around at renewal time. Transparency around the length of fixed term and the services that providers are expected to deliver would allow new developers to structure their proposals and business model.

9. *Should there be a national statement of expectations or national commissioning framework within which local areas tailor their funding? How should this work with existing commissioning arrangements, for example across health and social care, and how would we ensure it was followed?*

- There should be a national statement of expectations so that services can be benchmarked against the same broad criteria.
- Existing commissioning arrangements should be tweaked, if they do not meet the required standards.
- It would be important to ensure local flexibilities to ensure that commissioners are well placed to meet local need.

10. *The Government wants a smooth transition to the new funding arrangement on 1 April 2019. What transitional arrangements might be helpful in supporting the transition to the new regime?*

- Clarification of where the customer fits into this and how their concerns are going to be addressed.
- Confirmation of how the potentially difficult discussions with customers will be resourced
- Clarification of the impact on people moving out of general needs housing and uncertain on future of funding sheltered extra care
- Allowing providers to bid for franchises far in advance and then have a system of dual running in the year 18/19 to maximise the chances of a smooth transition
- Realistic timescales are needed for the introduction of the new funding regime

11. *Do you have any other views about how the local top-up model can be designed to ensure it works for tenants, commissioners, providers and developers?*

- There should be transparency about actual cost of provision. Under the current system, we have no control over the costs.
- The idea of the accommodation costs being covered by UC and support by the service commissioner is generally welcomed. The lines between the two have been blurred to the extent that some providers are disingenuous about where housing costs end and support costs start. The new mechanism need to ensure that there is a clear distinction.

12. *We welcome your views on how emergency and short term accommodation should be defined and how funding should be provided outside Universal Credit. How should funding be provided for tenants in these situations?*

- Emergency and short term accommodation should be anything that is not settled for the purposes of the Housing Act 1996. For example, statutory accommodation in pursuance of interim duties (Sec 188 & 193) is designed to be temporary.
- If the system is to be UC based it would be better if the provider can effectively invoice the DWP or DCLG on an agreed basis to cover the nightly charges incurred. This could be an online system and would include the details of the person for whom the accommodation was provided and other safeguards to prevent abuse.
- The system of monthly payments does not offer the flexibility that the old Housing Benefit system does because it cannot track what can be a very transient client group on a daily basis. The DWP or DCLG would need to accept that payment intervals need to be far shorter than the current UC waiting times. There are business models for provision of short term accommodation being undermined by acute cash flow problems because of the incompatibility of UC. This also has a knock on effect on expenditure projection for local authorities because they in effect have to guess how much money they will receive via UC.
- It is inappropriate that the viability of emergency accommodation funding is reliant on vulnerable clients engaging with the local jobcentre. The fact that UC pay a reduced element does not affect the cost to the Council (ignoring the other issues around UC). This is because although the Housing Benefit paid to the council would cover the cost of accommodation, the subsidy received by the Council would also be reduced and therefore the impact on the HB payment budget.
- Providers should only lose out on funds if they fail in their duty. This is not analogous to other rental providers who lose out on rent (for example private landlords) because they are able to take steps to mitigate exposure to rent arrears. Statutory providers have no choice other than to offer accommodation. If the discretionary element is removed and mitigating steps are not available funding should be stable and easily accessed.
- The proportion of budget should be made available for emergency accommodation and given the nature of the accommodation this should be paid directly to the landlord.
- It is viewed positively that the shared-room allowance cap will not apply to under-35's in supported accommodation.

AGENDA MANAGEMENT SHEET

| | |
|-----------------------------------|---|
| Report Title: | Proposed Self-Management of Allotment Service |
| Name of Committee: | Cabinet |
| Date: | 3 April 2017 |
| Report Director: | Head of Environment and Public Realm |
| Portfolio: | Environment and Public Realm |
| Ward Relevance: | All Urban Areas |
| Prior Consultation: | West Midlands Branch of the National Society of Allotment and Leisure Gardeners, Trade Union, Staff, Existing Allotment Holders and those on the Waiting list |
| Contact Officer: | Sean Lawson |
| Public or Private: | Public |
| Report subject to Call-In: | No |
| Report En-Bloc: | No |
| Forward Plan: | No |

PEOPLE - Provide leisure facilities and support independent and healthy living.

Corporate Priorities:

PEOPLE - Support wider participation in decision making and help communities to deliver services.

COUNCIL - Engage in partnerships to meet local needs, reduce costs and increase efficiency.

Statutory / Policy Background:

The Council has a statutory obligation to provide allotments where there is a demand, as a result the Council manages a number of allotment sites directly, there are also 2 sites which are self-managed. Some of these sites are 'Statutory Allotments' under the Allotments Act, others are 'temporary' allotments. "Statutory Allotments cannot be sold off without the consent of the Secretary of State.

The Council aspires to allow communities and users to deliver services. Allotments are currently popular and there are waiting lists for plots.

Summary:

The cost of directly managing the allotment service significantly exceeds the income received from rents. If the Council wishes to reduce the cost of this service it must either significantly raise rents or support the transfer to self-management.

