

Public Document Pack



Executive Board

Thursday, 13 December 2012 11.30 a.m.
Marketing Suite, Municipal Building

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

ITEMS TO BE DEALT WITH IN THE PRESENCE OF THE PRESS AND PUBLIC

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Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
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*Please contact Angela Scott on 0151 511 8670 or
Angela.scott@halton.gov.uk for further information.
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In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive Board

DATE: 13 December 2012

REPORTING OFFICER: Strategic Director – Children and Enterprise

PORTFOLIO: Children, Young People and Families

SUBJECT: Priority School Building Programme

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 This report provides a summary of the Priority School Building Programme.

2.0 RECOMMENDATION: That

- 1) the position in respect of the Priority School Building Programme be noted ; and**
- 2) the sharing of asset management data with the DfE be agreed.**

3.0 SUPPORTING INFORMATION

- 3.1 In July 2011 the Department for Education (DfE) announced it was commencing the Priority School Building Programme - a privately financed programme to address those schools in the worst building condition.
- 3.2 To be considered for inclusion in the programme local authorities and maintained schools must accept being part of a long term (approximately twenty seven years) private finance arrangement where the building maintenance (apart from catering and security) will be provided by a third party; that the contract will be procured by a central body and for procurement purposes each school will be batched together with a number of other schools in the same geographic area; that the procurement will be based on standard designs; that schools will be required to make a contribution to the annual revenue payments of the private finance contract .
- 3.3 Local Authorities were required to demonstrate that school buildings were in poor condition by data extracted from a building condition survey. An on-line application form automatically calculated whether the cost of addressing the current condition of the school exceeded 30% of the notional rebuilding cost. If condition need is below 30% then it is unlikely that it would be value for money to include the school in the programme. Further, even if schools were eligible for the programme, the condition of the school would be compared to those of others.

- 3.4 In respect of Halton community schools three schools met the criteria of 30% of the rebuilding cost -The Bankfield, The Park Primary School and Halebank CE Voluntary Controlled Primary School. Applications were submitted to the DfE for these schools in accordance with the deadline of October 2011.
- 3.5 Following the submission of applications the DfE appointed consultant surveyors to carry out validation checks of the survey data and the school sites were visited in February 2012.
- 3.6 In May 2012 the DfE announced the names of schools to be taken forward in the Programme. Halebank CE Voluntary Controlled Primary School was included in the list and has since then been included in a North West group of nine local authorities (Manchester, Wigan, Cheshire West and Chester for example) covering sixteen schools.
- 3.7 The local authority had requested the DfE to provide details of the private finance arrangement so that full consideration can be given to the terms before a decision is made whether to proceed as part of the programme. Privately financed schemes use a procurement model through which a public sector procuring body engages a private sector contractor to design, build, finance and operate a facility (including providing facilities management, maintenance and lifecycle services) for the life of the contract, which is typically 27 years.
- 3.8 The DfE has now advised the contractor will be responsible for hard facilities management and lifecycle costs (building fabric and fixed equipment) with the school making an annual contribution to the costs. Currently this is estimated to be £13/15 per m² meaning an estimated school contribution of around £12,000 per annum. The school will be responsible for soft facilities management (repairs and maintenance, loose furniture and equipment).
- 3.9 The contract for the provision of hard facilities management is signed by the Secretary of State and not the local authority. In the case of school pupil numbers falling and the school being unable to meet their annual contribution there would be no risk to the local authority.
- 3.10 In the meantime an initial “collective launch” meeting was held with all the North West local authorities and their respective schools on 5 November to be followed by an initial site visit to understand site specific issues and the environment. The DfE have requested the local authority to provide asset management data in order to gain a complete understanding of the school buildings and grounds – data includes existing site plans and room layouts, pupil and net capacity, asbestos surveys, land title etc. The DfE aim to have an Outline Business Case submitted in April 2013.

4.0 POLICY IMPLICATIONS

- 4.1 The Priority School Building Programme will allow the Council to continue to meet its requirement to enhance the learning environment through capital projects.

5.0 OTHER IMPLICATIONS

- 5.1 The Priority School Building Programme will contribute to Halton's Carbon Management Programme by producing more energy efficient buildings.
- 5.2 The addition of a PFI building into the school estate would have an impact on some services that the LA currently offers. Given the current information, we only envisage this to affect the Property Services SLA.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 6.1 Children and Young People in Halton. The Priority School Building Programme will address condition and suitability issues within school buildings and will improve the learning environment for children and young people.

7.0 RISK ANALYSIS

- 7.1 Not applicable.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 Consideration to access issues is given in all building projects. The capacity of schools to meet the needs of children with more complex needs and disabilities will be developed further through building works at schools.

9.0 REASON FOR DECISION

- 9.1 To enable further details of the private finance to be considered at a later date which will help decide whether to progress with inclusion in the programme.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 10.1 It is not possible for the local authority to fund a new build school from its capital programmes.

11.0 IMPLEMENTATION DATE

- 11.1 Not applicable.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Priority School Building Programme Announcements – DfE 19/07/2011 & 24/05/2012	Children & Enterprise	Phil Dove

REPORT TO: Executive Board

DATE: 13th December 2012

REPORTING OFFICER: Strategic Director, Communities

PORTFOLIO: Health and Adults

SUBJECT: Amendment to Housing Allocations Policy

WARD(S) All

1.0 PURPOSE OF THE REPORT

1.1 The report seeks the Board's approval to amend the Council's Housing Allocations Policy in response to new regulations introduced by Government in relation to the treatment of Armed Forces personnel, and to commence consultation on other potential changes to the Policy.

2.0 RECOMMENDATION: That-

- 1. subject to the unanimous agreement of the authorities participating in the sub regional Property Pool Plus scheme, the Board agrees to amend the Council's Housing Allocations policy to include the additional wording in italics set out in Appendix 1, to exempt Armed Forces personnel from the local connection criteria; and**
- 2. the Board approves the undertaking of consultation for the purpose of further amending the Housing Allocations Policy to take account of provisions within the Localism Act 2011 and the new Housing Allocations Code of Guidance.**
- 3. A further report on the outcome of the consultation be submitted for consideration.**

3.0 SUPPORTING INFORMATION

3.1 The Council's Housing Allocations Policy was approved by Board on the 3rd March 2011 and implemented with effect from the 9th July 2012 when the new Choice Based Lettings scheme 'Property Pool Plus' went live in Halton. It is a policy which is common to the other local authorities participating in the sub regional scheme.

3.2 In order to give preference to local residents the Policy contains a requirement for applicants to demonstrate a 'local connection'. The current local connection criteria are set out in Appendix 1.

- 3.3 On the 20th July authorities were notified that as part of the Government's commitment to support the Armed Forces through the Military Covenant, new regulations would come into force on the 24th August 2012 relating to Armed Forces personnel and local connection criteria. (*The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012 (SI 2012/1869)*).
- 3.4 The regulations require that, where Local Authorities decide to use a local connection requirement as a qualifying criterion (i.e. to join the housing register), they must not apply that criterion to the following persons so as to disqualify them from an allocation of social housing:
- a) those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their application for an allocation of social housing;
 - b) bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service;
 - c) existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.
- 3.5 Although the current Policy does not use local connection as a qualifying criterion to join the housing register, it does significantly reduce the rehousing prospects of those that fail to meet the criteria. The sub regional Choice Based Lettings group has therefore proposed that the Policy be amended to incorporate the wording set out in italics in the Appendix in order to follow the spirit of the regulation. This will ensure that those defined categories of Armed Forces personnel are not disadvantaged in terms of securing accommodation.
- 3.6 A similar recommendation is to be presented to the Cabinets of the other partner authorities and the Board is requested to agree this change subject to the unanimous agreement of all authorities.
- 3.7 Further changes to the Policy are being considered as a consequence of new freedoms contained in the Localism Act 2011 and recent revisions to the Housing Allocations Code of Guidance. Additionally changes necessary to clarify and improve the existing Policy have also come to light since the scheme went live, and it is therefore proposed that the partner authorities collaborate on a

common consultation exercise to seek views about the following options:

- A local connection exemption similar to that described in the earlier part of the report be given to children of deceased Armed Forces personnel aged 16-21 years where there are no surviving parents.
- The requirement for a bedroom to be not less than 10 square metres for it to be classed as suitable for two persons to share.
- The inclusion of a homeless prevention category in the Banding scheme.
- Reducing the period of time which applicants are required to be in employment before being granted Band D.
- Whether community work/volunteering should also warrant applicants with no housing priority gaining Band D status.
- Whether owner occupiers should be allowed to register for housing, or if there should be equity thresholds, and whether any tenancy granted should be subject to proof of any property being sold within a defined timescale.
- The addition of an income and/or savings threshold at which point it would be deemed that applicants could afford to obtain a property through the private sector, and what level this should be set at.
- Specifying priority for those formally approved for fostering and adoption under Band B, these households would be eligible for an additional bedroom.
- Preventing those who have been re-housed through the scheme so that they cannot re-apply within 12 months if their circumstances have not changed.
- Changing the local connection criteria to exclude those from outside the City Region (except Armed forces). Others would only gain a local connection in extraordinary circumstances.
- Revise and simplify the criteria for those applicants considered ineligible to join the waiting list.

3.8 Subject to Board agreeing this consultation, it is anticipated that it would take place over a 12 week period commencing early in the new year, with results and recommendations coming back to Board in the Spring.

4.0 **POLICY IMPLICATIONS**

4.1 The practical impact of the local connection change for Armed Forces personnel is unlikely to be great since most people seek to live where they have roots, family ties, or work which are all elements of establishing a local connection anyway, and the number of Armed Forces personnel seeking accommodation is quite small. For this reason it is not proposed to undertake a formal consultation

for this specific Policy change but to simply inform applicants on the Property Pool Plus register when the change comes in to effect.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no financial implications.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

None identified at this stage.

