

**When telephoning, please ask for:** Viv Nightingale  
**Direct dial** 0115 914 8481  
**Email** vnightingale@rushcliffe.gov.uk

**Our reference:**  
**Your reference:**  
**Date:** 15 March 2012

To all Members of the Community Development Group

Dear Councillor

A meeting of the COMMUNITY DEVELOPMENT GROUP will be held on Monday 26 March 2012 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Head of Corporate Services

### **AGENDA**

1. Apologies for absence
2. Declarations of Interest
3. Notes of the Meeting held on Monday 16 January 2012 (pages 1 - 9)
4. Cabinet Member Questions
5. Draft Tenancy Strategy and Affordable Rents

The report of the Head of Community Shaping is attached (pages 10 - 17).

6. Service Level Agreement with RCVS and RCAN

The report of the Head of Community Shaping is attached (pages 18 - 35).

7. Annual Review of Work Programme 2011/12

The report of the Deputy Chief Executive (PR) is attached (pages 36 - 41).

8. Work Programme

The report of the Deputy Chief Executive (PR) is attached (pages 42 - 43).

## Membership

Chairman: Councillor N C Lawrence

Vice-Chairman: Councillor : T Combellack

Councillors S J Boote, N K Boughton-Smith, L B Cooper, J E Greenwood,  
M G Hemsley, Mrs M M Males, G R Mallender

<b>Meeting Room Guidance</b>
------------------------------

**Fire Alarm - Evacuation** - in the event of an alarm sounding you should evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble in the Nottingham Forest car park adjacent to the main gates.

**Toilets** - Facilities, including those for the disabled, are located opposite Committee Room 2.

**Mobile Phones** – For the benefit of other users please ensure that your mobile phone is switched off whilst you are in the meeting.

**Microphones** - When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.



**NOTES  
OF THE MEETING OF THE  
COMMUNITY DEVELOPMENT GROUP  
MONDAY 16 JANUARY 2012**

Held at 7.00pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

**PRESENT:**

Councillors N C Lawrence (Chairman), S J Boote, N K Boughton-Smith, L B Cooper, J E Greenwood, M G Hemsley, Mrs M M Males, G R Mallender and P Smith (substitute for Councillor T Combellack)

**ALSO IN ATTENDANCE:**

Councillor J A Cranswick  
Mr M Lockley Economic Development, Nottinghamshire County Council

**OFFICERS PRESENT:**

C McGraw Head of Community Shaping  
K Marriott Transformation Manager  
V Nightingale Senior Member Support Officer  
P Randle Deputy Chief Executive (PR)  
D Swaine Head of Corporate Services

**APOLOGIES FOR ABSENCE:**

Councillor T Combellack

**25. Declarations of Interest**

There were none declared.

**26. Notes of the Previous Meeting**

The notes of the meeting held on Monday 21 November 2011 were accepted as a true record.

With regards to the action points

Minute Number	Actions	Response
19. Notes of the Previous Meeting	a) A progress report be provided regarding the Site of Interest for Nature Conservation adjacent to the disused railway line.	Deputy Chief Executive (PR) explained that officers had met with the Notts Wildlife Trust and were considering a management plan for the site. There was an issue regarding pedestrian and cycle access and this was being considered in conjunction with Nottinghamshire County Council. Further updates would be given to the Group.

	b) Add a 12 month review of the SLA's between the Council and RCVS and RCAN to the Group's work programme	The Head of Community Shaping explained that this item had been considered by the Group in June and September 2011 and had been considered by Cabinet on 10 January 2012. Cabinet had requested that this Group should scrutinise the Agreement.
21. Green Waste Scheme	Officers to put an item in the next edition of Rushcliffe Reports marketing the composters and wormeries etc that were available through the Council's website.	Members were informed that this would be in the next edition.
22. Introduction to Flexible Tenancies and Affordable Rents	A future agenda item be placed on the Group's work programme when officers have further details.	This would be considered as part of the Group's work programme item.
23. Request for Scrutiny of Public Conveniences	A letter be sent to the parish councils including Councillor Boote's research.	The Deputy Chief Executive (PR) had sent a letter to the parishes
24. Work Programme	Items to be added to the work programme: <ul style="list-style-type: none"> <li>• Consultation on Affordable Rents and Flexible Tenancies</li> <li>• a review of Choice Based Lettings to the agenda for the Group's meeting on 26 March 2012.</li> <li>• a review of the relationship between the Borough and the parish councils in June 2012.</li> </ul>	These would be considered as part of the Group's work programme item.

## 27. Rural Broadband

The Group received a presentation from Mr Lockley outlining the Government's scheme to introduce superfast broadband to rural areas, 'BD:UK'. He stated that the County Councils were being named as the lead

and accountable bodies for each area. He informed Members that all plans had to be submitted to the Government by the end of February and that the Government expected all projects to start during 2012/13.

For Nottinghamshire the cost of the project was estimated to be £17 million. Of this, it was expected that the private sector would contribute half, BDUK would contribute a quarter, leaving the County Council to assemble the remaining £4.25 million. This had resulted in Nottinghamshire County Council requesting investments from the district councils, which at present had been supported by Gedling and Rushcliffe Borough Councils. Each area had been prioritised according to the amount of investment required and a proportionate scale of funding had been put forward, with the County Council committing £2.5 million. This equated to Rushcliffe being ranked third in the County with a match funding of £233,311. He also stated that European funding routes were being pursued and that they were lobbying for relaxations of some of the criteria.

Members were informed that scope of the project was to deliver access to a minimum of 24 MBps broadband to 90% of Nottinghamshire premises and access to 2 MBps for the remaining 10%. This would mainly be provided by investment in upgrades to fibre optics to over 300 cabinets, 87 of which were in the Rushcliffe area. Also innovative satellite and wireless solutions were being considered for the more remote communities. Although there was some concerns about wireless and satellite connections it was recognised that technology was moving very quickly and that it was a move in the right direction. Members were informed that a pilot project would begin in the Spring of 2012.

In respect of timescales the Group were informed that

- the full Plan had to be submitted, with funding identified by the end of February
- the procurement process commenced by September 2012 – although a pre tender exercise had been completed leaving a framework of four providers
- the procurement would be completed by the end of 2012
- delivery to begin quarter 1 2013/14
- anticipated completion by 2015/16

As this was the timescale for all county councils it was imperative that Nottinghamshire was at the forefront.

In Rushcliffe it was estimated that approximately 12,792 residential properties and 431 commercial properties would receive access to faster broadband.

Following a question Members were informed that Cabinet had been requested to decide on whether the Borough would agree to the match funding and this was now awaiting a decision from the Local Strategic Partnership. However, it was recognised that this was an issue that affected the majority of the Borough and this Group needed to ensure that the issue was fully understood, and it needed to give direction and assistance on how the money was spent.

In respect of how the public would access the faster connections Members were informed that the preferred partner would install the infrastructure required. Mr Lockley stated that there would be no subsidies available for people to upgrade their home equipment in order to access these faster speeds and that this would be the responsibility of residents and their service providers, however local authorities could help by informing residents of the proposed changes and the timescales involved.

Members raised concerns about the ward data provided. Mr Lockley explained that this had been provided by an external source and planned upgrades to existing cabinets could have been included in the data. He agreed to clarify this and report back.

With regard to the preferred partner Mr Lockley stated that, as now, BT would have to open access to other competitors as the Government did not want a monopoly.

Members asked what affect would there be to communities that crossed county boundaries. They were informed that as some properties not in Nottinghamshire were served by Nottinghamshire cabinets and vice versa discussions had taken place with neighbouring counties to ensure that the overall nett affect would be the same.

In respect of communities taking the lead and working on their own Mr Lockley stated that there could be a possibility of match funding being available from the project although this would need to be carefully considered to ensure that the whole project was not penalised. However, there were other funding streams that communities could contact ie DEFRA.

Following a question Mr Lockley stated that 24MBps had been agreed as a base minimum and higher speeds would be welcomed if they could be obtained within the resources available.