Financial Implications:

There are some one off costs to transferring to a self-managed model, but these would be recovered within 6 months. There are year on year savings of circa £45,000.

Risk Management Implications:

There is the potential for allotment holders to resist the transfer to self-management, however with the support of the national Society of Allotment and Leisure Gardeners this is unlikely.

Environmental Implications:

There are no environmental implications for this report

Legal Implications:

There will be a need for the allotment association(s) to have a formal lease agreement from the Council for the land. This proposal involves the redundancy of one employee. The employment law requirements around consultation and notice periods have been adhered to.

Equality and Diversity:

There are no equality and diversity implications for this report

Options:

- 1) Support the transfer of the allotment service in to a self-managed community service
- 2) Retain the service as a directly managed service

Recommendation:

- (1) The allotment service be transferred in to a self-managed community service; and
- (2) the redundancy of the post of Allotments and Housing Inspector be approved.

Reasons for Recommendation:

- 1) To support the strategic objective of empowering the community to manage and deliver services themselves
- 2) in order to make financial savings

Cabinet – 3 April 2017

Proposed Community Self-Management of Allotment Service

Report of the Head of Environment and Public Realm

Recommendation

- | |
|--|
| <p>(1) The allotment service be transferred in to a self-managed community service; and</p> <p>(2) the redundancy of the post of Allotments and Housing Inspector be approved.</p> |
|--|

1.1 BACKGROUND

Allotments have been in existence for many hundreds of years and their popularity has waxed and waned over time. Currently the desire to reconnect with a simpler style of food production, relaxation and affordability has seen an increased level of interest and demand for allotments after a period of decline in the 1980/90s.

The Council currently owns 9 allotment holdings across the urban area of Rugby. Six of these are directly managed sites with a total of 350 Allotment plots at Addison Road, Clifton Road, Eastlands, Freemantle Road, Newbold and the Kent.

Three other sites are run by two long established allotment societies. In addition to these there are many other charity and parish run allotment sites that operate throughout the Borough.

Further allotment provision is planned to be created through a number of planning obligations linked to the larger urban expansion sites such as Eden Park and Houlton. The Borough Council would still ensure these are delivered and then similarly transferred to be self-managed through an allotment association.

There are currently 327 people on the waiting list, with nearly 100 at Eden Park alone.

The annual rents for an allotment from the council are in the range of £20-£35 plus the water charge of either £5 or £10.00. This rental is towards the lower quartile of local authority allotment rents. A recent 'State of the Market' Report by APSE (Association for Public Service Excellence) report that nearly 20% charge over £70 a year and that this percentage would increase in 2016/17. However, it can be difficult to accurately compare as plot sizes can vary as can 'extras' facilities, such as water, paths etc.

1.2 FINANCIAL CHALLENGES

It currently costs the Borough Council £113,000 to provide the service. Principally this cost is created through the need to manage the 350 plots that we directly manage. The 3 sites that are operated by allotment association are to all practical purposes cost neutral.

The income the Council receives from allotment rents and water charge bring in an income of around £12,000 this leaves a shortfall of approximately £100,000, which is funded from the Special Expense scheme and therefore the residual cost is met from the council tax income Rugby town residents.

In essence the Council is subsidising every allotment plot by an average of £285. Clearly this is unsustainable and the alternative of raising the average allotment rents to over £320 is unrealistic and would preclude many residents from affording to use allotments, which could ultimately result in allotment land being lost.

| Service | Amount | Amount that would be saved |
|------------------------------------|----------------|---|
| | | |
| Repairs and Maintenance | 9,870 | - 9,870 |
| Grounds Maintenance | 8,350 | Potential for work to be purchased by the association |
| Internal Recharges | | |
| Support service recharges | 45,750 | - 5,540 |
| Utilities | 1,890 | -1,890 |
| Direct and Indirect Staffing Costs | 47,000 | -38,750 |
| TOTAL EXPENDITURE | 112,860 | - 56,050 |
| Income | | |
| Rental and water charges | -13,500 | 13,500 |
| Total | 99,360 | -42,550 |

By transferring the service into a self-managed service we are unable to realise the full costs for the service as a savings as a number of elements are recharge costs for office space and similar on costs that would have to be absorbed elsewhere.

The estimated level of savings is just over £56,000, but the income of £13,500 would also not be achieved, so the net saving would be in the region of £45,000. The bulk of this arises from the redundancy of an employee. After discussion, through the formal "At Risk" process the employee has requested Voluntary Redundancy, which is recommended be accepted. The pay back for this is 6 months and will generate year on year savings.

It is envisaged that the newly created Allotment Association will be paying an annually increasing rent, once an association is established, and will be dependent on the size of the allotments. The rents would be determined independently and we would allow this full rental to be achieved incrementally over a period of 3 years.

Initially a newly created allotment society will have no funds to pay rent, utility costs etc and rental income is not due until November. It is therefore proposed to levy a zero cost lease for the first year, which would allow the new associations to build up a small amount of working capital. It may also be beneficial to award each new association with an initial cash grant of £500.