7.0 RISK ANALYSIS

7.1 None identified at this stage.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 None identified at this stage.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Executive Board 3 rd March 2011 – Housing Allocations Policy Report	Runcorn Town Hall	Commissioning Manager (Housing)
(The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012 (SI 2012/1869))	Runcorn Town Hall	Commissioning Manager (Housing)
Allocation of accommodation: Guidance for local housing authorities in England	Runcorn Town Hall	Commissioning Manager (Housing)

**Local Connection Criteria
(Policy Extract)**

5.10 Local Connection

5.10.1 In order to give reasonable preference to local residents, priority for rehousing within each Scheme Council Area will take into consideration a local connection within that area.

5.10.2 To demonstrate a local connection with a Scheme Council Area, an applicant must satisfy at least one of the following criteria;

- Have lived in the Scheme Council Area for 6 months out of the last 12 months or 3 years out of the last 5 years;
- Have a permanent job in the Scheme Council Area;
- Have a close family association (parent, adult child or adult brother/sister) who is currently living in the Scheme Council Area and have done so for more than 5 years;
- Have a need to be in a specific Scheme Council Area to be near to a particular health facility for long term treatment;
- Have a need to be in a specific Scheme Council Area to give or receive caring support;

Proposed additional wording

“This requirement to establish a local connection does not apply to:

- *those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their application for an allocation of social housing**
- *bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased**, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service*
- *existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service*

** This applies for a maximum of 5 years after discharge*

*** This would be assumed to be for a maximum of 12 months.*

REPORT TO:	Executive Board
DATE:	13 th December 2012
REPORTING OFFICER:	Strategic Director, Communities
PORTFOLIO:	Health and Adults
SUBJECT:	Reconfiguration of homelessness service at Orchard House
WARD(S)	Borough-wide

1.0 **PURPOSE OF REPORT**

- 1.1 To give an update on the proposal received from Nightstop for the reconfiguration of Orchard House and further options to be considered.

2.0 **RECOMMENDATION: That Executive Board**

- 1) **agree to maintain the status quo and continue to provide a hostel service at Orchard House and existing Nightstop service through Halton YMCA.**
- 2) **agree to a further waiver to procurement standing orders for an extension of the existing contract(s) with Community Integrated Care (CIC) until 31st October 2013, in line with the preferred option.**

3.0 **SUPPORTING INFORMATION**

- 3.1 Orchard House is a six bedroomed homelessness hostel in Widnes that supports young people between 16 and 25yrs of age. On 12th July 2012 Executive Board approved a proposal to enter into negotiations with Nightstop to reconfigure the service at Orchard House, to provide an integrated Crisis Intervention Service for young people, incorporating the existing Nightstop service.
- 3.2 Meetings were held with Nightstop to discuss the proposed service delivery model, and indicative costings were given based on daytime targeted support being delivered by their staff and partner agencies, including HBC Youth Officer and Children's Services. Nightstop was invited to submit their service delivery proposal, which was received on 19th October 2012. They have now submitted a proposal based on a 5 member staffing rota at a cost of £241,000 which is £44,866 in excess of what is currently being paid for services at Orchard House and Nightstop.

- 3.3 A meeting was held with Nightstop on 22nd October 2012, at which they were informed that as their proposed costs exceed the indicative budget, officers cannot proceed with the service reconfiguration and a further report would need to be taken to Board.
- 3.4 Community Integrated Care (CIC) who currently provide the support service in Orchard House have indicated that whilst they will continue to provide a service at Orchard House in the interim, they do not wish to enter into any long term agreement for the provision of homeless services, as this no longer forms part of their long term business plans.
- 3.5 An additional meeting of the Homelessness Scrutiny Group was held on 21st November 2012 to consider the following options for Orchard House:
- Retain status quo and continue to provide hostel service at Orchard House and existing Nightstop service through Halton YMCA
 - Open tender for integrated Crisis Intervention Service at Orchard House
 - Request waiver to standing orders to negotiate the reconfiguration of Orchard House as an integrated Crisis Intervention Service with Depaul UK.
- 3.6 All options were discussed and members raised the following concerns:
- Cosmopolitan Housing Association (CHA) own Orchard House and are currently going through organisational changes, which will result in their properties in Halton being taken over by another registered provider (RP). The organisational changes are currently making it difficult to liaise with CHA and any proposals to change the service delivery model at Orchard House must be done in partnership with the RP.
 - The proposed Widnes homeless hostel was due to be developed with CHA. Halton Housing Trust (HHT) have applied to the Homes and Communities Agency (HCA) for funding to develop a hostel on the same site and are awaiting the funding announcement.
 - If funding is not awarded for the Widnes hostel, the proposals to reconfigure Orchard House into a Crisis Intervention Service would result in there being no homeless accommodation in Widnes.
- 3.7 Due to the above issues, it was agreed to recommend maintaining the status quo with regard to the existing services at Orchard House and Nightstop until further information is known about the position with CHA and the funding application for the Widnes hostel. Update reports with options for Orchard House will be taken to Health Policy

and Performance Board and Executive Board in March 2013 when further information is available.

3.8 The current contractual position for the Orchard House service is that on 8th November 2012 Executive Board has agreed a variation to extend the contract with CIC to 31st January 2013.

3.9 CIC has indicated they will work with HBC to provide a service at Orchard House as long as they are delivering the Belvedere service. The existing contract at Belvedere is due to expire on 31st October 2013. This report seeks approval to extend the contract with CIC for the provision of support at Orchard House until 31st October 2013. The Nightstop service does not require a waiver as the existing contract has the option to extend until 31st March 2015.

4.0 **POLICY IMPLICATIONS**

4.1 None identified.

5.0 **FINANCIAL/RESOURCE IMPLICATIONS**

5.1 The following table shows the current contract value for Orchard House and Nightstop services and highlights the proposed indicative budget submitted by Halton YMCA:

Orchard House	£149,883.25
Halton YMCA Nightstop	£46,250
Total existing budget	£196,133.25
Indicative YMCA budget for Crisis Intervention Service	£241,000
Variance against existing budget	-£44,866.75

5.2 Costs for the extension for support services at Orchard House until 31st October 2013 can be met within existing budgets.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

A remodelled service at Orchard House would deliver targeted support and mediation to meet identified gaps in provision.

6.2 **Employment, Learning & Skills in Halton**

Homeless services support vulnerable people to access training and work opportunities, contributing to Halton's worklessness agenda.

6.3 **A Healthy Halton**

Homeless services offer support to vulnerable people by promoting social inclusion and have a positive impact on a person's mental and physical health.

6.4 **A Safer Halton**

Supporting People services provide support to vulnerable people enabling people to stay safe and addressing issues of harm from others, to others and to self.

6.5 **Halton's Urban Renewal**

None identified.

7.0 **RISK ANALYSIS**

	Proposal	Risks
7.1	Further contract extension for Orchard House to 31st October 2013 to align with expiry date of Belvedere service.	May require further extension if Widnes Hostel not built until 2014. If CIC do not wish to continue service provision will need to go to tender for support services.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 An Equality Impact Assessment (EIA) was completed as part of the scrutiny review.

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

Document	Place of Inspection	Contact Officer
Scrutiny Review of Homelessness Services	Runcorn Town Hall	Angela McNamara

REPORT TO: Executive Board

DATE: 13th December 2012

REPORTING OFFICER: Strategic Director, Communities

PORTFOLIO Health & Adults / Community Safety

SUBJECT: Scrutiny review of Anti Social Behaviour in the Private Rented Sector

WARDS: Borough

1.0 **PURPOSE OF REPORT**

1.1 The purpose of this report is to advise Executive Board of the outcomes of the Safer Policy and Performance Board scrutiny review into anti social behaviour in the private rented sector and to seek approval for the recommendations of the group.

2.0 **RECOMMENDATION: That Executive Board:**

- i) Comment on the findings of the scrutiny review;**
- ii) Endorse the scrutiny review and its recommendations and the progress made to date.**
- iii) A further report will be presented to the Board should additional resources be required for any of the recommendations.**

3.0 **SUPPORTING INFORMATION**

3.1 Background

3.1.1 The scrutiny review was instigated in response to a number of issues relating to the private rented sector including poor property conditions, anti social behaviour caused by private tenants and absentee landlords who were reluctant to take action against tenants who caused problems. The review was undertaken by a Safer PPB topic group which was chaired by Councillor Pamela Wallace.

3.1.2 The review consisted of a number of meetings of the topic group which were also attended by relevant officers from Housing, Environmental Health and Community Safety disciplines who responded to questions from Members. Members also visited Wirral

Borough Council to meet with officers from their Housing Standards and Anti-social Behaviour Teams.

3.1.3 The full findings of the review are set out in the report at Appendix A which also contains the topic brief, a summary of local authority powers and duties to tackle poor conditions and anti-social behaviour in the sector and the circumstances when these can be used, notes from the Wirral visit and an action plan drawn up from the recommendations outlined below.

3.1.4 The findings and recommendations were originally presented to Safer Halton PPB in March 2012, however, further work was necessary to consider the practical, legal and cost implications of implementing the original recommendations of the group. An update report was subsequently presented to the November meeting of the Board which outlined activity that had taken place to date. Following advice from Legal Services one of the original recommendations of the group was changed as outlined in 3.2.12 below.

3.2 Recommendations

3.2.1 *Recommendation 1 – Increase Council Tax charges on properties that have been empty over 6 months*

This ties in with the Government's consultation on the technical reforms of Council Tax which goes further in suggesting that homes that have been empty for over two years are charged a Council Tax premium. Halton submitted a response to the consultation and we are currently waiting for the new legislation to be published.