The Chairman thanked Mr Lockley for attending the meeting and answering Members' questions.

It is AGREED that Members endorsed the work of Nottinghamshire County Council to secure funding to support rural broadband in Rushcliffe

## 28. **Localism Act 2011**

The Head of Corporate Services gave Members an update on the Localism Act that had received royal assent on 15 November 2011. He explained that many parts of the Act required further clarification and it was envisaged that regulations would be issued by the Secretary of State in due course. He said that the principle of the Act was to have greater freedom for the public.

The Group discussed the preliminary summary provided.

## **General Power of Competence**

The Head of Corporate Services explained that this gave local authorities the same rights as individuals although they would still be bound by statutory restrictions. He stated that the principle was to allow for greater flexibility and innovation. With regard to the wellbeing power, authorities did not now have to apply this to the whole area.

Following a question regarding eligible parish councils the Head of Corporate Services explained that officers were still awaiting the criteria.

In respect of statutory duties Members were informed that the Council would still have to fulfil its statutory obligations however, if it had the power to carry out other functions it would be the authorities choice to identify if it wished to carry out such a duty.

Members felt that this issue should be referred back to the Group when more detailed guidance had been received.

## **Transfer of Public Functions**

With regards to the transfer the Head of Corporate Services stated that this had not been changed. This was closely linked with the General Power of Competence and Community Right to Challenge. If the Council was approached by another body to carry out any functions then officers would present this to Members.

Following a question the Group was informed that further guidance was awaited on the definition of what was an authority.

Members felt that this was still in an embryonic stage and would be discussed as part of the Council's four year plan. It was also felt that this was an area that would develop and could possibly be included within the work programme at a more appropriate time.

## **Governance Arrangements**

The Head of Corporate Services explained the different methods of governance and what would be required if changes were to be made to those arrangements. This could include returning to a committee system, which could include scrutiny committees.

The Group felt that as the only trigger for this would be politically motivated there was no further action for the Group and therefore this should not be included within their work programme.

## **Standards**

The Group discussed the abolition of the Standards Board and the model codes of conduct for councillors and the impact of these on their role as a councillor, including how they could be perceived when making a decision. With regard to personal interest there had been some changes that could appear to lessen the categories, however, one of the changes was that a non-

declaration of a personal interest would be seen as a criminal offence. Also the register of interests that were kept by the Authority would now have to be published on the Council's website.

Members were informed that the Council would need to write and adopt a local Code of Conduct by July 2012, which would have to be presented to Council at its meeting in June. It was recognised that there would have to be a different approach to dealing with complaints and also Members would have to consider if there was a need for a committee.

The Group felt that these issues should be considered by the Standards Committee and that it should also be referred to the Member Development Group to ensure that all Members were fully informed of the implications of the changes.

### **Pay Policy Statement**

With regard to a pay policy statement the Head of Corporate Services explained that this was to ensure that all authorities were transparent and open. This was a statutory requirement and additional guidance was required. The Local Government Association and the East Midlands Council had provided support and assistance. It was recognised that some of the required information was already on the Council's website. The Group was informed that this policy would be presented to Cabinet in February 2012.

The Group felt that there was no need for this to be included within their work programme.

### **Repeals**

Members were informed that three duties had been repealed:

- The requirement to promote democracy
- The requirement to have a scheme to handle petitions
- A scheme to encourage domestic waste reduction

Members felt that as the Council had a scheme to handle petitions, especially electronic petitions, and as there were no costs involved, the Council should continue to offer this facility to residents. The Group noted the other two duties and agreed that there was no other action to be taken.

### **Non Domestic Rates**

The Group felt that this was self-explanatory and no further action was required.

### **Council Tax**

In relation to Council Tax Members were informed that an increase of 3.5% or above was deemed excessive. This item was being considered at the budget workshops and therefore would not need to be included in the work programme. It was recognised that Rushcliffe Borough Council, would incur the costs of a referendum if any of the precepting authorities raised the

Council Tax by an excessive amount. It was not felt that this would apply to parish councils, however the Head of Corporate Services agreed that this should be reported back to all Members when more detailed information was received.

### **Community Right to Challenge**

Members were informed that the Council had a duty to consider any expressions of interest. Following consideration it could accept, reject or modify any proposal. However the Authority must consider how the change would affect the area.

Although it was recognised that this could become part of the options when considering the Council's four year plan the Group felt that this issue should be included within its work programme when further details had been received.

### **List of Assets of Community Value**

The Head of Corporate Services explained that local authorities would have to keep and maintain a register of assets, including land, of community value put forward by parish councils, local communities or bodies with a local connection. A further list of unsuccessful nominations would also be kept explaining why these had not been placed on the register.

The Chairman informed the Group that he had recently visited one of the pilot areas where the community had used the register to halt the sale of the village pub. Members felt that there were various assets in the Borough that could be included in the register.

Following a discussion the Group felt that this was an area that should be included on the work programme when further guidance had been received.

### **Abolition of Regional Strategies, Community Infrastructure, Neighbourhood Planning, Consultation, Enforcement**

It was felt that these issues would be considered by the Local Development Framework Group and therefore should not to be included within the Group's work programme

### **Housing**

Following a question the Head of Community Shaping explained that the Council would now be able to discharge its homelessness duty by using the private sector, however with the buoyant market in Rushcliffe this was not always possible. This subject would be covered within the item on affordable rents and flexible tenancies due to be considered in March

It was AGREED that the items that had been considered as potential areas for further scrutiny, which might assist the Council in the delivery of its responsibilities, obligations and opportunities arising from the Act should be referred back at the appropriate time.

## 29. **Request for Scrutiny of Planning Application Notification Process**

The Chairman informed the Group that at the last meeting of the Scrutiny Chairmen and Vice Chairmen's meeting Councillor Wheeler had requested that one of the groups could scrutinise the Council's notification process for planning applications. He stated that the Borough Council exceeded the statutory requirements, however most Councillors did have some concerns especially regarding the definition of a 'neighbour', not being aware of who was notified and who had objected, and also people not knowing when an application would be considered by the Development Control Committee. Another area of concern was the electronic notification of applications to Members as the first endeavour had not been successful.

The Group supported the proposal for this issue to be included within their work programme, although it was recognised that this was a difficult area. It was felt that there needed to be a robust procedure that was transparent and clear to the general public. Members also commented on the fact that sometimes notices were not quickly removed.

Following a question Members were informed that proposed new planning legislation would not impact on any discussions.

The Group acknowledged the excellent work of the staff and the useful information that was contained within the weekly planning list. Officers stated that it would be an opportunity for the Development Control section to explain to Members the current procedure and to identify a mutually acceptable level of consultation within the current parameters.

It was AGREED that the notification procedures in Development Control should be a substantive scrutiny item for inclusion on the work programme

## 30. **Work Programme**

The Head of Community Shaping informed Members that at the meeting on 10 January Cabinet had requested that the issue of the Service Level Agreements between the Borough Council and Rushcliffe Council for Voluntary Service and Rural Community Action Network should be referred to the Group for further clarification, including identification of more comprehensive measurable outcomes. This would be placed on the agenda for 26 March 2012.

Officers explained that it would be more beneficial to move the item regarding Choice Based Lettings to the July meeting in order for Members to have a complete overview of the first year of the scheme. This would also enable Members to consider the draft strategy in respect of flexible tenancies and affordable rents and how the Council would work with housing associations in March.

Following on from the Group's discussion on the Localism Act 2011 it was agreed to place items regarding the Community Right to Challenge and the List of Assets of Community Value on the Group's agenda for October 2012. It was hoped that this would allow time for further guidance to be produced.

The meeting closed at 9.10 pm.