1.3 A SELF-MANAGED MODEL

There are already two associations that self-manage their sites and this style of model is replicated throughout the country. It is therefore considered that the best and most sustainable way to secure affordable allotments is for the allotment holders themselves to manage the sites through Allotment Association(s). Officers have discussed the potential for progressing this asset transfer with the National Society of Allotment and Leisure Gardeners which has a wealth of knowledge and experience in establishing allotment associations and it has welcomed the opportunity to be involved and to support this transfer. It has also offered to provide a mentor to the newly formed association to help with the smooth transfer and guide the allotment holder through the process.

Attached at Appendix 1 is a leaflet explaining the benefits of self-management.

In this style of management, the association would have a single site lease for the land from the Council for a modest fee (depending on the scale of the site). The annual value of the lease for each site would be determined through independent allotment use valuation from the district valuer. The existing self-managed sites have an annual lease value of circa £500 each.

1.4 BENEFITS OF A SELF-MANAGED SOLUTION

Whilst change can be unsettling and finding volunteers to take responsibility is not always easy, there are many benefits in forming an Association including;

- The ability to determine site rents and what rules to apply.
- The allotment holders can influence the future management of the sites.
- Allotment Associations can apply for external funding to improve sites. This is money that the Borough Council cannot access.

- Allotment holders will be entitled to benefits from the National Allotment Society including reduced third party insurance (for as little as 50p) and discounts on seeds, alongside free growing advice.

All existing Allotment holders and those on our waiting lists were invited to a meeting on Thursday 16th March in the Benn Hall where representatives from the national association were available to exchange information on how they can get involved and help secure allotments in Rugby for years to come.

This meeting was well attended, with around 100 people in attendance plus members of The National Allotment & Leisure Gardeners association, including the mentor that will work with the tenants to form associations. There was a good discussion on the benefits of self management and empowering allotment tenants, robust questioning about how the process of transferring into this new model could happen and general agreement that remaining under Council management would be holding the communities back. It was in general a positive meeting with support for moving this forward in a planned and managed way.

In addition to those that attended, we also received a number of enquiries from people who could not make the meeting but who wanted to register their interest in the formation of Allotment Associations. Including those that expressed their interest on the night, we have around 50 individuals that want to play an active part in the establishment of allotment associations, with each site having a number of representatives.

The meeting agreed to move forward through the holding of a number of site by site meetings with the National Association to progress this further. It is clear from the discussions that a number of the sites had already had a pre-meeting and are already supportive of self management.

Name of Meeting:
Cabinet

Date of Meeting:
3rd April 2017

Subject Matter:
Proposed Self-Management of the Allotment Service

Originating Department:

List of Background Papers

There are no background papers relating to this item.

Accountability

Site Management is a major commitment, being democratic and transparent is crucial for maintaining support from the plottolders and the local authority. It is important that as a devolved managed group that robust procedures are in place, both in terms of Tenancy Agreements, site rules and policies. Ensuring that decisions made relating to decision made involving plottolders are clear and consistent.

Communicating with the membership is vital, ensure that dates of meetings, minutes and accounts are available to all. Many sites produce their own quarterly newsletters and this is an excellent way of creating interest and more support. It is the Committee who run the site and the jobs may include:

- Maintenance of site, boundary, roads and grass
- Provision of services e.g. water
- Payment of water bill, rent to the Council
- Keeping tenants updated
- Applications for sheds, greenhouses in line with Council guidelines
- Removal of difficult tenants
- Tidying skips, vacant gardens
- Applying for external funding
- Arranging the AGM with audited accounts.
- Organising celebratory events

Become a member of The National Allotment Society

Membership of The National Allotment Society comes with a raft of benefits, from discounts on horticultural products through to initial legal advice and horticultural expertise. To become a member visit www.nsalg.org.uk or call **01536 266576**.

O'Dell House, Hunters Road, Corby, Northamptonshire NN17 5JE
T: 01536 266576 • E: natsoc@nsalg.org.uk • www.nsalg.org.uk



It's all about teamwork and mutual benefit. Some self-help schemes have produced a wonderful social attitude amongst Members and recreated a spirit of belonging to a community.

If your Association is considering Devolved / Self-Management and requires further assistance then the National Allotment Society can help you, with draft agreements, advice on the options available to groups taking on new leases, devolved management or the ownership of land. For further assistance please call 01536 266576.



Devolved Management what does it mean?



You will often hear reference to 'Self Administration' or 'Self Management' which are lumped together under the heading of 'Devolved Management', in this leaflet we explain what this means. There are three key elements needed to ensure that Devolved Management works, commitment, capacity and accountability

The basic form of Self Administration or Management is where a properly constituted society collects rent from each plot holder and makes an agreed payment to the local authority. Normally, these societies maintain waiting lists, let plots and in most cases monitor the cultivation of plots and terminate tenancies if necessary. They may also undertake minor maintenance.

More progressive systems are tailored to give societies more responsibility, either on an individual site basis or to a district group or Federation. In these cases, the society usually has a longer-term lease or tenancy agreement and takes on various maintenance work such as grass and hedge cutting, minor repairs, painting etc.