3.2.2 *Recommendation 2 – Develop a targeted management approach to the issue in West Bank and Halton Lodge*

A steering group was formed in May 2012 to oversee and monitor progress in implementing the action plan and co-ordinate activities. The group is chaired by the Divisional Manager for Environmental Health, Public Health and Health Protection and consists of officers dealing with housing enforcement, Landlord Accreditation, Community Safety and Policy. One of the first tasks for the group in implementing a targeted approach was to collate baseline information on the number of complaints from private tenants (in 2011/12 there were 223 complaints and in 2010/11 there were 236) and applications for landlord accreditation and then to develop a set of performance indicators with which to track progress.

3.2.3 *Recommendation 3 – Hold information events for landlords and tenants*

The group initially explored whether it was possible to hold the annual Merseyside wide Landlords Expo in Halton and whether

there were any events taking place in West Bank that officers could attend to give advice. Unfortunately, the venue for the Expo had already been agreed (in Liverpool) and there were no suitable events planned in West Bank. As an alternative, half day surgeries were held in Widnes and Halton Lea Direct Link offices during the last week in October. These were advertised via the local press, with the landlords' survey referred to at 3.2.6 and via leaflets left in public offices. Unfortunately, only two private landlords and no tenants attended the drop in events.

3.2.4 *Recommendation 4 – Invite landlords to provide contact details to the Council*

Landlords were asked to give contact details for entry into the prize draw as part of the landlords survey referred to at 3.2.6.

3.2.5 *Recommendation 5 – Promote the benefits of joining the Landlord Accreditation Scheme*

Using homelessness prevention funding, a "Guide to the Private Rented Sector" has been developed. The guide, attached as Appendix B, gives general advice to landlords and tenants about private sector tenancies and contains useful local contacts for related services and complements the information in the Tenants Handbook which is aimed at existing and prospective tenants.

3.2.6 *Recommendation 6 – Undertake a survey of private landlords throughout the Borough*

The purpose of the survey was to gain greater understanding of the private rented sector, promote the Landlord Accreditation Scheme and other services and to consult landlords about changes introduced by the Localism Act 2011 which enable local authorities to fulfil their statutory homelessness duty via an offer of private rented accommodation. The survey was sent to all private landlords known to the authority (e.g. through Housing Benefit, the Landlord Accreditation and the Bond Guarantee Schemes) and was also advertised in the local press with a copy available on the Council's website or on request in October 2012. A prize draw for £100 B and Q vouchers was offered as an incentive for landlords to respond. Over 50 responses were received and at the time of writing this report the results of the survey are being analysed.

3.2.7 *Recommendation 7 – Provide advice to landlords on how to deal with anti-social tenants*

A section on the services of the Community Safety Team, giving advice on the assistance they offer relating to anti-social tenants, has been included in the attached Guide to the Private Rented Sector.

3.2.8 *Recommendation 8 – Introduce a Healthy Homes approach in target areas*

The Halton Healthy Homes Network was launched in February 2012 and now contains over 80 members from a range of statutory, voluntary and community organisations. The aim of the network is to raise awareness of the health impacts of living in poor housing conditions and the help that is available to affected residents. To date, three quarterly newsletters have been circulated to members along with occasional emails containing more urgent information. Initially the focus of the network has been mainly on energy efficiency issues, particularly in light of the Government's new finance frameworks for heating and insulation work but the aim long term is to develop targeted approaches to referrals in particular "hotspot" areas.

3.2.9 *Recommendation 9 – Make full use of enforcement powers in target areas to tackle poor condition*

Fortunately, the vast majority of complaints about poor conditions in the private rented sector are resolved by the landlord following an approach by an enforcement officer. This negates the need for costly and often protracted court action. However, in conjunction with colleagues from Legal Services, the enforcement team will seek recourse to its enforcement powers where informal approaches fail and, where appropriate, publicise these cases to serve as a deterrent to other would be rogue landlords. Cases requiring such action are fairly few and far between. In 2011/12, 215 cases were resolved informally with only 8 requiring formal action. In 2010/11, the figures were 232 and 4, respectively.

3.2.10 *Recommendation 10 – Encourage Council staff and staff from partner agencies to report empty properties*

It is anticipated that should efforts to secure additional staffing capacity within the enforcement team be successful a strategic approach to dealing with long term empty homes can be developed including an on line reporting tool for staff and residents to report empty properties. This would enable checks to be undertaken against Council Tax and Housing Benefit records to identify possible empty property fraud and action to be taken with a view to bringing the property back into use.

3.2.11 *Recommendation 11 - Explore the possibility of bringing in additional staffing resources to assist*

Originally a number of options were put forward to secure additional staffing resources e.g. secondment, volunteering, work experience. However, after further consideration of these options it became

apparent that it would be unlikely that the staff would have the necessary skills and technical knowledge required, for example, to undertake housing inspections. Since the original PPB meeting in March 2012, the possibility of transferring suitably trained and experienced staff from another part of the organisation has been identified and at the time of writing the report is being explored.

3.2.12 *Recommendation 12 – The existing Landlord Accreditation Scheme be retained*

Originally the group had recommended that the existing Landlord Accreditation Scheme be changed to a Property Accreditation Scheme in line with Wirral Borough Council's scheme. However, following advice from Legal Services that the proposed change could result in a risk to the Council, the Safer Halton PPB reconsidered this recommendation at its meeting of November 2012. Consequently the recommendation is that the existing Landlord Accreditation Scheme is retained in its current form. The Board further recommended that funding be identified to undertake a poster campaign for the scheme.

3.2.13 *Recommendation 13 – Work with the Fire Brigade to support a change in legislation that would make it a legal requirement for private landlords to install hard wired smoke detectors in their properties*

There is an ongoing campaign for the Government to introduce legislation to this effect, including a recent call for action from the coroner of West Sussex following three separate house fires in which the residents, whose smoke alarm batteries had failed, were killed. Landlords of licensable houses in multiple occupation must already provide hard wired smoke alarms under the Housing Act 2004, however, officers will lend their support to campaigns on behalf of the Council for this requirement to be rolled out to all privately rented properties as and when the opportunity arises.

Members may be interested to know that as part of the Energy Act 2011 it will be illegal to rent out a property that does not meet a minimum standard of energy efficiency (currently proposed to be Energy Performance Certificate rating E) by 2018.

4.0 **POLICY IMPLICATIONS**

4.1 Improving conditions in the private rented sector is one of the priorities in Halton's emerging Housing Strategy which has been informed by the work of the topic group.

4.2 The Council will be in a more advantageous position to address a range of health issues relating to housing when it becomes responsible for public health in 2013. In the future, consideration will

be given to the public health agenda within this context.

5.0 **FINANCIAL IMPLICATIONS**

5.1 The proposed project can be delivered within existing staffing resources.

5.2 A small budget (circa £200) will be required to undertake a poster campaign to advertise the Halton Healthy Homes Network.

6.0 **IMPLICATIONS FOR THE COUNCILS PRIORITIES**

6.1 **A Healthy Halton**

Poor housing conditions can have an adverse effect on health, consequently, improving the housing stock can bring about positive health benefits.

6.2 **Employment, Learning and Skills in Halton**

None identified.

6.3 **Children and Young People in Halton**

Research suggests that poor housing conditions can have an adverse impact on educational attainment.

6.4 **A Safer Halton**

A key aim of the topic group is to provide support and advice for private landlords whose properties are occupied by anti-social tenants.

6.5 **Halton's Urban Renewal**

Improving housing conditions has a positive effect on the visual appearance of neighbourhoods and a positive impact on climate change.

7.0 **RISK ANALYSIS**

7.1 None identified.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 The recommendations aim to improve conditions in the private rented sector which is likely to house a disproportionate amount of vulnerable and marginalised groups.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Safer PPB Report March 2012	Runcorn Town Hall	Strategic Director Communities
Safer PPB Report November 2012	Runcorn Town Hall	Strategic Director Communities



*Scrutiny Review of Anti Social Behaviour in
the Private Rented Sector*

March 2012
(amended November 2012)

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1.0 Purpose of the Report

The purpose of the report, as outlined in the initial topic brief (at *Annex 1*) is to:

- ◆ Gain an understanding of the powers available to local authorities to tackle poor condition, dereliction and anti social behaviour in the private rented sector.
- ◆ Examine the effectiveness of the approach to the private rented sector in Halton.
- ◆ Consider and make recommendations to the Safer Halton PPB on how best to improve standards and reduce levels of anti social behaviour in the sector.
- ◆ Raise awareness of the services offered in Halton in relation to enforcement and accreditation.

2.0 Introduction

2.1 Reason the report was commissioned

Since the recent decline of the housing market, the private rented sector is making an increasingly significant contribution to meeting housing need. This has been recognised at a national level with the publication of “The Private Rented Sector: its contribution and potential”¹ (known as the Rugg Review) which found that the sector catered for wide ranging needs, offering flexibility to professionals at one end of the scale and the only option for households unable to buy or access social rented housing at the other. The Halton Strategic Housing Market Assessment 2011 found that locally the sector has grown by around 46% since the 2001 Census and now makes up around 10% of the total housing stock, equating to 5,030 properties.

In the UK, the private rented sector is largely unregulated with currently no statutory registration scheme for private landlords. However, local authorities have powers to intervene if accommodation is found to be sub standard. They can also encourage improvements in the sector through voluntary accreditation schemes, which exists in Halton. As private rented accommodation tends to be in poorer condition than other sectors and the transient nature of households living in the sector can mean that anti social behaviour is more prevalent than in owner occupied stock, the rise in the sector is becoming an increasing cause for concern. Members are also concerned about the number of absentee landlords who frequently show little inclination to deal with problems caused by their tenants.

2.1 Policy and Performance Boards

¹ The Private Rented Sector: its contribution and potential: *Rugg, Julie and Rhodes, David; Centre for Housing Policy, The University of York, 2008*

This report was commissioned as a scrutiny working group for the Safer Halton Policy and Performance Board.