## Action Sheet

### COMMUNITY DEVELOPMENT GROUP - MONDAY 16 JANUARY 2012

Minute Number	Actions	Officer Responsible
26. Notes of the Previous Meeting	A further report be provided, when appropriate, regarding the Site of Interest for Nature Conservation adjacent to the disused railway line.	The Deputy Chief Executive (PR)
27. Rural Broadband	The ward data regarding broadband speeds to be checked and clarified.	Mr Lockely
28. Localism Act 2011	<p>Items to be referred back to the Group when appropriate:</p> <ul style="list-style-type: none"><li>• General Power of Competence</li><li>• Transfer of Public Functions</li><li>• Community Right to Challenge</li><li>• List of Assets of Community Value</li></ul> <p>Any issues arising from the change of the Standards regime be referred to the Member Development Group in order that training can be provided.</p> <p>The Head of Corporate Services to report back if excessive council tax rises applies to parish councils.</p>	The Head of Corporate Services
29. Request for Scrutiny of Planning Application Notification Process	Planning Application Notification to be placed on the Group's work programme	Head of Community Shaping



## COMMUNITY DEVELOPMENT GROUP

26 MARCH 2012

## DRAFT TENANCY STRATEGY AND AFFORDABLE RENTS

# 5

### REPORT OF THE HEAD OF COMMUNITY SHAPING

#### Summary

The Localism Act 2011 gives Registered Providers (registered social landlords) of social housing much greater flexibility to determine the length of tenancy that they offer to new tenants and introduces a requirement for all Councils to develop a Tenancy Strategy. The report considers the tenancy options available to Registered Providers and seeks Member's comments on the Council's draft Tenancy Strategy as part of the consultation process.

#### Recommendation

It is **RECOMMENDED** that Community Development Group endorse the draft Tenancy Strategy and the introduction of Affordable Rents.

#### Background

1. The Government's plans for radical reform of the social housing system were set out in 'Local Decisions: a fairer future for social housing' (published November 2010). It set out the Government's 5 key objectives for social housing reform, which are: Enabling localism, fairness and focusing social housing on those most in need in way that enables them to use it as a springboard to opportunity
  - Social housing being flexible and available to more people and to those who genuinely need it
  - Making the best use of the four million social rented homes in the country
  - Increasing the freedoms available to all social landlords to determine the sort of tenancy they grant to new tenants
  - Protecting the right of existing tenants
2. These reforms are now incorporated into the Localism Act 2011.
3. At the meeting of the Community Development Group held on 21 November 2011, consideration was given to the report of the Head of Community Shaping to the proposed reforms to be introduced through the Localism Act. It was agreed that Members of the Group would be consulted on the development of the Council's Tenancy Strategy which forms the basis of this report.

4. A further report on the reforms to social housing allocations will be presented to the Group during 2012 following consultation with local residents and key partners.

### Tenancy Strategy

5. The Localism Act places a duty on all councils to publish a Tenancy Strategy within twelve months of the Act being brought into force. The Tenancy Strategy must set out the Council's expectations for Registered Providers operating within their areas in relation to:
- The type of tenancy the Registered Providers will grant
  - If granting fixed term (flexible) tenancies, the lengths of those terms e.g. 2 or 5 years
  - Under what circumstances the Registered Providers will grant tenancies of a particular type e.g. lifetime tenancies to vulnerable groups
  - The circumstances in which a tenancy may or may not be reissued at the end of the fixed term e.g. under-occupancy
6. The tenancy options available to Registered Providers of social housing include:

<b>Current Tenancy Options</b>	<b>New Tenancy Options</b>	<b>Main Tenancy Features</b>
Assured tenancy (Registered Provider)	Assured tenancy	'Lifetime' tenancy. Tenancy rights of existing tenants protected. Registered Provider cannot grant a new tenancy with any less security where the tenant chooses to move to another social rented home.
	Assured fixed term	Flexible tenancy for a minimum term of no less than 2 years in addition to any probationary tenancy. Can only be granted to new tenants Registered Provider will have to carry out a review of the tenancy 6 months prior to expiry
Secure tenancy (Council)	Secure tenancy	'Lifetime' tenancy Tenancy rights of existing tenants protected. Council cannot grant a new tenancy with any less security where the tenant chooses to move to another social rented home.
	Secure fixed term tenancy	Flexible tenancy for a minimum term of no less than 2 years in addition to any probationary tenancy. Can only be granted to new tenants Council will have to carry out a review of the tenancy 6 months prior to expiry.
	Affordable Rent tenures	Either fixed term or 'lifetime' (secure or assured) tenancies where a maximum rent of 80% (including service charges) can be applied. Registered Providers/Councils will have to carry out a review of the tenancy 6 months prior to expiry.

7. Councils are also required to consult with all Registered Providers operating in their area in developing their Tenancy Strategy. In anticipation of the requirements of the Localism Act, the Council has been working closely with Registered Providers with stock in the Borough to develop the Council's Tenancy Strategy and inform their Tenancy Policies.
8. It is intended that the Council's Tenancy Strategy provides only a broad framework to which Registered Providers must have regard. Many of the Registered Providers operate nationally or regionally across many Council areas and it is quite possible many types of Council will want to adopt different approaches to their own Tenancy Strategies.
9. A copy of the Council's draft Tenancy Strategy can be found in **Appendix 1**.

### **Tenancy Policy**

10. The Localism Act also requires each Registered Provider to publish a Tenancy Policy explaining its approach to the types of tenancies it provides. It must also have regard to the relevant Council's Tenancy Strategy when formulating its own Tenancy Policy. Many of the proposed contents of Tenancy Strategies and Tenancy Policies overlap.
11. The Act gives Registered Providers the option to provide fixed term, flexible tenancies instead of secure and assured (lifetime) tenancies. The introduction of Flexible tenancies will apply to new tenants only.
12. Fixed term, flexible tenancies, must be granted for a minimum period of 2 years, however, the Government has indicated that most flexible tenancies should be granted for a minimum of 5 years.
13. Registered Providers will have to carry out a review of all tenancies awarded on a fixed term basis a minimum of 6 months prior to expiry. It will be for the Registered Provider to decide what tenancy if any is to be offered at the end of the fixed term.

### **Affordable Rent**

14. A new Affordable Rent tenancy will be offered by Registered Providers to some new tenants of social housing in the Borough from 2012/13. Affordable Rent tenancies will offer fixed term tenancies at a rent higher than social rent with landlords able to set rents at 80% of market rents. This will enable landlords to raise funds to build more affordable housing for those who need it.
15. There are two aspects to the implementation of Affordable Rents, the delivery of new affordable housing and the application of rent increases on re-lets of existing stock. The difference between the existing rent and the new rent is intended to be pooled as a resource for new development.
16. There is no direct advantage to the Council through the increase of rents as the funding raised by the increased rents or the disposal of stock cannot be ring-fenced for re-investment in the Borough. A Registered Provider can choose to invest wherever their priorities for development/growth maybe.

17. There are on average 250 re-lets of existing stock per annum across the Borough. The proportion of tenancies that will be re-let at the higher Affordable Rent levels will vary from Provider to Provider depending on their individual contractual arrangements with the Homes and Communities Agency.
18. Metropolitan Housing Partnership (Spirita), the main Registered Provider, is taking a cautious approach to the number of affordable rent properties converted in the Borough. This will account for 5% (13 properties) of re-lets in 2012-13, 10% (25 properties) in 2013/14 and 15% (38 properties) in 2014/15. The Council will have no right to veto conversions.

### **Conclusion**

19. The report has outlined the future options available for providers of social housing in granting tenancies to new tenants and the need for a Tenancy Strategy to be developed.
20. The changes for councils will come into effect when the relevant parts of the Localism Act are enacted. The changes for Registered Providers can be implemented under Regulatory Orders so can come into effect immediately. All Registered Providers in Rushcliffe must have regard to the Council's position within a Tenancy Strategy.
21. The next stage will be to undertake further consultation with Registered Providers and local residents for a period of 4 weeks. Comments will be incorporated, where appropriate, prior to a report to Cabinet. Any significant changes to the draft Tenancy Strategy following consultation will require this to be revisited by Community Development Group.

### **Financial Comments**

There are no financial implications for this report.

### **Section 17 Crime and Disorder Act**

There are no crime and disorder implications for this report.