Some schemes work on a system whereby the local authority allow the allotment society to retain all or part of the rent. Others charge a reduced rent to enable the society to charge individual plotheolders an amount sufficient to cover the cost of the work.

There are many local authorities providing materials for improvement and maintenance to sites where the members carry out the work. Others agree a total self-management system whereby sites within a district are leased long term to a single organisation, which then determines the rent level to be paid by individuals or sites. The collective rent is then used by the allotment organisation to carry out development and maintenance of sites. Overall local authorities offer an agreed additional sum of money or a substantial amount of materials to assist the scheme.

The more progressive systems of self-management usually evolve from a lesser responsibility system after a period of 'ability to manage' has been shown.

Commitment

There are several essentials to be aware of, and others that are a must.

Clearly all societies will be dependant on voluntary work by members and the degree to which an association accepts responsibility will depend on the level of available volunteers. It will also depend on how much responsibility the council is prepared to hand over.

Whichever level is chosen it must be seen as a partnership between the council as providers of a community service and the allotment holders/ association as users. No self-help scheme can work if a 'them and us' attitude exists. Any progress or agreement needs complete trust and confidence between the parties involved. It should be remembered that the council have the ultimate responsibility for the provision of allotments. It should not therefore be seen as a way for the council to absolve itself of responsibility or for the society to feel it can do what it likes in future.

Progressively fewer local authorities (particularly town and parish councils) have a dedicated allotment officer and therefore the allotment management is often just one part of the person's duties. Self-management would enable the society to take over some of the administrative work.

It is obvious that the people on site are instantly aware of vacancies, unkempt plots, site repairs and maintenance needs and, if it is within their responsibility, respond almost instantly to deal with most situations, whereas a local authority, by its very nature and chain of procedure, is bound to involve cost and take considerably longer to respond.

As councils strive to deliver allotment services without the subsidies of previous years devolved management helps to ensure that the available finance is used directly for the benefit of the allotments at no extra cost to the council.



Capacity

From the society's point of view, devolved management encourages plot-holders to feel part of the whole group rather than a lone gardener and will help to instil a community spirit and greater co-operation, as they now have a vested interest in management of the site.

For devolved management to succeed there is a need for continuity of Officers with sufficient competence and commitment to carry out the administration, however it is no good depending on one or 2 persons to do everything indefinitely. If those officers have the ability to organise and motivate a team of similar dedicated members then there will be a group of people willing to take on greater responsibility, avoiding a too frequent change of Officers. It is essential that all Officers are elected and answerable to the Members.

Before proceeding, a survey of the site or sites should be carried out to determine the condition of fences/ boundaries, gates, etc. to assess potential future expenditure and make some agreement with the local authority regarding the provision of materials, and/or capital to enable repairs and maintenance to be undertaken.

Remember safety at all times. Ensure that the group has access to proper equipment and materials plus safety clothing and other protection. Most paramount is full proper insurance cover, which must include personal injury and public liability in addition to cover for actual machinery and equipment.

There are some tasks that site members should not undertake unless it is their trade or profession outside the allotments. For example, the felling of diseased trees, pest control procedures or the erection or sectional concrete buildings.

'...devolved management encourages plot-holders to feel part of the whole group rather than a lone gardener...'



Photograph by: www.karenparkphotography.co.uk

Member's problems can be resolved without recourse to the council and any matters, which do need to be raised, can be presented on behalf of the whole site rather than the council officer having to deal with numerous individual plotheolders. The Council should of course be willing to act as arbitrator in the event of unresolved disputes.

When negotiating agreements, conditions, responsibilities, etc. be mindful of various pitfalls. For example - a total area charge is fine if all plots are let, but it can be negative if, due to unlet plots or unusable plots, the vacancies are paid for by the actual members on site which not only means high rents and low income to the society but gives more maintenance with less available help. Additionally, will you be able to still offer reduced rent for pensioners and others on reduced income, disadvantaged, disabled, etc?

Long term leases with medium term break clauses are essential safety nets.

Many societies and members are content to leave everything to their local authority, others are not. Similarly many local authorities are keen to transfer some responsibility, some are not. The thing to consider is what do your Members wish?

AGENDA MANAGEMENT SHEET

| | |
|---------------------------------------|--|
| Report Title: | Fraud Response Plan |
| Name of Committee: | Cabinet |
| Date: | 3rd April 2017 |
| Report Director: | Head of Corporate Resources and Chief Financial Officer |
| Portfolio: | Corporate Resources |
| Ward Relevance: | None |
| Prior Consultation: | None |
| Contact Officer: | Chris Green – Corporate Assurance and Improvement Manager. Tel 01788 533451 |
| Public or Private: | Public |
| Report subject to Call-In: | No |
| Report En-Bloc: | Yes |
| Forward Plan: | No |
| Corporate Priorities: | This report is linked to all the achievement of all Council priorities |
| Statutory / Policy Background: | Not Applicable |
| Summary: | The report sets out the proposed Fraud Response Plan for consideration and endorsement |
| Financial Implications: | No direct implications |

| | |
|--------------------------------------|--|
| Risk Management Implications: | Failure to adopt the Fraud Response Plan would increase the likelihood that the Anti-Fraud, Bribery and Corruption Strategy fails to achieve its intended outcomes |
| Environmental Implications: | No direct implications |
| Legal Implications: | No direct implications |
| Equality and Diversity: | No direct implications |
| Options: | None |
| Recommendation: | The Fraud Response Plan approved by Audit and Ethics Committee be endorsed. |
| Reasons for Recommendation: | To facilitate effective delivery of the Anti-Fraud, Bribery and Corruption Strategy |

Cabinet – 3rd April 2017

Fraud Response Plan

Report of the Head of Corporate Resources and Chief Financial Officer

Recommendation

The Fraud Response Plan approved by Audit and Ethics Committee be endorsed.