2.2 Membership of the Topic Group

Membership of the Topic Group included:

Members	Officers
Cllr Pamela Wallace (Chair) Cllr Shaun Osborne Cllr Mike Shepherd Cllr Sue Edge Cllr John Gerrard Cllr Ged Philbin Cllr Eddie Jones Cllr Kath Loftus Cllr Marie Wright	Paul McWade, Operational Director Complex Care and Commissioning Mike Andrews, Community Safety Manager John Tully/Rob Barnett, Group Solicitors Steve Williams, Commissioning Manager Yeemay Sung, Divisional Manager Regulatory Services Wendy Salisbury, Principal Enforcement Officer Lucy Willis, Landlord Accreditation Officer Joanne Sutton, Principal Policy Officer

2.3 Methodology Summary

This scrutiny review was conducted through a number of means:

- Regular meetings of the scrutiny review topic group;
- Attendance at a meeting of the Halton Private Landlords' Forum;
- Site visit to a local authority with a successful track record of dealing with Anti Social Behaviour, private sector dereliction and empty homes and liaison with private landlords.

3 Evidence gathered

3.1 The issue of anti social behaviour in the private rented sector is one which impacts upon a number of different local authority functions including Community Safety, Housing Enforcement, Landlord Accreditation and Legal Services. Consequently, officers from these disciplines were invited to attend meetings of the topic group to respond to Members' concerns and discuss alternative approaches and their contributions are described below.

3.2 Private Landlord powers to tackle anti social behaviour

3.2.1 The Community Safety Manager presented a report to the Safer Halton Policy and Performance Board on the 16th November 2010 regarding

the responsibilities that private landlords have to tackle anti social behaviour in their properties. The report outlined that as a general rule landlords cannot be held directly responsible for the behaviour of their tenants provided they have not “authorised” the anti social behaviour.

- 3.2.2 The main way in which private landlords can control the behaviour of their tenants is through inserting terms in the tenancy agreement which prohibit unacceptable behaviour, although they are not compelled to do so. Private rented properties are usually let as assured shorthold tenancies which offer very little security of tenure and, provided the initial tenancy period has expired (a minimum of six months) and the required notice has been served, the courts have no discretion but to order possession of the property upon application by the landlord. Should the landlord need to evict a problem tenant within the first six months of the tenancy s/he can seek possession using one of the grounds contained in Schedule 2 of the Housing Act 1988, most likely Ground 12 which offers a remedy where the tenant is in breach of the Tenancy Agreement.
- 3.2.3 The report also described local authority powers to tackle anti social behaviour in the private rented sector including Injunctions, Anti Social Behaviour Orders and Closure Orders. These are considered in more detail in the matrix of local authority intervention tools contained at Annex 2.
- 3.2.4 Currently, the Community Safety Team write to private landlords to offer help and advice if a problem with crime or anti social behaviour has been identified in one of their properties. If matters don't improve the Team take appropriate action against the tenant.
- 3.2.5 Members of the topic group discussed whether landlords could be compelled to include a clause in their tenancy agreements to prohibit anti social behaviour. However, there is no legal requirement to do so and local authorities have no jurisdiction over the tenancies offered by private landlords. One option, however, would be to make it a required criteria of the Landlord Accreditation Scheme, although it was acknowledged that this would be targeting the most responsible landlords, who would be least likely to tolerate anti social behaviour in any case.

3.3 Landlord Accreditation Scheme

- 3.3.1 The Commissioning Manager (Housing) attended the first meeting of the group and gave an overview of Halton's Landlord Accreditation Scheme. This is a free and voluntary scheme that has been running for approximately five years and offers a range of benefits to qualifying landlords including fast tracking of benefit applications, insurance discounts, seminar invitations and general guidance and support. Landlords must meet required minimum standards to be eligible for

accreditation covering the condition of their properties and management standards.

- 3.3.2 56 landlords have applied for accreditation covering 308 properties out of a total of around 5,000 in the sector. Out of these 34 landlords have reached the required standards to be accredited. A database of known private landlords with properties in Halton has been compiled and these are written to periodically to encourage them to seek accreditation. The scheme is also publicised in newsletters and the Council's website.
- 3.3.3 The second meeting of the group was attended by the Landlord Accreditation Officer who gave an overview of the Landlords' Forum which is generally well attended and deals with a wide range of tenancy and benefit related issues. It was agreed that representatives from the group attend a future meeting of the Landlords' Forum to discuss some of the concerns raised.

3.4 Housing enforcement

- 3.4.1 Meetings of the topic group have been attended by the Principal Enforcement Officer and Divisional Manager for Regulatory Services, both of whom provided information about the local authority's powers and duties relating to enforcement of standards in the private sector. The full list of powers is attached as Annex 2, however, the key points are detailed below.
- 3.4.2 The Enforcement Team currently use a number of powers under the Environmental Protection Act 1990 to enforce standards. Under the Act abatement notices can be served on the perpetrators in cases of noise nuisance and in cases of housing and environmental conditions which are prejudicial to health a notice can be served compelling the owner to address the issue. Failure to comply can either result in prosecution or the works being carried out in default and recharged to the owner.
- 3.4.3 Other than for certain types of houses in multiple occupation (HMOs), there is no statutory licensing requirement for private rented properties. Halton has very few licensable HMOs, where landlords must meet certain conditions including a CRB check and pay a license fee to operate.
- 3.4.4 Local authorities have discretionary powers to introduce selective licensing of all private landlords in a designated area if the area is experiencing a "significant and persistent" problem caused by anti social behaviour and some or all private landlords in that area are not taking appropriate action to tackle this and it has reason to believe that the designation in combination with other measures would lead to a reduction in or elimination of the problem.

3.4.5 In all cases Enforcement Officers will try to resolve any issues with landlords on an informal basis as this is usually the quickest and cheapest way to address the problem. Landlords are written to and given up to 21 days to comply (depending on the urgency of the issue) and undertake necessary work and in the majority of cases this approach is successful. However, it is acknowledged that there will always be some owners who refuse to comply and, consequently, the problem can take some time to resolve and may necessitate legal action.

3.5 Visit to Wirral

3.5.1 On 1st November Members of the Topic Group visited the offices of Wirral Borough Council (WBC). The delegation was greeted by Councillor George Davies, WBC Cabinet Member for Housing and Community Safety. Presentations were then given by Officers from the Housing Standards Team on Wirral's Landlord Accreditation Scheme, their approach to empty homes and a Healthy Homes initiative that was being piloted in New Brighton. In the afternoon, the Enforcement Manager from Wirral's Anti Social Behaviour Team gave an overview of the service.

3.5.2 The full notes from the day are attached as Annex 4, however, in summary:

- Unlike in Halton where Officers deal with a range of enforcement issues (including air, noise and environmental quality), Wirral has a dedicated team dealing with housing standards;
- Although Halton offers many of the services offered by Wirral as part of the Landlord Accreditation Scheme, the approach in Wirral is slightly different, in that it awards accreditation to individual properties rather than accrediting the landlord;
- The team takes a pro active approach, helped by a dedicated team of 4 staff, to bringing empty homes back into use through use of negotiation and, where this fails, enforcement, although it is acknowledged that the problem of empty homes is far greater in Wirral.
- Through its Healthy Homes Initiative the Council works in partnership with front line staff from a range of statutory and voluntary organisations to tackle poor conditions through a targeted, area based approach.
- The Anti Social Behaviour Team (which contains 30 staff) uses its powers to take a tough stance against anti social behaviour for all tenures. In the case of private tenants who are causing anti social behaviour, it does not normally involve the landlord but will offer support and advice to landlords who wish to take action against anti social tenants.

3.5.3 Members found the day extremely useful in helping to develop recommendations that would help to improve Halton's service and the group has written to the Council to express their gratitude.

4. Recommendations

4.1 Following the visit to Wirral members of the topic group met for a final time and agreed the following set of recommendations. These are also set out in an Action Plan at Annex 5.

4.1.1 Recommend that the Council uses its discretion to charge 90% Council Tax on properties that have been needlessly left empty for over 6 months and that the Council support proposals contained in the Government's consultation on technical reforms of Council Tax to increase this amount to 100% and charge an additional empty homes premium.

4.1.2 It was agreed that a targeted project management approach to the issue be piloted in West Bank and Halton Lodge, which would feature the following:

- An information event for landlords and tenants involving all relevant services with exhibition space;
- Inviting landlords in the areas to register their contact details with the Council;
- Promote the benefits of joining the Landlord Accreditation Scheme;
- Provide advice to landlords on how to deal with anti social tenants;
- Introduce a Healthy Homes approach in these areas making links with relevant organisations with front line staff perhaps through re-instigation of the Safer Homes Group;
- Make full use of relevant enforcement powers in these areas to tackle poor condition;
- Undertake an external inspection of properties in these areas to identify empty properties and establish whether Council Tax or Housing Benefit fraud is an issue.
- Pilot an approach which accredits the property rather than the landlord in these areas. This recommendation was subsequently amended to "Retain the existing Landlord Accreditation Scheme" at a Safer Halton PPB meeting of November 2012 following advice from Legal Services. At the meeting the Board also recommended that funding be identified for a poster campaign to promote the Landlord Accreditation Scheme.

4.1.3 Explore the possibility of bringing in additional staffing resources to assist with the above either through re-organisation of existing staff, secondment from another organisation, funding bids to external

agencies or through use of volunteers or graduate work experience schemes.

- 4.1.4 Undertake a survey of known private landlords throughout the Borough to gain a better understanding of the types of properties they own, their motivations for being a private landlord, their intentions for the future and to provide an opportunity to promote their responsibilities as a landlord and Council services that are available to assist.
- 4.1.5 Work with the Cheshire Fire and Rescue Service to support their call for a change in legislation that would require all private landlords to install hard wired smoke detectors in their properties.
- 4.1.6 Via the Council's intranet and Cheshire Police's Looking Glass system, encourage staff whose jobs involve outside visits to report empty properties so that they can be verified against Council Tax details and potential fraud identified.