### **Diversity**

The Council will be working closely with Registered Providers to ensure the Tenancy Strategy and Tenancy Policies incorporate equality and diversity throughout. A full Equality Impact Assessment will be carried out before the final strategy is published.

**Background Papers Available for Inspection: Nil**

Section 150 of the Localism Act 2011 requires all local housing authorities to adopt a tenancy strategy to set out the matters to which Registered Providers of Social Housing should have regard when they decide what tenancies to offer new tenants of social housing.

This document sets out the Council's interim position, which is subject to further discussion and development, and consultation with local councillors, stakeholders and the public. This is a strategy to guide future lettings of social housing, whether let at Affordable Rent or social housing target rents. It does not affect the tenancy rights of existing tenants.

As the Council does not own any housing stock, it cannot set out what type of tenancy a person will be offered in every circumstance, or how reviews will be carried out at the end of a fixed term tenancy. This is covered by the tenancy policy that every Registered Provider is required to publish.

If you are not sure about the type of tenancy you will be offered, or what will happen at the end of that tenancy, or if you think you have been treated unfairly, you should consult the tenancy policy published by the individual Registered Provider.

### **Preferred type of tenancy**

Rushcliffe Borough Council encourages Registered Providers to offer one year introductory tenancies, followed by five year fixed term tenancies to all new tenants in Rushcliffe with the exception of:

1. Where the property is designated as supported housing which is designed to be let for a limited time (e.g. homeless or "move-on" accommodation). This is because five years is too long a tenancy to be appropriate for this type of accommodation – we expect clients to move on to independent accommodation much sooner than this.
2. Where the prospective tenant who is allocated the property in accordance with the Allocations Policy falls into one of the following categories of people:
  - A person aged 55 or over
  - A person who is vulnerable as result of mental illness, learning disabilities, physical disability
  - A person who is vulnerable due to other special reason (i. e. chronically illness, Aids/HIV related illnesses or other reason that the housing association may identify).

We encourage Registered Providers to either continue to offer assured tenancies to the people identified in point 2 above, or to offer a fixed term tenancy with the

expectation that it will be renewed after five years without the need for a formal assessment.

The reasoning for this is that vulnerable clients who fall into the above groups are much less likely to have improved their position in the job market and be able to afford to move into the private sector after five years, and because the prospect of having to move in five years' time could be a concern that affects their ability to settle in their new home and sustain their tenancy.

The Council does not encourage Registered Providers to offer tenancies for fixed terms of less than five years. Five years is a reasonable period in which people can improve their financial circumstances by finding work, so that they can access private rented housing. Given the disruption and costs involved with moving house, the Council does not believe the statutory minimum tenancy of two years is sufficient for this.

The Council expects Registered Providers using the Homesearch Choice Based Lettings scheme to state clearly in the advertisement for each property the type of tenancy they would plan to offer to a new tenant, and the length of term if it is a fixed term tenancy.

## **Reviews**

At the end of the five year fixed term, we encourage Registered Providers to review the tenant's circumstances and look at whether the household still requires the size of accommodation that was allocated to them.

If that size of accommodation is still required, we expect the presumption should be that their tenancy should be renewed for another five years.

If the household is now under-occupying their property, we would expect the housing association to give the household advice and assistance to move to a suitable property; either a smaller social rented property, or a private rented property if it appears the household could afford this.

As a guideline, we would expect the Registered Providers to demonstrate that at least three private rented properties are available for the household to occupy within a five mile radius, which they could reasonably afford given their income and circumstances. This is only an indicative distance, and each Registered Provider will make a decision on what is appropriate.

Alternatively, we would encourage Registered Providers to look at ways that tenants could remain in their existing homes, perhaps by allowing them to purchase an equity share in their home. This could support mixed income and mixed tenure communities, which have proven and measurable benefits to residents, and allow the proceeds of equity sales to be reinvested into new affordable homes.

## Rationale

The rationale for adopting this policy position is as follows:

Social housing is a very scarce resource in Rushcliffe, with far more demand than supply. There are 3,998 social properties in the Borough, of which 1,432 (36%) are properties for older people. There are around 250 re-lettings in an average year – a turnover of 6% – but 1,132 active applicants on the housing register.

There is a high degree of under-occupation in the social housing stock, with many tenants not strictly requiring the size of property that they occupy. This is partly because the lack of two bedroom houses in Rushcliffe means that families with one child can sometimes only be rehoused reasonably quickly by letting them a three bedroom house.

Encouraging a test for under occupation before the tenancy is renewed is a long-term policy, which will not bear fruit until at least 2017. Over time, however, it will free up much-needed family accommodation, and create the expectation among new tenants that these scarce properties are only available while the family size justifies them, rather than being “homes for life”.

The Council is keen to ensure that these new flexibilities are not applied in a manner that does not undermine social investment into communities and ensures the most vulnerable tenants are provided with the level of stability they require. The Council considers that where residents are vulnerable, i.e. older people or those requiring long-term support, shorter fixed term tenancies would not provide the degree of stability and security required and would put these groups at a disadvantage in securing alternative accommodation.

Although the Council has given consideration to supporting a financial means test on whether the tenancy was renewed, evidence suggests that given the financial position of people moving into social housing, the economic situation, the labour market and very high rents in the local private sector, this would have limited benefits in making more social stock available. Conversely, financial means testing would impose an administrative burden on the housing providers that had to carry it out, which would divert staffing resources from housing management, community development and other activities of mutual importance to housing providers and the Council.

Further, to be used fairly, a means test after five years would have to be matched by a means test at the point of entry into social housing for every applicant to ensure tenants whose tenancy was not renewed were not replaced by people on a higher income than themselves. This means testing would be added to the administration of the housing register, which the Council does, and would either increase staffing

costs considerably, or divert existing staff from other duties such as preventing homelessness, and impact on performance in those areas.

There is already a correlation between pockets of relative deprivation and worklessness in Rushcliffe and levels of social housing, principally in Cotgrave. This situation would not be improved by requiring working households who have achieved middling incomes to move out of social housing and be replaced with workless tenants who have passed the means test.

Finally, a five mile radius has been selected as an indicative area for securing accommodation in the private sector because virtually all parts of the Borough are within five miles of at least one of West Bridgford, Ruddington, East Leake, Keyworth, Cotgrave, Radcliffe on Trent or Bingham, where the majority of rented properties will be available. Five miles from West Bridgford covers most of urban Greater Nottingham, which reflects the council's expectation that people should be prepared to move across local authority boundaries to locate housing that is affordable and suitable for them.



## COMMUNITY DEVELOPMENT GROUP

26 MARCH 2012

### SERVICE LEVEL AGREEMENT WITH RCVS AND RCAN

# 6

## REPORT OF THE HEAD OF COMMUNITY SHAPING

### Summary

This report sets out the Council's approach to developing a single Service Level Agreement with Rushcliffe Community Voluntary Service (RCVS) and Rural Community Action Nottinghamshire (RCAN) for the period 2012-2015 to deliver services on the Council's behalf.

### Recommendation

It is RECOMMENDED that Members make comment on and endorse the revised Service Level Agreement between the Council and Rushcliffe Community Voluntary Service (RCVS) / Rural Community Action Nottinghamshire (RCAN) and refer this to Cabinet for approval.

### Background

1. In 2008 Rushcliffe Borough Council entered into a service level agreement with RCVS and RCAN to deliver services on the Council's behalf over a three year period (2008-2011.) The Council agreed to pay RCVS £131,042 and RCAN £126,317 respectively. Both SLA's have since expired.
2. As part of the Council's Four Year Plan to address budget savings required and to improve services to customers the Council undertook a review of these Service Level Agreements. In addition, the Council's Rural Officer (funded through the SLA with RCAN) retired on 31 July 2011, which presented an ideal opportunity for reviewing future partnership working.
3. Members of the Community Development Group have received two reports on the review of the SLA's in July and September 2011. Members were asked to comment on the services that RCVS and RCAN provide to meet the needs of residents and to provide direction on the development of the SLA. Following on from the September scrutiny the SLA was developed and presented to Cabinet for approval on 10 January 2012.
4. Cabinet resolved that:
  - Cabinet agreed the principle of a single Service Level Agreement (SLA) and target of 10% savings with the expectation that RCVS and RCAN could achieve economies of scale from working together
  - Cabinet referred the SLA back to Community Development scrutiny for further consideration and development of comprehensive measurable outcomes

- Approval be given to authorise interim payments to RCVS and RCAN up to end of April 2012 in order to maintain existing arrangements until further scrutiny is concluded.