1. BACKGROUND

- 1.1 The Council's new Anti- Fraud Bribery and Corruption Strategy was approved by Cabinet in September 2016.
- 1.2 Rugby Borough Council is committed to the highest possible standards of openness, probity and accountability in all its affairs. It is determined to embed a culture of honesty and opposition to fraud, bribery and corruption.

2. REPORT

- 2.1 The Fraud Response Plan reinforces the Council's robust approach and complements the existing strategy by setting out the ways in which employees or members of the public can voice their concerns about suspected fraud, bribery or corruption.
- 2.2 The Plan states what individuals should and should not do when fraud, bribery or corruption is suspected. It also outlines how the Council will deal with such allegations.
- 2.3 The Fraud Response Plan was considered and approved by the Audit and Ethics Committee on 14th February 2017. Cabinet is asked to endorse the Plan, which is included at Appendix A.
- 2.4 Once approved, the Plan will be added to the employee induction handbook and will be cascaded as part of planned staff awareness workshops. The Plan will be published on the Council website and staff will be provided with a link to the document within the extranet.

- 2.5 For information, a number of further actions are planned to ensure that the Council continues to develop and embed a strong anti-fraud culture. The key actions are:
- To assess the ongoing level of dedicated investigation resource required;
 - To deliver a programme of targeted anti-fraud, bribery and corruption awareness workshops;
 - To incorporate appropriate, proactive and reactive, counter fraud work within the Internal Audit Plan for 2017/18;
 - To review, update and publish a revised Confidential Reporting Code;
 - To review and update standard investigation working documents;
 - To submit an annual report to the Audit & Ethics Committee setting out the progress made towards implementing the Strategy during 2016/17.

Name of Meeting: Cabinet

Date of Meeting: 3rd April 2017

Subject Matter: Fraud Response Plan

Originating Department: Corporate Assurance and Improvement

List of Background Papers

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|-------------------------|---------------------|----------------|
| Appendix A | | Fraud Response Plan | | |

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

| Document No. | Relevant Paragraph of Schedule 12A |
|--------------|------------------------------------|
|--------------|------------------------------------|

* There are no background papers relating to this item.

(*Delete if not applicable)



**FRAUD, BRIBERY AND CORRUPTION
RESPONSE PLAN
APRIL 2017**

FRAUD BRIBERY AND CORRUPTION RESPONSE PLAN

1. INTRODUCTION

- 1.1 Rugby Borough Council is committed to the highest possible standards of openness, probity and accountability in all its affairs. It is determined to embed a culture of honesty and opposition to fraud, bribery and corruption.
- 1.2 In line with that commitment, the Council's Anti-Fraud, Bribery and Corruption strategy outlines the principles to which we are committed in relation to preventing, reporting and managing fraud, bribery and corruption.
- 1.3 This Fraud Response Plan reinforces the Council's robust approach by setting out the ways in which employees or members of the public can voice their concerns about suspected fraud, bribery or corruption. It also outlines how the Council will deal with such allegations.

2. DEFINITION OF FRAUD, BRIBERY AND CORRUPTION

- 2.1 Fraud is defined as any intentional act or omission taken by an individual, group or organisation, which is designed to deceive, and which facilitates a dishonest gain at the expense of (or loss to) the Council, the residents of the Rugby Borough, or the wider national community. Fraud can include:
 - Fraud by false representation;
 - Fraud by failing to disclose information; and
 - Fraud by abuse of position.
- 2.2 Fraud by false representation occurs where a person makes any representation as to fact or law, express or implied, which they know to be untrue or misleading.
- 2.3 Fraud by failing to disclose information occurs where a person fails to disclose any information to a third party when they are under a legal duty to disclose such information.
- 2.4 Fraud by abuse of position occurs where a person occupies a position where they are expected to safeguard the financial interests of another person, and abuses that position. This includes cases where the abuse consists of an omission rather than an overt act.

FRAUD BRIBERY AND CORRUPTION RESPONSE PLAN

2.5 Corruption is defined as an act done with the intent to give some advantage which is inconsistent with a public servant's official duty and the rights of others. In the public sector it can also be defined as abuse of power by a public official for private gain. Forms of corruption vary but include bribery, extortion, nepotism, cronyism and embezzlement.