5.0 Resource implications

- 5.1 Effective delivery of the above recommendations and the action plan contained at Annex 4 will have staffing implications. Existing staff involved in private sector enforcement and the Landlord Accreditation Scheme are also responsible for the delivery of other statutory functions, so opportunities for re-organising staff are very limited. Also, while it may be possible to use volunteers, careful thought would need to be given as to the type of work they could assist with, given the technical nature of the work and this would need to be sensitively handled in the current climate of potential redundancies.
- 5.2 Officers are in the process of exploring whether Registered Providers who have stock in the pilot areas are willing to assist in carrying out additional housing inspections. However, if this is not possible, additional resources in the region of £35,000 per annum would be needed to employ a Housing Inspector to work full time on the project. Members of the topic group are requested to consider the recommendations in the light of this.
- 5.2 A further report will be brought to Safer Halton PPB in June containing fully costed resource implications.

TOPIC BRIEF

Topic Title:	Private Rented Sector in Halton
Officer Lead:	Operational Director (Commissioning and Complex Care)
Planned start date:	February 2011
Target PPB Meeting:	January 2012

Topic Description and scope:

A review of the private rented sector in Halton, focusing on issues of Anti Social Behaviour, poor condition and derelict empty properties.

Why this topic was chosen:

Since the recent decline of the housing market, the private rented sector is making an increasingly significant contribution to meeting housing need. This has been recognised at a national level with the publication of "The Private Rented Sector: its contribution and potential"² (known as the Rugg Review) which found that the sector catered for wide ranging needs, offering flexibility to professionals at one end of the scale and the only option for households unable to buy or access social rented housing at the other. The Halton Strategic Housing Market Assessment 2011 found that locally the sector has grown by around 46% since the 2001 Census and now makes up around 10% of the total housing stock, equating to 5,030 properties.

In the UK, the private rented sector is largely unregulated with, currently, no statutory registration scheme for private landlords. However, local authorities have powers to intervene if accommodation is found to be sub standard. They can also encourage improvements in the sector through voluntary accreditation schemes, which exists in Halton. As private rented accommodation tends to be in poorer condition than other sectors and the transient nature of households living in the sector can mean that anti social behaviour is more prevalent than in owner occupied stock, the rise in the sector is becoming an increasing cause for concern.

Key outputs and outcomes sought:

- An understanding of the powers available to local authorities to tackle poor condition, dereliction and anti social behaviour in the private rented sector.
- Examine the effectiveness of the approach to the private rented sector in Halton.
- Consider and make recommendations to the Safer Halton PPB on how best to improve standards and reduce levels of anti social behaviour in

² The Private Rented Sector: its contribution and potential: *Rugg, Julie and Rhodes, David; Centre for Housing Policy, The University of York, 2008*

the sector.

- Raise awareness of the services offered in Halton in relation to enforcement and accreditation.

Which of Halton's 5 strategic priorities this topic addresses and the key objectives and improvement targets it will help to achieve:

A Safer Halton:

- To investigate and tackle the underlying causes of crime and disorder and respond effectively to public concern by reducing crime levels, with a particular focus on reducing the levels of crime that disproportionately affect some of the more deprived areas.
- We will work together to reduce fear of crime and increase public confidence in the police, council and other agencies to respond to reports of crime and anti social behaviour and tackle any potential tensions within communities, in particular those that may lead to extremist activity.

Environment and Regeneration in Halton:

- Provide sustainable, good quality, affordable and adaptable residential accommodation to meet the needs of all sections of society.

A Healthy Halton:

- To remove barriers that disable people and contribute to poor health by working across partnerships to address the wider determinants of health such as unemployment, education and skills, housing, crime and environment.

Nature of expected/desired PPB input:

Member led scrutiny review of the private rented sector.

Preferred mode of operation:

- Scrutiny Working group of selected Members from Safer Halton PPB, involving representatives from relevant partner agencies and relevant Council Officers.
- Attendance at a meeting of the Halton Private Landlord's Forum.
- Site visits including:
 - A local authority with a strong track record in tackling anti social behaviour in the private rented sector
 - A local authority with a strong track record of tackling poor conditions in the private rented sector
 - A local authority with a successful landlord accreditation scheme

Local Authority intervention tools in the private rented sector

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
Enforcement of minimum housing standards				
Housing, Health and Safety Rating System (HHSRS)	Housing Act 2004	Duty	The Housing, Health and Rating System came into force in 2006 and replaced the old Fitness Standard as the principal means of assessing housing conditions. It is risk based system which takes into account the likelihood and severity of a variety of hazards within the home, with the worst hazards being classed as Category 1 hazards.	<p>A local housing authority (LHA) must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken by them. If, in the course of carrying out their duties or as a result of a complaint, they suspect that category 1 or 2 hazards (under the Housing, Health and Safety Rating system) are present in the property they must inspect the property. If, on inspection, the property is found to contain category 1 hazards the LHA must take appropriate enforcement action from the following:</p> <p>a) serving an improvement notice under section 11;</p> <p>(b) making a prohibition order under section 20;</p> <p>(c) serving a hazard awareness notice under section 28;</p> <p>(d) taking emergency remedial action under section 40;</p> <p>(e) making an emergency prohibition order under section 43;</p> <p>(f) making a demolition order under subsection (1) or (2) of section 265 of the Housing Act 1985 (c. 68);</p> <p>(g) declaring the area in which the premises concerned are situated to be a clearance area by virtue of section 289(2) of that Act.</p>
Statutory nuisance	Environmental Protection Act 1990	Duty	<p>The Environmental Protection Act 1990 makes provision for the control of premises which are considered to be prejudicial to health or a nuisance. A local authority can serve an abatement notice requiring the necessary repairs to be carried out. If an individual fails to comply with a notice the council can either;</p> <p>Carry out the work in default and reclaim the costs or</p> <p>Prosecute for not complying with a notice</p>	<p>The legislation is used routinely and conditions which can amount to a statutory nuisance are defined in s79 of the 1990 Act. The most relevant to housing is;</p> <p>(1) any premises in such a state as to be prejudicial to health or a nuisance</p>
Mandatory HMO licensing	Housing Act 2004	Duty	<p>Owners of large HMOs must apply for a licence from the local authority. A fee is payable which covers the administration of the licensing scheme. In determining whether or not to grant a licence the Council must look at:</p> <ul style="list-style-type: none"> ▪ The suitability of the HMO for the number of occupiers; ▪ The suitability of the facilities within the HMO, such as 	<p>Applies to HMOs containing:</p> <p>Five or more tenants forming separate households and</p> <p>Accommodation has three or more storeys.</p>

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
			<p>toilets, bathrooms and cooking facilities</p> <ul style="list-style-type: none"> ▪ The suitability of the landlord and/or the managing agent to manage the HMO (this is called the “fit and proper” test and is mainly concerned with whether the landlord or manager has any relevant convictions or has acted in a way that would indicate his or her unsuitability to manage this type of residential accommodation and ▪ The general suitability of managing arrangements. 	
Additional HMO licensing	Housing Act 2004	Power	Local authorities have discretionary powers to extend HMO licensing to all HMOs in their area.	Before designating an area to be subject to additional HMO licensing, councils must consider that a significant proportion of HMOs in that area are causing problems for tenants or the neighbourhood due to poor management. Local authorities have a general consent to operate selective licensing subject to taking all reasonable steps to consult persons likely to be affected for a minimum of 10 weeks. There is no longer a requirement to seek approval from the Secretary of State.
Selective licensing	s80 Housing Act 2004	Power	<p>Local authorities have discretionary powers to introduce selective licensing of all private landlords in a designated area. Councils have the discretion to set the precise conditions of the licence including conditions relating to the use and occupation of the property and measures to deal with anti social behaviour of the tenants or visitors. However the conditions imposed must relate to the residential use of the property – they cannot, for example, place responsibilities on landlords to act where, for example, tenants may be committing crimes unrelated to the occupation of their property. There are certain mandatory conditions which must be included in a licence as follows. These also apply to HMO licensing.</p> <ul style="list-style-type: none"> ▪ present annual gas safety certificates, ▪ keep appliances and furniture in good condition, ▪ keep smoke alarms in working order ▪ supply the occupier with a written statement of the terms of occupation ▪ demand references from persons wishing to occupy the house. <p>If an authority believes that a landlord has breached licence conditions, they can issue a fine of up to £5,000 for each offence. Operating a property without a licence in a designated area can attract a fine of up to £20,000.</p>	<p>Local authorities can designate their entire district or an area within a district. The proposed area must meet one or more of the following conditions:</p> <ul style="list-style-type: none"> ▪ The area is one which is experiencing (or is likely to experience) low housing demand and the local housing authority is satisfied that “designating” an area will, when combined with other measures, lead to improved social and economic conditions in the area. ▪ The area is experiencing a “significant and persistent” problem caused by anti social behaviour and that some or all private landlords in that area are not taking appropriate action to tackle this. Moreover, the designation in combination with other measures would lead to a reduction in or elimination of the problem. <p>Local authorities have a general consent to operate selective licensing subject to taking all reasonable steps to consult persons likely to be affected for a minimum of 10 weeks. There is no longer a requirement to seek approval from the Secretary of State. The maximum period for which selective licensing can run is 5 years during which time its operation must be periodically reviewed.</p>
Interim Manageme	Part 4 Housing Act 2004	Power	An interim management order (IMO) transfers the management of a licensable residential property to the	A LHA must take enforcement action in respect of a licensable property by making an IMO if:

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
nt Orders			<p>local housing authority (LHA) for a period of up to 12 months. It allows the LHA to:</p> <ul style="list-style-type: none"> ▪ Take possession of the property against the immediate landlord and subject to existing rights to occupy ▪ Do anything in relation to the property which could have been done by the landlord including repairs, collecting rents etc ▪ Spend monies received through rents and other charges for carrying out its responsibility of management, including administration of the property ▪ Create new tenancies (with the consent of the landlord). <p>Any surplus on income over expenditure incurred over the period of the IMO must be paid to the relevant landlord. The LHO must also keep full accounts of income and expenditure in respect of the property and make such accounts available to the landlord.</p> <p>The landlord has the right to appeal an IMO.</p>	<ul style="list-style-type: none"> ▪ The property ought to be licensed, but is not, and the LHA considers there is no reasonable prospect of it granting a licence in the near future. An IMO may not, however, be made on this ground if an effective application is outstanding with the authority for the grant of a licence or a temporary exemption notice or if such a notice is in force. ▪ The LHA is satisfied that the Health and Safety Condition is met and, therefore, it would not have granted an application for a licence. ▪ The LHA intends to revoke the licence on grounds of the condition of the property, and upon revocation there will be no reasonable prospect of the property being licensed in the near future e.g. to another suitable person or <p>The LHA is satisfied that when the license is revoked the Health and Safety Condition test will be met.</p>
Final Management Orders	Part 4 Housing Act 2004	Power	<p>A Final Management Order (FMO) gives the LHA the same powers as an IMO above but lasts for a maximum of five years. The LHA must make a management scheme for a property subject to a FMO. The scheme must set out how the LHA intends to manage the house. In particular the scheme must include:</p> <ul style="list-style-type: none"> ▪ The amount of rent it will seek to obtain whilst the order is in force ▪ Details of any works which the LHA intends to undertake in relation to the property ▪ The estimate of the costs of carrying out those works ▪ Provision as to the payment of any surpluses of income over expenditure to the relevant landlord, from time to time ▪ In general terms how the authority intends to address the matters that caused the LHA to make the order. <p>The LHO must also keep full accounts of income and expenditure in respect of the property and make such accounts available to the landlord.</p> <p>The landlord has the right to appeal a FMO.</p>	<p>A FMO can only be made if an IMO comes to an end or is otherwise revoked or it is made to immediately follow a previous FMO and, in either case:</p> <ul style="list-style-type: none"> ▪ The property is subject to an improvement notice or emergency remedial action is required and is unable to grant a licence. ▪ In the case of a property that is not subject to an improvement notice or emergency remedial action is required, the LHA is satisfied it is necessary to make the order to protect, on a long term basis, the health, safety and welfare of occupants of the property, or persons occupying or having an estate or interest in any premises in the vicinity.

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
Demolition Orders	Part 9 Housing Act 1985 as amended	Power	<p>A local authority may serve a notice compelling the owner to vacate the premises and demolish the property at their own cost and within the time period specified in the order.</p> <p>The authority must serve a copy of the order on every person who, to their knowledge is an owner or occupier, is authorised to permit occupation or is a mortgage lender in relation to the whole or part of the premises, within 7 days from the date the order was made. The requirement in relation to occupiers is met if a copy is fixed to a conspicuous part of the premises. An aggrieved person may appeal against a demolition order to the residential property tribunal within 21 days from the service of the order. It is possible to substitute a demolition order with a prohibition order if proposals are submitted for the use of the premises other than for human habitation.</p>	<p>In deciding whether to serve a demolition order the local authority must:</p> <ul style="list-style-type: none"> ▪ Take into account the availability of local accommodation for rehousing the occupants ▪ Take into account the demand for and sustainability of the accommodation if the hazard was rectified ▪ Consider the prospective use of the cleared site ▪ Consider the local environment, the suitability of the area for continued residential occupation and the impact of a cleared site on the appearance and character of the neighbourhood.
Clearance areas	Part 9 Housing Act	Power	<p>An authority can declare an area a clearance area if it is satisfied that each of the residential buildings in the area contain one or more category 1 hazards (or that these buildings are dangerous or harmful to the health and safety of the inhabitants as a result of their bad arrangement or the narrowness or bad arrangement of the streets); and any other buildings in the area are dangerous or harmful to the health of the inhabitants. In a building containing flats, two or more of those flats must contain a category 1 hazard before a clearance area can be declared.</p>	<p>A local authority should consider the desirability of clearance in the context of proposals for the wider neighbourhood of which the dwelling forms part and shall have regard to:</p> <ul style="list-style-type: none"> ▪ The likely long term demand for residential accommodation; ▪ The degree of concentration of dwellings containing serious and intractable hazards within the area; ▪ The density of the buildings and street pattern around which they are arranged; ▪ The overall availability of housing accommodation in the wider neighbourhood in relation to housing needs and demands; ▪ The proportion of dwellings free of hazards and other, non residential, premises in sound condition which would also need to be cleared to arrive at a suitable site; ▪ Whether it would be necessary to acquire land surrounding or adjoining the proposed clearance are; and whether land can be acquired by agreement with the owners; ▪ The existence of any listed buildings protected by notice pending listing – listed and protected buildings should only be included in a clearance area in exceptional circumstances and only when building consent has been given; ▪ The results of statutory consultations; ▪ The arrangements necessary for rehousing the displaced occupants and the extent to which occupants are satisfied with those arrangements. <p>Clearance may be a feature of plans to redevelop areas where there is low demand for housing or other reasons for development. Where the reasons for redevelopment are not primarily related to housing condition, the powers in the Act will not be the most appropriate. Local authorities may therefore have to make a compelling case that clearance is necessary for the “well being” of the residents. As</p>

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
				an alternative to declaring a clearance area, and authority could consider use of compulsory purchase powers.
Powers to tackle Anti Social Behaviour				
Anti Social Behaviour Orders (ASBOs)	Crime and Disorder Act 1998 as amended	Power	<p>ASBOs are community based orders that involve local people in collecting evidence and in helping to enforce breaches of the prohibitions in the order. They are designed to encourage local communities to become actively involved in reporting crime and anti social behaviour, thus building and protecting the community.</p> <p>Breach of an ASBO is a criminal offence which can result in prosecution.</p>	<p>ASBOs are tenure neutral and can be used to prohibit the anti social behaviour of owner occupiers or those in private rented accommodation as well as social housing tenants.</p> <p>An order can be sought against any individual over the age of 10, who has acted in an anti social manner. The local authority seeking the order must satisfy the court that the order is necessary to protect a person or persons against anti social acts or conduct.</p>
Local Government Injunctions	S 222 Local Government Act 1972	Power	Local authorities can apply to the civil courts for injunctions to restrain anti social behaviour that constitutes a public nuisance. The injunction can prohibit the individual, either absolutely or at specific times of the day or night, from entering the area where the nuisance has been committed and may contain other prohibitions designed to restrain the type of anti social behaviour that has caused the public nuisance.	<p>To prove a public nuisance, the local authority must show that:</p> <ul style="list-style-type: none"> • The behaviour materially affects the reasonable comfort and convenience of a class of Her Majesty's subjects; • The area affected by the nuisance behaviour can be described as the neighbourhood; there are sufficient numbers of people within the local community affected by the nuisance behaviour to constitute a class of the public. It is not necessary to prove that every member of the class has been affected – a representative cross section will be enough; and • It is within the proper action of a local authority to put an end to all public nuisances to protect and promote the interests of their inhabitants.
Anti Social Behaviour Closure Orders	Part 1A Anti Social Behaviour Act 2003	Power	<p>Local authorities and the police have the power to seek a closure order in respect of premises that are associated with persistent disorder or nuisance.</p> <p>Once a closure notice has been issued, an application for an order must be made to a magistrate's court within 48 hours. If the court makes a closure order, the premises concerned will be closed completely or partially for a maximum of three months. No access can be made to the property by any persons, even those with rights of abode or ownership.</p>	<p>Closure orders are tenure neutral and so can be used to close homes that are privately owned. They are aimed at tackling excessive noise and rowdy behaviour related to frequent drunken parties or high numbers of people entering and leaving a property at all times of the day or night.</p> <p>These orders can also be used where anti social residents are intimidating and threatening their neighbours and criminal families are running illegal business from their properties.</p> <p>These orders should only be used as a last resort, when all other options have been tried and failed.</p>



Safer Halton Policy and Performance Board

**Anti Social Behaviour in the Private Rented
Sector Scrutiny Topic**

Visit to Wirral Borough Council

Tuesday 1st November 2011

**Anti Social Behaviour in the Private Rented Sector Scrutiny
topic
Visit to Wirral 01/11/11**

INTRODUCTION

The Group was welcomed by Councillor George Davies, Wirral Borough Council (WBC) Cabinet Member for Housing and Community Safety.

Councillor Davies gave an introduction to the topic and explained that WBC introduced a Landlord Accreditation Scheme using Housing Market Renewal Initiative (HMRI) funding in 2002 as a means of engaging with landlords in the HMRI area and encouraging improved standards in the private rented sector (PRS). Councillor Davies acknowledged that there is predicted to be significant growth in the sector in the coming years (up to 20% increase) due to proposed Housing and Welfare reforms and that this is likely to impact on the workload of the Housing Standards Team.

THE HOUSING STANDARDS TEAM

Emma Foley, Manager of the Housing Standards Team, gave an introduction to Housing in Wirral and an overview of the work of the team. Her presentation is attached as Appendix A. Key points were:

- Wirral's population is approximately 312,000 and the area contains around 144,000 properties, of which approximately 17,000 are in the private rented sector.
- The sector is concentrated in the Eastern part of the Borough with large numbers of Houses in Multiple Occupation (HMOs) in New Brighton and Hoylake.
- The Housing Standards Team comprises 22 staff dealing with Landlord Accreditation, HMOs, Empty Properties, Healthy Homes Initiative, Area Based Renewal (HMRI) and the Home Improvement Team. Due to budget cuts, Housing Standards Officers have recently become generic and now deal with a range of assistance and enforcement powers.
- Challenges include the expanding PRS, poorer conditions in the sector, funding reductions and the impact of forthcoming welfare reforms.
- The Team works closely with partner agencies e.g. Police, Fire, Health, voluntary organisations and Adult Social Services as a means of boosting resources in "hotspot" areas. These agencies form a "virtual" team and act as a steering group which oversees delivery of Action Plans.
- The Team uses intelligence mapping to identify hotspot areas to target including empty homes and health data.
- In the future the team is looking to use Private Sector Leasing to bring empty homes into use, start charging for more services, and develop a Social Lettings Agency approach.