### **Service Level Agreement 2012-2015**

5. It is proposed that the new Service Level Agreement with RCVS and RCAN will fund five specific activity outputs (Appendix A)
  - Deliver infrastructure services to voluntary and community groups, including direct provision of support services to individual volunteers and voluntary and community organisations. Members had previously reflected on the good work undertaken by community groups and volunteers supported by RCVS and expressed their wish to retain this core function within the SLA. To ensure that the Members continue to be assured of the good work in this area it is proposed that the Council will liaise with local groups to provide feedback to Members regarding RCVS and RCAN support.
  - Support town and parish councils and community groups in the development and delivery of parish plans, neighbourhood plans and market town initiatives. This will include the provision of advice and guidance to town and parish councils and community groups on community led planning, undertaking at least two community led plans per year, supporting the development of Keyworth Neighbourhood Plan and leading on the delivery of a 'market town initiative.' The SLA will also fund the important assistance provided to our communities to access grants.
  - Assist the Council in developing and implementing its Transformation Agenda. As this is still in the early stages of development it is envisaged that the Council will work with RCVS and RCAN to develop an action plan in 2012/2013 to incorporate partnership involvement into transforming Council services. It is anticipated that RCVS and RCAN should take a proactive approach in the transformation programme providing advice on the role of the voluntary sector and identifying potential solutions. As part of the four year plan service redesign officers will be reviewing the provision of all services. RCVS and RCAN have many shared priorities with the Council and it may be appropriate that in the future they provide these services on our behalf.
  - Assist the Council in implementing its Equality Scheme - including managing the Rushcliffe Community Cohesion Network (RCCN), which provides an opportunity for engagement with diverse groups across Rushcliffe. RCVS and RCAN have a key role to play in leading on the development and the implementation of the RCCN, which will be an important communication tool.
  - Communication - RCVS and RCAN will work closely with the Council to actively engage local residents and community groups.
6. The SLA also incorporates a payment of £10,475 per year which RCVS then pay to the Council for accommodation at Bridgford House

## **Monitoring and evaluation**

7. The SLA sets out specific annual outcomes to be reviewed on a quarterly basis. This allows flexibility to be built into the SLA to ensure the partnership continues to meet the needs of the Council and residents in changing times.
8. Cabinet had asked officers to consider the effectiveness of the performance management of the SLA. Officers propose to strengthen the performance management process by having six monthly strategic meetings with all parties and the Cabinet Portfolio Holders for Community Services and Resources. This will provide an opportunity to review performance on a strategic level and for Cabinet Members to be involved in the development of the strategic direction for future years. In addition to the six monthly meetings it is also proposed that there will be an annual scrutiny of the partnership by the Partnership Delivery Group.

### **Financial Comments**

The cost of the revised SLA will be £236,223. This represents three annual payments of £78,741 between 2012 and 2015.

This represents a saving of 12% (28,000) on the current service level agreement when incorporating rental income. The original service review target was a saving of 10% (£26,000.)

### **Section 17 Crime and Disorder Act**

RCVS and RCAN work closely with the Crime and Disorder Reduction Partnership and consider community safety in all aspects of their work.

### **Diversity**

RCVS and RCAN work actively to promote equal opportunities and diversity in all aspects of their work. The SLA will specifically fund the Rushcliffe Community Cohesion Network which brings together diverse and hard to reach groups from all over Rushcliffe to ensure they have a voice in Rushcliffe.

**Background Papers Available for Inspection: Nil**



**SERVICE LEVEL AGREEMENT**

**BETWEEN**

**RUSHCLIFFE BOROUGH COUNCIL**

**AND**

**RUSHCLIFFE COMMUNITY & VOLUNTARY SERVICE**

**AND**

**RURAL COMMUNITY ACTION NOTTINGHAMSHIRE**

**2012-2015**

**Service Level Agreement between**  
**RUSHCLIFFE BOROUGH COUNCIL**  
**& RUSHCLIFFE COMMUNITY & VOLUNTARY SERVICE/ RURAL COMMUNITY**  
**ACTION NOTTINGHAMSHIRE**

TOTAL 2012/13.....	£ 78,741
TOTAL 2013/14.....	£ 78,741
TOTAL 2014/15.....	£ 78,741
<b><u>GRAND TOTAL 2012-2015.....</u></b>	<b><u>£236,223</u></b>

TERMS AND CONDITIONS OF AGREEMENT between  
RUSHCLIFFE BOROUGH COUNCIL and RUSHCLIFFE  
COMMUNITY & VOLUNTARY SERVICE/ RURAL  
COMMUNITY ACTION NOTTINGHAMSHIRE

Date of Commencement:- 1 April 2011      Period – 3 years

This agreement relates to:

- the provision of services in Rushcliffe
- services provided by Rushcliffe Community & Voluntary Service and Rural Community Action Nottinghamshire
- the above period only.

**NB.** Reference throughout this document to **the Council** shall mean, **Rushcliffe Borough Council**, to **RCVS** shall mean, **Rushcliffe Community & Voluntary Service** and to **RCAN** shall mean, **Rural Community Action Nottinghamshire**.

**1. Rushcliffe Community Strategy**

All activity undertaken must help Rushcliffe Community Partnership achieve its objectives as stated in the current Rushcliffe Community Strategy and its annual action plans.

**2. The Council's Corporate Plan**

All activity undertaken by **RCVS/RCAN** and funded through this agreement must assist in helping **the Council** achieve its priorities as set down in **the Council's** Corporate Plan.

**3. Local Authority Compact**

Both parties are committed to fulfilling their obligations under the agreement within the framework of the current Compact and are committed to the development and implementation of a new style joint framework for partnership working.

**4. General Conditions**

**RCVS and RCAN** shall:

- a) provide to **the Council** the services as set out in Schedules A & D, these shall be in accordance with the terms and conditions of this Agreement.
- b) ensure that in providing the services, it complies with and achieves the activities as set out in Schedule B.
- c) perform to the standards as set out in Schedule C.
- d) perform in accordance to appropriate professional standards.

e) exercise all reasonable skill, care and diligence in the performance of the services.

f) comply with all applicable statutory and other legal requirements, regulations and all relevant voluntary and compulsory codes of conduct.

g) provide activity monitoring reports to **the Council** 4 times per year, attend two strategic meetings per year with Cabinet Portfolio Holders and an annual scrutiny of the partnership at Partnership Delivery (see Schedule D).

h) provide to **the Council** any other such reports in relation to the provision of services or this agreement as **the Council** shall reasonably require. **The Council** will give adequate notice in such cases.

## 5. Duties of the Provider

It is the duty of **RCVS** and **RCAN** as joint service providers to:

a) ensure that all necessary measures are taken for the protection and safekeeping of any staff or volunteers, together with any items of property, to be used or employed by **RCVS and RCAN**, in connection with the provision of services under this agreement.

b) indemnify and keep **the Council** indemnified against all liability, loss, damages, costs and expenses (including legal expenses) awarded against or incurred or paid by **the Council** as a result of, or in connection with:-

- any breach by **RCVS or RCAN** of any of the provisions of this agreement; or
- any act or omission of its employees, agents or sub-contractors (including, but without limitation, voluntary workers) in connection with the provision of services by **RCVS and RCAN** under this agreement; or
- any claim brought against **the Council** by any third party which arises in connection with the provision of services under this agreement.

c) without prejudice to the provisions of sub-clause 5b) take out, and throughout the period of this agreement, maintain policies of insurance with an insurance company of good repute against any liability for which **RCVS and RCAN** may be responsible in connection with the provision of services under this agreement (including, but without limitation, employer's liability), such insurance shall be in a minimum amount of £5,000,000 for any one incident or series of connected incidents. **RCVS and RCAN** shall upon request by **the Council**, at any time, produce such policies of insurance together with the receipt for the current year's premium.