3. WHAT SHOULD YOU DO IF YOU SUSPECT FRAUD, BRIBERY OR CORRUPTION?

3.1 The methods for reporting suspected fraud, bribery and corruption are laid out below. Advice and guidance can be obtained from the Corporate Assurance and Improvement Manager on 01788 533451 if you are in any doubt about the seriousness of your concern.

3.2 What should an employee do if they suspect fraud, bribery or corruption?

Employees, partners, the public and contractors are often the first to realise that there is something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. Employees, partners, the public and contractors should be aware that if there is a suspicion of fraud then they are obliged to report it.

3.3 The Council's Confidential Reporting Code is intended to encourage and enable staff to raise serious concerns within the Council rather than overlooking a problem, informing the media or other external bodies. The Code has been discussed with the relevant trade unions and has their support. A full copy of the Confidential Reporting Code can be obtained from the Council web-site.

3.4 In essence, employees should raise their concerns with their line manager or supervisor, who will in turn inform the Corporate Assurance and Improvement Manager. Under the terms of the policy staff can alternatively contact their Head of Service, the Executive Director, the Monitoring Officer, or a number of prescribed external bodies directly as listed in the policy.

3.5 Should a member of staff choose to report their concerns anonymously their anonymity will be respected as far as possible although it cannot be

FRAUD BRIBERY AND CORRUPTION RESPONSE PLAN

guaranteed. The Public Interest Disclosure Act provides protection to staff and contractors making such disclosures where they have a genuine concern.

3.6 The individual making reporting the concern (or their line manager) must not do any of the following:

- **Do not** contact the suspected perpetrator in an effort to determine facts or demand restitution.
- **Do not** discuss the case facts, suspicions, or allegations with anyone.
- **Do not** attempt to personally conduct investigations or interviews or question anyone.

3.7 What should a manager do when suspected fraud, bribery or corruption is reported to them?

- **Do** listen to the concerns of the individual reporting the concern and treat every report you receive seriously and sensitively. Record the key points of the issue sufficiently to pass on to the Corporate Assurance and Improvement Manager.
- **Do** reassure the individual that is reporting the concern that they will not suffer because they have told you of their suspicions.
- If the person reporting the concern provides evidence that supports the allegation then **do** make sure it is kept in a safe place and cannot be interfered with. **Do not** go looking for, or collecting additional evidence.
- **Do** contact the Corporate Assurance and Improvement Manager immediately following discussion with the individual reporting the concern and pass on any information you have including the record of the concern raised.
- **Do not** try to carry out an investigation yourself (including speaking to the person the allegation has been made against). This may compromise the internal investigation or any criminal enquiry.
- **Do not** divulge anything to the individual that the allegation is against.
- Should the Corporate Assurance and Improvement Manager require any further assistance they will be in touch.

3.8 What should Human Resources do if they suspect fraud, bribery or corruption?

Issues concerning staff performance or behaviour are investigated under the Council's disciplinary procedures by managers in partnership with Human Resources. If the relevant Human Resources Officer or manager suspect that an issue involves potential fraud, bribery or corruption then the HR Manager should be informed immediately. The HR Manager will then alert the

FRAUD BRIBERY AND CORRUPTION RESPONSE PLAN

Corporate Assurance and Improvement Manager, who will in turn inform the Head of Corporate Resources and Chief Finance Officer. The Corporate Assurance and Improvement Manager will assess whether the nature of the allegations fall within the scope of the Fraud Response Plan. For example, irregularities on timesheets or travel and subsistence claims are potentially fraudulent acts.

Similarly once an investigation begins, should fraud, bribery and corruption issues emerge, the Corporate Assurance and Improvement Manager should be contacted as soon as possible for advice on how to proceed. Interviews should only take place once this advice has been received (which may include an agreement on which issues should proceed and others which should not) to ensure, as far as possible, that any evidence collected will not adversely impact any potential criminal investigation.

3.9 What should Auditors do if they suspect fraud, bribery or corruption?

If an Auditor in the course of his or her duties suspects fraud, bribery or corruption they should cease work on the assignment immediately, and report the matter to the Corporate Assurance and Improvement Manager.

3.10 What should a member of staff handling a complaint do if they suspect fraud, bribery or corruption?

Any suspicions of irregularity that may be included in a complaint or comment should be referred to the Corporate Assurance and Improvement Manager immediately upon receipt. Allegations of fraud, bribery and corruption should be treated through this procedure rather than through the corporate complaints procedure as the timetable for investigating and reporting on complaints does not apply to complaints of financial misconduct.

3.11 What should a member of the public, a partner or a contractor do if they suspect fraud or corruption?

The Council encourages members of the public, partners or contractors to contact the Council should they suspect fraud or corruption.