Responses to Questions

What is the tenure split in Wirral?

Approximately 70% of the stock is owner occupied, 16% social rented and 14% privately rented.

How does the Housing Standards Team engage with tenants?

The team works closely with a wide range of services and organisations who have front line access to vulnerable people who may benefit from the services offered by the Team e.g. Children's Centres, Drug and Alcohol Team, Community Centres etc. This results in referrals from the front line staff to the Housing Standards Team.

Is homelessness a problem in Wirral?

Homelessness levels in Wirral exceed 400 per annum and there are around 14,000 households on the Council's housing waiting list.

Does the service exclude RSLs?

Although technically parts of the service are available to RSLs and their tenants, there are very few issues and any problems are dealt with quickly, helped by the positive relationship that the Team has with RSLs.

Is there a problem of agencies bringing in problem tenants from other areas?

Yes, this is something the Team needs to start looking at, perhaps by developing information sharing protocols.

Where does the information to enable mapping of empty homes come from?

Officers receive monthly reports from the Council Tax register and after some negotiation have recently been given direct access to the Council Tax database.

Does Wirral use selective licensing?

The Council has not found a need to use selective licensing since no correlation has been found between anti social behaviour and "problem" properties. Under previous rules the Council would need to prove that landlord accreditation was not working in order to be given powers to use selective licensing. It is also felt that the resources required to operate selective licensing outweigh any potential benefits.

Have landlords found a problem with tenants consistently being 6 or 7 weeks in arrears (before the 8 weeks at which rent can be paid direct to the landlord)?

The team will help landlords to receive Rent Direct where tenants are classed as vulnerable. The Housing Benefits team is also pro active in encouraging landlords to flag up any arrears straight away (before it reaches 6 or 7 weeks). Halton's Landlord Accreditation Officer advised that Halton's Housing

Solutions Team has a dedicated Rent Arrears Officer who will also assist landlords in this way to prevent potential homelessness. Wirral also hold dedicated Housing Benefit surgeries for accredited private landlords and are looking to set up a dedicated call centre for landlords to be fast tracked to Housing Benefits.

How does the team provide access to good tenants? Doesn't this then present a challenge in providing secure, supported accommodation for vulnerable people with chaotic lifestyles?

Officers are working with Wirral's Homelessness Team to develop an Access to Good Tenants Scheme. At the same time they are investing more in tenancy support and homelessness prevention, through the virtual team approach.

Halton's topic group are also considering packaging enforcement and accreditation services to landlords with a view to charging for services. The may be an opportunity for officers from the two Councils to work together on this.

Officers from both Councils are amenable to this.

What are the standards used to assess empty homes?

The Council uses the elimination of category 1 hazards under the Housing, Health and Rating System (HHSRS) as the minimum standard for empty homes, although it is acknowledged that this is a very basic standard.

Have any empty homes been successfully brought back into use through Private Sector Leasing (PSL)?

The PSL scheme is quite new but the team has a successful track record of bringing empty homes back into use that will be explored in a later presentation.

How does the Council fund the Healthy Homes Initiative?

PCT funding has been secured for a post to co-ordinate referrals from different agencies, other than this existing staffing resources are used.

How are services funded now that HMRI and Regional Housing Pot funding has ceased?

The Council views investment in the condition and energy efficiency of the housing stock as a priority and funds through Council revenue and the Council's capital funding programme.

Is there a specific scheme for private landlords to insulate their rented properties?

Yes, landlords can claim tax relief (up to £1,500) on insulating their properties under the Landlords Energy Savings Allowance.

MANAGEMENT AND PROPERTY ACCREDITATION SCHEME

The Landlord Accreditation Manager, Jan Colgan, gave a presentation on Wirral's Landlord Accreditation Scheme. Her presentation is attached as Appendix B but key points are:

- The scheme started as a 6 month pilot in the HMRI area in December 2002 and was rolled out to the rest of the Borough in June 2003.
- Landlords were involved in the development of the Scheme and continue to be involved.
- The scheme was originally based on accrediting landlords following an inspection of a sample of their properties but has since become a Property Accreditation Scheme whereby the property itself rather than the landlord is accredited.
- A Managing Agents' Accreditation Scheme was started in June 2004 which focuses on management standards, policies and procedures.
- The schemes use a star rating approach on electrical safety, fire safety, repairs and maintenance, thermal comfort and security to encourage further improvements above and beyond the minimum accreditation standard.
- It is a requirement of the scheme that the Tenancy Agreement includes an anti social behaviour clause.
- A variety of incentives are used e.g. credit rating checks, discount cards. Mediation services, empty property grants and use of the scheme logo.
- Communication is via the Private Landlords Forum (twice a year), 3 newsletters per year, Accreditation steering group and Landlord Focus Group and briefing sessions. Also carry out customer satisfaction survey.
- 2,537 properties have been accredited over lifetime of the scheme – currently 2,109 are (remainder have either been sold or removed from scheme) and there are 28 accredited agents.
- Alternative funding opportunities are being explored now that HMRI has ceased – including exhibition space at Landlords' Forum, advertising in the newsletter, charges for membership and charges for incentives.

Responses to questions

Has the move from a Landlord to a Property scheme made the service more resource intensive?

No, because the team would have inspected the same amount of properties under the old system anyway.

Are checks completed on gas, electricity and water etc?

Yes, the team ask to view an up to date gas safety certificate as this is a legal requirement and will look for any obvious problems with electricity and water.

How often is the accreditation updated?

The accreditation used to last for 3 years with self certification required from landlords in between times. Now, however, a member of the team makes a

decision on how long the property should be accredited for based on its condition. The team has always and continues to carry out spot check on 10% of accredited properties.

Can accreditation be removed?

It can, however, the team will normally tell landlords were the property is failing to comply and give them an opportunity to put this right before removing accreditation.

How many properties still meet the standard upon inspection?

Usually around 80%. Tenants will normally inform the team of any problems or a potential problem can be picked up at initial inspection. Any decline in standards is usually found to be caused by the tenant although as part of the management standard landlords are required to make regular checks of the property.

Often the problem is not with the property itself but with the surrounding environment particularly with former Right to Buy owners who have since become landlords. Does the inspection include the exterior and surrounding area of the property?

Yes, the inspection includes all areas within the curtilage of the property including back fencing etc

It is interesting that the scheme includes back fencing since many RSLs state that this is the tenant's responsibility.

The team finds that the vast majority of landlords are willing to undertake whatever work is required through informal negotiation as, for them it is an investment or even their pension and it is, therefore, in their interests to look after the property. However, some problems have been found over the condition of back walls.

Can legal action be taken if the landlord refuses to comply with requests to bring the property up to standard?

Yes, this would be dealt with by the Council's Enforcement Team.

Are inventory agreements used?

It is part of the management standards that landlords are expected to undertake an inventory at the letting stage, including encouraging photographic evidence. Landlords are getting better at undertaking inventories since the introduction of the Tenancy Deposit Scheme.

Is it simple for a tenant to complain about their property or landlord? Do they usually contact the landlord first?

The team writes to the tenant when an accreditation application is received and encourages them to raise any issues with the team.

Does Wirral have a separate enforcement team?

Yes, this is part of Environmental Health – they tend to deal with low level enforcement problems e.g. fly tipping while the Accreditation scheme aims to deal with issues informally.

Does Wirral have a list of all landlords in the area?

The Council holds a list of accredited landlords and managing agents but not all landlords operating on Wirral. It can take some time to track down owners particularly when the property is registered to a company or when the landlord lives abroad. The Rugg Review ³advocates compulsory licensing for all landlords but to date, no scheme has been introduced.

Is it illegal to let a property with category 1 hazards?

It is illegal not to have an up to date gas safety certificate and the Council can use enforcement powers to compel a landlord to take action to remove category 1 hazards from the property.

Isn't it a risk not insisting on the landlord producing a certificate to prove that electrics are up to scratch and relying on self certification?

This was initially discussed with the steering group but it was felt to be a stumbling block to accreditation as it is not a legal requirement. Any obviously serious problems with the electrics would be picked up as part of the initial inspection anyway.

Why is gas safety not included as part of the star rating standard?

This is because it is the minimum that would be expected without which they would be breaking the law and could not be accredited. Landlords are required to produce an up to date gas safety certificate for each property they apply for accreditation. The star rating system relate to “add on” improvements.

What is the benefit of having a star rating system?

It encourages further improvements above and beyond the minimum standard. Some landlords can get quite competitive about achieving star ratings.

Is much time spent dealing with challenges from landlords over the star rating system?

No, in all but one of the categories, the requirements needed to gain extra stars is quite prescriptive e.g. provision of hard wired smoke detectors. Only the repairs and maintenance category can be subjective but is not often challenged.

The scheme could reassure tenants that they are going to a good property and therefore lower demand for bad properties/landlords.

³ The Private Rented Sector: its contribution and potential: *Rugg, Julie and Rhodes, David; Centre for Housing Policy, The University of York, 2008*

This is one of the benefits of the scheme.

Can landlords be removed from the scheme if they refuse to take action against a tenant who is causing anti social behaviour?

Yes, however, usually the landlord will want to take action but may find it difficult to evict the tenant.

Can the landlord be held legally responsible for the behaviour of the tenant?

No, but as stated above, the landlord will usually want to take action.

Where would funding for a social lettings agency come from?

The agency would be delivered within existing resources. There may be a need for some pump prime funding for marketing or potentially premises but should not be a great deal of expense thereafter.

Who funds the mediation scheme?

This is delivered through Involve North West who use trained volunteers.

Does the Council provide any information on reputable builders?