## 6. Monitoring and Evaluation

**RCVS and RCAN** shall comply with the monitoring and evaluation arrangements as set out in the conditions.

**RCVS and RCAN** shall allow **the Council** reasonable access to the premises/sites where the service is provided and to financial information and other documentation relevant to the monitoring requirements set out in Schedule D.

The clause above does not relate to statutory rights of access of the client, or government or other authority or regulatory body who may have legitimate rights to information.

## **7. Service Agreement Management**

**The Council** and **RCVS/RCAN** shall each nominate a Service Agreement Manager to act on their behalf. Any decision, notice, information or communication given or made by a Service Agreement Manager or his duly nominated representatives (such nomination being advised in writing) shall be deemed to have been given by **the Council** or **RCVS/RCAN** as the case may be.

## **8. Assignment**

**RCVS/RCAN** shall not assign any element of this Agreement, or sub-contract its duties and obligations within this Agreement, without the prior written consent of **the Council**.

## **9. Agreement Reviews**

Reviews of the Agreement may be initiated by either party for the duration of the Agreement

## **10. Financial Management**

a) **The Council** agrees to commission the services of **RCVS/RCAN** as detailed in Schedule A at the costs detailed in Schedule D for the duration of the Agreement.

b) Payment will be made in three installments, in advance on the following dates:

- 1<sup>st</sup> April 2012
- 1<sup>st</sup> April 2013
- 1<sup>st</sup> April 2014.

c) If **RCVS/RCAN** shall fail to meet the service specifications or standards **the Council** may bring this agreement to an end and require immediate repayment of all or part of the pre-paid funding.

## **11. Duration and Termination**

This Agreement shall come into force on 1 April 2012 and subject to the provisions below shall continue in force until 31 March 2015.

a) It may be terminated by either party at any time on giving to the other party not less than 6 months notice in writing.

b) Either party shall be entitled to terminate this Agreement if :-

i) the other party commits any continuing or material breach of any of the provisions of this Agreement and, in the case of a breach capable of remedy, fails to remedy the same within 28 days after receipt of a written notice giving full particulars of the breach and requiring it to be remedied

ii) another party, or individual with which there is not an Agreement takes possession or a receiver is appointed over any of the property or assets of that other party

iii) that other party makes any voluntary arrangement with its creditors or becomes subject to an administration order

iv) a petition is presented, or a resolution is passed, for the winding up of that other party

v) that other party ceases, or threatens to cease, to carry on the services of this Agreement.

c) During the period of Termination the parties shall:-

i) Work to ensure that the interests and needs of users are met;

ii) Endeavour to reconcile all financial matters including sums outstanding;

iii) Return any property of the other party.

## 12. Entire Agreement and Variation

a) This Agreement (together with the Schedules hereto) sets forth the entire agreement between the parties with respect to the subject matter herein and supersedes and replaces all prior communications, representations, warranties, stipulations, undertakings and agreements whether oral or written between the parties.

b) The Council will seek an agreement with the provider for compliance with **the Council's** Equal Opportunity, Community Safety and Environmental Policies, particularly its procurement provisions.

c) No variation shall be made to this Agreement unless such variation is in writing and agreed to by duly authorised representatives of both parties.

## 13. Settlement of Disputes

a) A difference or dispute arising out of this Agreement shall be dealt with as follows:

i) the aggrieved party shall notify the other party via the Service Agreement Manager in writing giving details of the dispute or difference

ii) **The Council** will work with **RCVS/RCAN** to identify the causes of the problems and make recommendations to enable a resolution (this would not prevent **the Council** exercising its rights to end the agreement).

iii) within 14 days of such notification the Service Agreement Manager of **the Council** and Service Agreement Manager of **RCVS/RCAN** (or in their absence a duly authorised representative) shall meet to attempt to resolve the dispute or difference

iv) if within 28 days after any notification given pursuant to clause a) i) above the dispute or difference in question has not been resolved, the matter shall be referred to the Deputy Chief Executive for a decision

b) Nothing within this clause shall prevent the parties at any time agreeing to settle any difference or dispute arising out of this Agreement without recourse to arbitration.

THIS AGREEMENT IS SIGNED ON BEHALF OF THE CHIEF EXECUTIVE OF RUSHCLIFFE BOROUGH COUNCIL BY:

.....(Head of Community Shaping)

Date .....

And .....

Signature .....

Designation .....

Date .....

On behalf of Rushcliffe Community and Voluntary Service

And .....

Signature .....

Designation .....

Date .....

On behalf of Rural Community Action Nottinghamshire

**SERVICES**

In broad terms, **RCVS/RCAN** agrees:

- To provide services to community organisations and individuals engaged in voluntary work in Rushcliffe
- To provide a service to Rushcliffe rural community groups and Town and Parish Councils on behalf of Rushcliffe Borough Council to assist them in meeting the corporate goals set down in the Councils Corporate Strategy 2012-2016.

In more specific terms, **RCVS/RCAN** will:

- provide services to Rushcliffe Borough Council to assist them in meeting the Councils corporate goals as laid down in the Council's Corporate Strategy 2012-2016

The following five services will be provided:

**Service 1:** Delivery of infrastructure services to voluntary and community groups

**Service 2:** Supporting town and parish councils and community groups in the development and delivery of community led plans, neighbourhood plans and market town initiatives.

**Service 3:** Assist the Council in developing and implementing its Transformation

Agenda

**Service 4:** Assist the Council in implementing its Equality Scheme

**Service 5:** Communicate with voluntary and community organisations throughout Rushcliffe

### ACTIVITY OUTPUTS

#### **Service 1: Deliver infrastructure services to voluntary and community groups**

1. Work to initiate, support and develop voluntary and community action across Rushcliffe
2. Work with voluntary and community agencies to develop and deliver services to meet identified need through a programme of face to face interviews with local groups and organisations. Services will include:
  - securing funding
  - establishing legal structures
  - management issues
  - training
  - provide practical resources available to voluntary and community groups including photocopies, IT equipment and display panels
3. Promote and facilitate volunteering across Rushcliffe:
  - work with local organisations to promote good practice in volunteering
  - make contact with groups with a view to placing volunteers and recruiting potential volunteers
  - maintain an up to date database of volunteer opportunities and of volunteers seeking placement
  - follow up contacts with potential volunteers to check satisfaction level
  - offer training opportunities to volunteers and organisations involving them
4. Work in conjunction with partner agencies to respond to community and voluntary action emerging from strategic work led by parish and town councils
5. Attract additional funding into the Borough in the support of voluntary and community activity:
  - organise one 'funding workshop' per year for voluntary and community organisations
  - work with organisations to help them identify and secure funding for their work
  - RCVS will generate income from a variety of sources to support delivery of core services and project work

#### **Service 2: Supporting town and parish councils and community groups in the development and delivery of community led plans, neighbourhood plans and market town initiatives.**

1. Provide rural advice to any rural community group or town and parish council, with a particular focus on community led plans
2. Work with town and parish councils to support the development and delivery of community led plans
3. Work with Keyworth Parish Council to support the development and delivery of a Neighbourhood Plan

4. Work with town and parish councils to lead on the delivery of 'market town initiatives'
5. Provide an efficient grant finder scheme, attracting additional funding into the Borough in support of rural communities:

### **Service 3: Assist the Council in developing and implementing its Transformation Agenda**

1. Work with the Council to support the delivery of its Four Year Plan, specifically on the Transformation Agenda. This will involve the development of an annual action plan in conjunction with Head of Community Shaping and Head of Transformation to meet the Council's requirements.
2. Support the Council in promoting and delivering Localism to encourage community engagement and support local community initiatives
3. Work with the Council to promote rural broadband in Rushcliffe