If the matter relates to a Councillor, Council employee or an individual working on behalf of the Council including agency workers and contractors, a referral can be made directly to the Corporate Assurance and Improvement Manager on 01788 533451, by email (chris.green@rugby.gov.uk), or by writing to:

The Corporate Assurance and Improvement Manager
Rugby Borough Council
Evreux Way
Rugby

FRAUD BRIBERY AND CORRUPTION RESPONSE PLAN

CV21 2RR

Allegations of benefit fraud can be made online at: www.gov.uk/report-benefit-fraud or via the National Benefit Fraud Hotline (NBFH) on 0800 854440. Alternatively allegations of benefit fraud can be made in writing to:

NBFH
PO Box 224
Preston
PR1 1GP

3.12 Alternative Methods of reporting fraud, bribery and corruption

- Councillors – for those living within the Rugby Borough Council boundary, reports may be made to Councillors who will then report the concern to the Executive Director, the Monitoring Officer and/ or the Leader.
- Trade Union Representatives – employees may invite their Trade Union to raise a matter on their behalf. The union representative would then follow the employee process for onward reporting as detailed above.
- The Police – suspicions of fraud, bribery or corruption may be reported directly to the police. The Council will fully support any resulting police investigation.
- The Local Government Ombudsman – this is an independent body set up by the Government to deal with complaints against Councils in the United Kingdom. The Ombudsman will raise any concerns via the Council's legal department.
- Public Concern at Work – this is a charity which provides free and strictly confidential legal help to anyone concerned about a malpractice which threatens the public interest. They operate a helpline on 020 7404 6609 or can be emailed at whistle@pcaw.org.uk

3.13 How will the Council deal with allegations of fraud or corruption?

The Council will deal with any allegation of fraud in the most appropriate manner depending on the circumstances of the case. This may include following the complaints process, the disciplinary process and/ or a criminal investigation process. All investigations will be conducted in accordance with the relevant Council policies and procedures and where appropriate criminal legislation.

In the first instance a suitably trained impartial investigator will be appointed. They will conduct a preliminary investigation and report (verbally or in writing) to the relevant Head of Service/ Executive Director, who in conjunction with Human Resources will decide on the most appropriate process to follow. Options at this stage may include:

FRAUD BRIBERY AND CORRUPTION RESPONSE PLAN

- not progressing the investigation any further,
- identification and rectification of system weaknesses, and/ or
- further investigation (disciplinary and/ or criminal).

The Council acknowledges that those people who reported the alleged fraud or corruption need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will receive appropriate information about how the matter is being addressed and the final outcome.

All interviews with staff will be conducted in line with the Council's disciplinary procedures. If there is a possibility that the investigation could lead to a criminal prosecution then any interviews will be conducted by a suitably trained Council officer. This may mean that disciplinary interviews need to be conducted by a trained fraud investigator (i.e. an investigator trained in the Police and Criminal Evidence Act 1984 Code of Practice).

Once the investigation has been completed, a report will be prepared which states the facts discovered by the investigation. A recommendation will be made as to the appropriate course of action to be followed. This can include a disciplinary hearing, criminal proceedings or no further action.

4. FOLLOW UP

- 4.1 The Council will seek to recover any financial loss through the appropriate mechanism. This may involve either civil or criminal proceedings where it is in the public interest to do so.
- 4.2 Investigations may identify weaknesses in the Council's system of internal controls. Risk assessments will be carried out where weaknesses in the system of internal control are identified. In these circumstances a report will be issued which sets out recommendations for how the controls can be improved to prevent any recurrence of fraud, bribery or corruption. The recommendations for improvement will be incorporated within an action plan. Delivery of the action plan will then be monitored by the Corporate Assurance and Improvement team. The results of investigations will be used to inform the annual internal audit plan.
- 4.3 The Audit & Ethics Committee will receive a verbal update on allegations received, and investigation work carried out, at each Committee meeting. An annual report on the outcomes of investigations will also be reported to the Audit & Ethics Committee; this report will be published.

AGENDA MANAGEMENT SHEET

| | |
|---------------------------------------|--|
| Report Title: | Urgent Decision under Delegated Powers - Reconnection Principle |
| Name of Committee: | Cabinet |
| Date: | 3rd April 2017 |
| Report Director: | Executive Director |
| Portfolio: | Communities and Homes |
| Ward Relevance: | All Wards |
| Prior Consultation: | The Executive Director, in consultation with Councillors Stokes (Leader of the Council), Leigh Hunt (Portfolio Holder for Communities and Homes) and Roodhouse (main opposition leader). |
| Contact Officer: | Raj Chand, Head of Communities and Homes 01788 533870 |
| Public or Private: | Public |
| Report subject to Call-In: | No – a decision was taken under delegated powers in accordance with the Constitution |
| Report En-Bloc: | Yes |
| Forward Plan: | No |
| Corporate Priorities: | |
| Statutory / Policy Background: | |
| Summary: | An urgent decision was taken with regard to the proposed implementation of the Reconnection principle. |
| Financial Implications: | The financial implications for this report are detailed in the report. |

| | |
|--------------------------------------|--|
| Risk Management Implications: | There are no risk management implications for this report |
| Environmental Implications: | There are no environmental implications for this report |
| Legal Implications: | There are no legal implications for this report |
| Equality and Diversity: | There are no equality and diversity implications for this report |
| Options: | |
| Recommendation: | The report be noted. |
| Reasons for Recommendation: | |

Cabinet - 3rd April 2017

Urgent Decision under Delegated Powers - Reconnection Principle

Report of the Executive Director

Recommendation

The report be noted.