### **Service 4: Assist the Council in implementing its Equality Scheme**

1. Maintain and improve a database of organisations across Rushcliffe from all sectors of the community which the Council can then access to engage with minority groups.
2. Enable individuals and organisations from minority groups to engage in voluntary and community activity and in local decision making processes
  - ensure that publications and website conform to agreed accessibility criteria
  - contribute to Borough-wide initiatives aimed at promoting and facilitating diversity and inclusion
  - promote and support initiatives aimed at enabling hard to reach groups and individuals to enable their needs to be heard
3. Deliver the Rushcliffe Community Cohesion Network
  - bring together networks of organisations and individuals concerned with diversity, equality and social capital

### **Service 5: Communication**

Contribute to Council efforts to develop two way communication with individuals and organisations in Rushcliffe

- make available provision for information exchange in RCVS/RCAN publications and other media and event
- Regular newsletters (250-300) per mailing (mainly electronic versions)
- 'piggy-back information in media delivered by other organizations
- direct mailings as required
- website up dated weekly

**PERFORMANCE OUTCOMES (Annual)**

**Service 1: Deliver infrastructure services to voluntary and community groups**

1. One to one contact with at least 35 voluntary and community groups
2. Work with at least 5 organisations to help them identify suitable funding opportunities and helping them to secure at least £25,000 additional funding
3. At least 95% of organisations helped by RCVS and responding to user survey express satisfaction with the service received
4. Advice and support provided to at least 400 potential volunteers and successfully place at least 90 volunteers
5. Work is done with at least 12 voluntary and community groups to promote good practice in volunteering
6. The Volunteer Centre achieves and maintains accreditation with Volunteering England
7. At least 95% of people using the Volunteer Centre and responding to user survey express satisfaction with the service
8. Volunteer Centre engages with Centres elsewhere in the County to develop collaborative initiatives aimed at improving efficiency and effectiveness
9. RCVS will generate additional period income to provide new services to users

**Service 2: Supporting town and parish councils and community groups in the development and delivery of community led plans, neighbourhood plans and market town initiatives.**

1. Rural community groups and town and parish councils receive appropriate advice and guidance, with a particular focus on parish plans
2. At least two parish plans are produced per year
3. Provide support for the ongoing development of a Neighbourhood Plan in Keyworth
4. Lead on the delivery of one 'market town initiative'
5. Work with community groups and town and parish councils to help them identify suitable funding opportunities and helping them to secure additional funding
6. Engage with partners in up to 12 town or parish council community initiatives..
7. Develop mechanisms for consulting with town and parish councils post parish plan to continually improve the service.

**Service 3: Assist the Council in developing and implementing its Transformation Agenda**

1. As the Council is in the early stages of developing its transformation agenda and undertaking the Four Year Plan Redesign it is too early to establish clear outcomes. It is therefore anticipated that the Council will work with RCVS and RCAN to develop an action plan in 2012-2013 in respect of supporting the Councils goals set out in Schedule A. This will then be updated on an annual basis as the transformation agenda evolves. It is anticipated that RCVS and RCAN will both take a proactive approach in working with the Council on the transformation agenda by providing specialist knowledge about the third sector and identifying potential solutions to challenges the Council may face.

#### **Service 4: Assist the Council in implementing its Equalities Scheme**

1. Ensure that the database is seen to reflect our diverse population
2. Ensure that at least 10 key networks are engaged in the Community Cohesion Network (CCN)
3. Lead on the organization and delivery of at least one CCN event
4. Lead on the organization and delivery at least one initiative with the BME community
5. At least 10 volunteers with additional support needs are successfully placed

#### **Service 5: Communication**

1. Our database of voluntary opportunities is updated regularly
2. At least 10 electronic news bulletins are circulated
3. Database entries increase by at least 10% per annum
4. Those responding to an annual survey will show at least 90% overall satisfaction with the news bulletin
5. Circulate 10 regular newsletters (250-300) per mailing (mainly electronic versions)
6. 'piggy-back information in media delivered by other organizations
7. carry out at least 4 direct mailings as required
8. website up dated weekly

## EVALUATION AND MONITORING

All parties will monitor the Service Level Agreement performance on a quarterly basis. Any party may call a meeting to discuss any part of the performance of the Service Agreement and where appropriate amendments to the Service Level Agreement will be made if agreed by all parties.

**RCVS/RCAN** will provide Activity Monitoring reports with evidence of outcomes to Rushcliffe Borough Council 4 times per year. The reports will focus on the progress of the five services, any relevant developments and recommendations for future work. **The Councils Service Agreement Manager, Cabinet Portfolio Holders for Finance and Community Services** and the **RCVS/RCAN** Service Manager will meet on an six monthly basis, to review performance and agree the strategic approach for the next 6 months. In addition, there will be an annual scrutiny of the partnership at Partnership Delivery Group.

## PAYMENT

**Subject to meeting all of the outcomes shown in Schedule C, Rushcliffe Borough Council** will pay **RCVS/RCAN** £236,223 for the period 2012 – 2015 in three annual installments for the period 1 April 2012- 31 March 2012), £78,471, £78,471, and £78,471 respectively, annually in advance.

**RCVS/RCAN then agree to pay** the Council £10,475 per year for accommodation provided at Bridgford House on an annual basis.

Any and all sums paid or payable to the provider, under or pursuant to this agreement, shall be exclusive of Value Added Tax (where appropriate).





## COMMUNITY DEVELOPMENT GROUP

26 MARCH 2012

ANNUAL REVIEW OF WORK PROGRAMME  
2011/12

# 7

### REPORT OF THE DEPUTY CHIEF EXECUTIVE (PR)

#### Summary

1. The annual report provides a review of the work undertaken by the Community Development Group during the scrutiny year 2011/12. Each of the four scrutiny groups will prepare an annual report. A summary annual scrutiny report and this will be presented to full Council in June 2012.
2. The Group will have met on five occasions during the year. The Community Development Group considered:
  - *Leisure facilities strategy*
  - *Choice based lettings progress*
  - *Review of service level agreements with RCAN and RCVS*
  - *Preventing homelessness*
  - *Countywide waste core strategy*
  - *Call-in on new homes bonus funding*
  - *Introduction to flexible tenancies and affordable rents*
  - *Green waste scheme*
  - *Rural broadband*
  - *Localism Act*
3. The Community Development Group is asked to review the report and consider if it fully reflects the work undertaken by the Group. Amendments will be made to reflect the discussion at this meeting.

#### Recommendation

It is RECOMMENDED that the Community Development Group approve the report and forward it on to Council for consideration.

#### Financial Comments

There are no direct financial implications arising from the matters in this report

#### Section 17 Crime and Disorder Act

There are no direct Section 17 implications arising from the matters in this report

#### Diversity

There are no direct diversity implications arising from the matters in this report

**Background Papers Available for Inspection: Nil**

**Community Development Scrutiny Group**  
**Annual Report 2011/12**

## **Chairman's foreword**

As Chairman of this Group I have pleasure in writing this brief introduction to this annual report of the Community Development Group. This year our work has been both interesting and rewarding. We have covered a number of significant topics, mainly linked to the theme of ensuring Communities within Rushcliffe remain vital and engaged, despite the difficult economic times and funding cuts.

Unusually, the Scrutiny Group commissioned no member panels in the last year. However, within the general scope of Community Development, two member groups were commissioned by the Cabinet covering Leisure strategy and Community Facilities – both are progressing well. I must also congratulate everyone involved in the progress and successful launch of the Choice Based Letting scheme.

Thanks to the many senior officers who gave us presentations throughout the year, and also to the staff from partner organisations who gave their time to give us the benefit of their expertise. I would also like to offer particular thanks to those officers who have provided support to this Scrutiny Group throughout the year.

We have scrutinised many interesting topics from improving rural broadband access through several issues relating to Affordable Housing to our Green Waste Scheme. Congratulations to everyone involved in the great success of the Green Waste charging scheme.