An urgent decision was taken under delegated powers with regard to the Reconnection principle as detailed below.

1.1 The reconnection principle

Reconnection is the practice of reconnecting rough sleepers to an area where they have a connection such as accommodation or social, family and support networks is a key part of the no second night out approach. It is intended to support local authorities (LAs) and their partners to develop this part of the service offer for people on the street and with connections in another area as part of the No Second Night Out standard. The other area may be in the United Kingdom (UK) or for European Economic Area (EEA) nationals a country outside the UK. The guidance in this regard is written by Homeless Link, and is largely based on learning from the London No Second Night Out Pilot.

<http://www.nosecondnightout.org.uk/>

<http://www.homeless.org.uk/search/site/Reconnection>

1.2 Other local authorities which apply reconnection principles

These principles are embraced by local authorities across the UK. These include:

- London SWEP which covers London Boroughs including Camden, Southwark, Lambeth, Ealing and Islington
- No Second Night Out Greater Manchester which include the 10 local authorities in Greater Manchester
- Sussex Homeless Outreach Reconnection and Engagement (SHORE) partnership which encompasses all local authorities in Sussex
- Solihull Council

1.3 Reconnection work in Rugby

Reconnection would be a useful option in Rugby while the council's Severe Weather Emergency Protocol (SWEP) is active. A SWEP is active when the weather temperature on three consecutive days is forecast to be zero degrees or less. It is the practice of sourcing a warm place to sleep for the homeless regardless of eligibility and priority need for homeless assistance. In Rugby this commitment is usually discharged via Bed & Breakfast providers. It would assist in allowing the council to provide more sustainable solutions for street homeless applicants because they could return to a location where the support networks are in place.

1.4 Who reconnection is most likely to affect

A significant proportion of those accommodated under SWEP provision recently have been Eastern European Nationals. Of the seven people placed under SWEP since 1 January 2017, four were EEA Nationals from Eastern Europe without eligibility for benefits or homeless assistance. One of this number has articulated a desire to be reconnected to their country of origin Poland. The feelings of the other three are not known as the matter has not been explored given that it is not policy at present. The SWEP referred to is a fairly typical example of the number of placements that could be expected in Rugby and not all EEA nationals will wish to be reconnected. Others placed under SWEP originate from Rugby meaning that reconnection is not applicable to them. Given that SWEP only applies during bad weather and placement numbers are low reconnection is likely to affect approximately ten people annually.

1.5 Costs of reconnection compared to provision of accommodation

The total cost of SWEP accommodation in January 2017 alone was £1,243 which equates to £177.57 per person. A selection of the cost of flights to Eastern Europe at present is as follows:

- Ryanair from Birmingham to Warsaw (Poland) £48.99
- Ryanair from Birmingham to Krakow (Poland) £59.99
- Ryanair from Birmingham to Vilnius (Lithuania) £70.99
- Ryanair from Birmingham to Sofia (Bulgaria) £53.99
- Ryanair from East Midlands to Riga (Latvia) £51.99
- Ryanair from Stansted to Bucharest (Romania) £53.99

The logistical cost of arranging travel to respective airports is as follows:

- Rugby to Birmingham Airport via train £6.40
- Rugby to East Midlands Airport via train £19.40
- Rugby to Stansted Airport via Train £60.50

(The comparative costs of taxis is much higher)

There may be future cases when a UK citizen requires reconnection in this country. Costs in these cases can be assessed contemporaneously. In Rugby

the more relevant analysis is centred on EEA nationals.

There are clear cost benefits of reconnection from the council's perspective. All travel options listed above are less expensive than the cost of just one month's SWEP accommodation expenditure. Another SWEP period has been activated and customers placed at the time of writing therefore those accommodation cost figures have already increased.

1.6 Rules, safeguards and parameters to underpin reconnection

Like any scheme there would be operational principles. The suggested principles are these:

- No customer should be forced to accept an offer of reconnection
- If a customer is reconnected they will not be eligible for future SWEP accommodation should they return to Rugby Borough
- The cost of reconnection should be viable when compared to the cost of providing accommodation
- Authority to proceed with reconnection must be obtained from the Housing Options Supervisor or if unavailable a more senior officer

1.7 Consultation

The Executive Director in consultation with Councillor Stokes (Leader of the Council), Councillor Leigh Hunt (Portfolio Holder for Communities and Homes) and Councillor Roodhouse (Leader of the main opposition group) were consulted and agreed that the Reconnection principle be implemented, as detailed in the report.

Name of Meeting:
Cabinet

Date of Meeting:
3rd April 2017

Subject Matter:
Urgent Decision under Delegated Powers - Reconnection Principle

Originating Department:

List of Background Papers

| Document No. | Date | Description of Document | Officer's Reference | File Reference |
|--------------|------|-------------------------|---------------------|----------------|
| 1. | | | | |

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

| Document No. | Relevant Paragraph of Schedule 12A |
|--------------|------------------------------------|
|--------------|------------------------------------|

* There are no background papers relating to this item.

(*Delete if not applicable)