Finally, thank you to all group Members for their support, their input and their diligence during our meetings. I give special thanks to Vice Chairmen Councillor Tina Combella for her support in managing the process.

Councillor Nigel Lawrence  
Chairman – Community Development Scrutiny Group.

## What are we responsible for?

The main role of Rushcliffe's scrutiny groups is to:

- Develop a work programme which scrutinises the Council's priorities
- Ensure the Group's work helps implement Council plans and policies
- Review and challenge how the policy, plans and services are implemented and make recommendations to Cabinet and Council on any improvements to services and their performance
- Ensure the work contributes towards value for money, continuous improvement and best practice.

The Community Development Scrutiny Group's remit is to scrutinise:

- Community priorities and proposed solutions
- Engaging and identifying needs of key groups
- Building relationships to ensure that policies empower communities
- Reputation management gained via communications and promotion
- Town and Parish Councils shared working (identifying opportunities whilst establishing priorities)

A major element of the Group's role is to understand the key issues for residents, and encourage them to give their views about matters of importance. The Group also ensures the Council maintains its excellent reputation via effective communications.

## Our work this year

During this year the Group considered many service areas and issues within its scrutiny role, particularly:

- Leisure facilities strategy
- Choice based lettings progress
- Review of service level agreements with RCAN and RCVS
- Preventing homelessness
- Countywide waste core strategy
- Call-in on new homes bonus funding
- Introduction to flexible tenancies and affordable rents
- Green waste scheme
- Rural broadband
- Localism Act

At the Group's first meeting in July, Members learned more about RCAN and Rushcliffe CVS's work in the Borough. The review of service level agreements was undertaken to ensure both organisations supported the Council's priorities. After hearing about the funding provided by the Borough Council to support both organisations, Members were appraised of the work of both organisations, for example, learning more about the voluntary transport scheme, work promoting community cohesion, helping groups access funding and helping with parish planning. Members felt, after hearing the report, that there were still issues which needed addressing before a recommendation could be made to Cabinet.

Members learnt that the Member Panel had completed its investigatory work on the leisure facilities strategy and now had to develop it to guide future leisure provision. Since many decisions would now be made by Cabinet, Members decided that a Cabinet-led Member Group would be the best way forward and that the Member Panel should be thanked for their good work, but should now be closed down.

At the July meeting, Members also received an update on the new choice based lettings scheme - how it operated and successes to date – at this stage it was just three months into operation. This joint project with Gedling and Broxtowe was going well and positive feedback had been received from focus groups, partners and via the website. Members were informed that an annual report would be presented to the March 2012 meeting.

At the September meeting, Members received further information on service level agreements for RCVS and RCAN to enable them to make a more informed decision. They heard about the staff employed, work undertaken and discussed how nationally many voluntary groups were merging to ensure resilience. The possibility of the two groups merging was discussed. Members were supportive of the work of RCAN and RCVS, but felt that it would be beneficial if the two organisations could dovetail their operations to provide savings without affecting the services provided. Members requested that a 12-month review should be included in the Group's work programme.

Members received information about the results of the healthcheck assessment of the homelessness and housing options service undertaken by the Department of Local Government (DCLG) in December 2010. The Council had invited the DCLG to undertake the assessment from a customer's viewpoint and to make recommendations where any improvements were necessary. Members were told of the high level of staff training and close partnership working which resulted in maximising resources. Members were also advised that the Council's temporary accommodation had been accredited as good. Some actions were discussed including considering outsourcing the service as part of the Council's four-year plan and taking part in the annual Homeless Watch survey to inform the number of rough sleepers. Members welcomed the fact that the service had commissioned the healthcheck and noted that there had been significant progress on reducing the amount of temporary accommodation used and the number of homeless people.

At the September meeting, Members were told that Nottinghamshire County and Nottingham City Councils were developing a joint waste core strategy to manage waste over the next 20 years. After discussion regarding the many options in the 'preferred approach' document ranging from recycling rates to green waste and food waste, Members endorsed the comments made on the consultation paper by officers to help inform the Council's response to the consultation.

At October's meeting Members discussed the Cabinet Call-In on the New Homes Bonus – a Government initiative to encourage councils to provide new homes. On hearing both the pros and cons of using the money to dual the A453, the Group decided to uphold the Cabinet decision to spend the money on improving this important artery into the Borough.

At November's meeting Members received an update on the phenomenal success of the green waste charging scheme in terms of numbers signed up and the income this had generated. Members were also informed about possible future developments including growing the scheme, seeking sponsorship to cover

operational costs, future marketing and offering competitive rates on composting alternatives. Members endorsed the successful launch and encouraged development to maximise participation, reduce costs, meet customer expectations and investigate sponsorship.

At November's meeting, Members received an early report on new powers surrounding flexible tenancies, affordable rents and new duties under the Localism Act. Members agreed this was a complex issue and were referred to the plain English version of the new Act.

At the meeting in January 2012, Members received a presentation outlining the Government's desire to introduce superfast broadband to rural areas with Nottinghamshire County Council leading an estimated £17m project. Members were informed that a pilot project would begin in spring 2012 with anticipated completion in 2015. In Rushcliffe it was estimated that about 13,000 homes and over 400 businesses would receive access to faster broadband. Members asked many questions and endorsed the work of the County Council in securing better rural broadband.

At the January meeting, Members received an explanation of key parts of the new Localism Act which received assent in November 2011. The main thrust of the Act was to give greater freedom to the public. Members were given information on the need to carry out statutory functions, the possibility now of transferring some functions, the governance arrangements, standards, pay policy, repeals and other areas of the Act. Members agreed that items considered as potential areas for further scrutiny should be referred back at the appropriate time.

There was a request that one of the scrutiny groups should scrutinise the Council's notification process for planning applications. Following discussion, it was agreed that notification procedures should be included on the Group's work programme

## **The year ahead**

The Group will continue to help shape policy and ensure improvements are implemented in the coming year. This will be done by developing a challenging work programme linked to the Council's four-year plan for delivering an economic and effective budget by 2015.

**REPORT OF THE DEPUTY CHIEF EXECUTIVE (PR)**

The work programme for the Community Development Group is developed around the corporate priorities that fall within its remit and takes into account the timing of the Group's business in the previous municipal year and any emerging issues and key policy developments that may arise throughout the year. It is anticipated that the work programme for the new year will be developed in line with the priorities identified in the 4 year plan for budget savings.

**Recommendation**

It is RECOMMENDED that the Group notes the report.

<b>Date of Meeting</b>	<b>Item</b>
16 January 2012	<ul style="list-style-type: none"> <li>• Rural Broadband</li> <li>• Localism Act</li> <li>• Request for Scrutiny of Development Control's process of notification</li> <li>• Work Programme</li> </ul>
26 March 2012	<ul style="list-style-type: none"> <li>• Work Programme</li> <li>• Consultation on Affordable Rents and Flexible Tenancies</li> <li>• Service Level Agreement with RCVS and RCAN</li> </ul>
17 July 2012	<ul style="list-style-type: none"> <li>• Annual review of Choice Based Lettings</li> <li>• Climate Change Action Plan progress</li> <li>• Development Control Process of Notification</li> <li>• Work Programme</li> </ul>
30 October 2012	<ul style="list-style-type: none"> <li>• Work Programme</li> <li>• Review of the relationship between the Borough and the parish councils</li> </ul>
6 December 2012	<ul style="list-style-type: none"> <li>• Work Programme</li> </ul>
5 February 2013	<ul style="list-style-type: none"> <li>• Work Programme</li> </ul>
9 April 2013	<ul style="list-style-type: none"> <li>• Work Programme</li> </ul>

**Financial Comments**

No direct financial implications arise from the proposed work programme

**Section 17 Crime and Disorder Act**

In the delivery of its work programme the Group supports delivery of the Council's Section 17 responsibilities.

**Diversity**

The policy development role of the Group ensures that its proposed work programme supports delivery of Council's Corporate priority 6 'Meeting the Diverse needs of the Community'.

**Background Papers Available for Inspection: Nil**