The Council has been reluctant to provide information due to the risk of being held liable if something goes wrong. However, officers have been working with Trading Standards and have written to Fair Trade Scheme Contractors to ask if they would be prepared to offer a discount to accredited landlords.

Can Local Housing Allowance only be paid to accredited landlords?

This would need a change in legislation.

How are newsletters funded?

Mainly sent via email but Housing Benefits cover the cost of any postage.

EMPTY HOMES

Wirral's Empty Property Manager Paul Jackson gave a presentation on the Council's approach to bringing empty homes back into use. His presentation is attached as Appendix C but the key points are:

- The team has 1 manager, 3 dedicated empty homes officers and 1 part time administrative support officer.
- There are 6,500 empty homes – 1,500 of which belong to RSLs, and 250 were part of the HMRI regeneration programme.
- In 2010/11 the team brought 288 empty homes back into use.
- There is a dedicated hotline and email address and the team take referrals from a wide range of organisations.

- The team has recently expanded to include 2 officers to take a targeted pro active approach to the problem – either by length of time vacant or hotspot areas (vacants above 4%).
- The team has recently gained direct access to the Council Tax database which can be used to quickly identify owners of empty properties.
- Also use Land Registry database and s.16 of the Local Government (Miscellaneous Provisions) Act 1976 to identify owners.
- In most cases empty properties are brought back into use after informal negotiation with the owner and offering assistance such as putting in touch with a developer, support in claiming VAT reductions on refurbishment, Private Sector Leasing and Empty Property Grant (£2,000).
- In cases where the property cannot be brought back into use informally, the enforcement measures used are s. 215 of the Town and Country Planning Act (detrimental to visual amenity), s. 79 of the Building Act 1984 (property in dilapidated state), s.4 of Prevention of Damage by Pests Act 1949 and s. 80 of the Environmental Protection Act 1990 (secure property that is open to access).
- Other measures available include Empty Dwelling Management Orders (although these have not been used by Wirral), Compulsory Purchase Orders and Enforced Sale Procedures (this is the main measure used).

Responses to questions

What action do you take if you discover that Housing or Council Tax Benefit is being claimed on an empty property?

The team will liaise with the Housing Benefit fraud team. The 50% discount for empty properties has recently been removed and has already started to significantly reduce number of empty properties which will help to generate a £2million windfall initially and attract additional New Homes Bonus.

Does the team deal with empty public houses?

They do, but they can be quite difficult to deal as most don't lend themselves to conversion to residential property. May need to consider other ways to bring back into use e.g. transferring the license etc.

Where does funding for grants etc come from?

This is from the Local Authority's capital programme and is prioritised in the Corporate Plan. A bid for the next 3 years has recently been submitted.

Is Empty Property Grant given on a first come, first served basis?

At present yes but may need to target to hotspot areas in future.

Is the Wirral Trader Scheme open to everyone?

Yes, traders do not have to be Wirral based although most are.

Can anyone join the developers list?

Yes, it is open to individual property developers as well as companies.

Are property owners recharged if works are carried out in default?

Yes and this can be registered as a charge against the property with the Land Registry. Non payment of recharges can lead to the enforced sale of the property to recover the charge. This has the added advantage of bringing the property back into use.

HEALTHY HOMES

Joanna Seymour gave a presentation on Wirral's Health Homes Initiative (which is attached at Appendix D). This scheme aims to remove category 1 hazards and improve living conditions in a Lower Super Output Area of New Brighton.

The scheme offers an intensive targeted approach by bringing together a range of agencies including the Police, Social Services, Energy Projects Plus and Tenancy Support agencies such as NACRO, Phoenix and Adullam to maximise the number of interventions that can be offered. The team have also worked with GPs in the area.

The team consists of a Project Lead (who also manages the HMO team), a project co-ordinator (whose post is funded through Communities for Health funding) and 3 Housing Standards Officers (who also work on HMOs and the Landlord Accreditation Scheme).

To date 518 survey forms have been completed which has resulted in 478 referrals for intervention which would not otherwise have been picked up.

ANTI SOCIAL BEHAVIOUR TEAM

Enforcement Co-ordinator, Lucy Pritchard gave an overview of the Anti Social Behaviour Team.

The team was set up in 1998 as part of the Housing Department and initially comprised 2 officers purely dealing with enforcement. This has since grown to 30 and the team is now located within Children and Young People's Directorate and is split between enforcement and prevention activities.

There are 3 Police Officers based within the team and the team use a specialist solicitor based within the Council's Borough Solicitors Department.

A Respect Consortia is held every 2 months and there are 3 Respect Panels involving a wide range of agencies. There are also multi agency meetings looking at locational issues which can refer issues to a problem solving group.

Responses to questions

The team seems large in comparison to Halton's Community Safety Team. How are they funded?

Some posts are mainstream funded but others are funded through Service Level Agreements with RSLs such as Wirral Partnership Homes.

Do most cases involve children and young people?

No, the majority involve adults and originate in the private sector.

Does the team operate a Task and Finish policy?

No, it is not about just shifting the problem to another area, the team "goes with" the problem to ensure that appropriate support is put in place.

Do the courts offer adequate support?

Yes, both from the Magistrates and County Courts

What does the team do about complaints about private tenants?

Low level complaints are usually referred to mediation and witness support. Higher level complaints would be taken on by an Enforcement Officer who may use surveillance and other powers to collect evidence.

Is the landlord ever contacted about the problem?

The team does not contact the landlord as standard, however, it has offered support to landlords who wish to evict one of their tenants who is causing anti social behaviour.

Does the team make use of PCSOs and diary sheets?

Yes

A question was put to the private landlords in attendance about their experiences.

They advised that they issue a s21 notice to quit at the same time as the Tenancy Agreement is issued to help gain possession of the property should they wish to do so once the Assured Shorthold Tenancy has come to an end (usually after 6 months).

Conclusion

Those present found the visit extremely useful and wished to extend their thanks to all involved in arrangements for the day and giving presentations. Councillor Wallace reminded the group that the next meeting would take place on Monday 7th November at 1pm in the Municipal Building (room location TBC). This meeting would present an opportunity to reflect on the day and pull together some proposals to be presented to the Policy and Performance Board.

**Safer Halton PPB Topic Group – Anti Social Behaviour in the Private Rented Sector
Action Plan**

Action No.	Action	Responsible person	Timescale	Resources Required	Comments
1	Increase Council Tax charges on properties that have been empty over 6 months	Bill Dodd/Peter McCann	By April 2012		Currently 50% of Council Tax is charged but the local authority has discretion to increase to 90% and the Government is currently consulting on proposals to increase to 100% and charge an empty property premium
2	Develop a targeted project management approach to the issue in West Bank and Halton Lodge.		April 2012	Staff time	Virtual team to be created Teams are currently responsive and deal with a wide range of issues, not just housing so will require a different approach
3	Hold an information event for landlords	Jo Sutton to co-ordinate	June 2012	Funding for venue, promotional material. Staff time.	Venue needs to be accessible to target areas. Use of exhibition space could help to fund the event. Include officer presentations and freebies as incentives
4	Invite landlords in the target areas to provide contact details to the Council	Lucy Willis	June 2012 and ongoing	Staff time Postage Promotional material	Can use information event
5	Promote the benefits of joining the	Lucy Willis	June 2012	Staff time	Work with Communications and

	Landlord Accreditation Scheme		and ongoing	Postage Promotional material	Marketing Support required for Landlord Accreditation Officer to deal with an increase in applications (currently 80% of time spent on administration of BGS).
6	Provide advice to landlords on how to deal with anti social tenants	Lucy Willis	Ongoing	Staff time Leaflets etc	As integral part of accreditation scheme and part of service offered.
7	Introduce a Healthy Homes approach in target areas making links with relevant organisations with front line staff	Wendy Salisbury	April 2012	Staff time	Link with Public Health joining Council in 2013
8	Make full use of enforcement powers in these areas to tackle poor condition	Wendy Salisbury	Ongoing	Staff time Legal support	Needs a pro active approach in these areas . This will have implications for staff time.
9	Encourage Council staff and staff from partner agencies to report empty properties with a view to identifying possible empty property fraud	Jo Sutton/HB fraud team	April 2012	Staff time	Use internal communication systems e.g. intranet, Police's Looking Glass system etc
10	Explore the possibility of bringing in additional staffing resources to assist either through re-organisation of existing staff, secondment from another organisation, funding bids to external agencies, use of volunteers or graduate work experience	Paul McWade	April 2012	Funding (if secondment) Advertising costs Staff time to train and manage	Need to consider: Current climate of efficiency reviews and budget savings If volunteers are used we would need to ensure they are not undertaking jobs that would normally be undertaken by paid staff or replacing staff whose jobs have been lost. If staff are re-organised, would

					need to ensure that there is no knock on effect on Council statutory duties.
11	Undertake a survey of known landlords throughout the Borough to gain a better understanding of the sector and promote the services available	Jo Sutton	April 2012	Staff time Postage (including pre paid envelopes) Incentives?	Work with Research and Intelligence to design and process surveys Only a proportion of landlords are known – need to consider how to maximise survey sample Could liaise with Wirral over maximising response rates – use of incentives etc?
12	Change the Landlord Accreditation Scheme to a Property Accreditation Scheme (see note below)	Lucy Willis	April 2012	Staff time to facilitate the change	Officers have some concerns that this would let landlords “off the hook” as only a proportion of their properties would need to meet the standard whereas currently if one of their properties doesn’t come up to scratch we can threaten to remove the accreditation. Need to consult with landlords.
14	Work with the Fire Brigade to support a change in legislation that would make it a legal requirement for private landlords to install hard wired smoke detectors in their properties	Wendy Salisbury	April 2012		

- This recommendation was changed to “Retain the existing Landlord Accreditation Scheme” by a Safer PPB meeting of November 2012. This would involve no additional activity. At the meeting the Board also agreed that funding be identified to run a poster campaign advertising the scheme.

REPORT TO: Executive Board

DATE: 13th December 2012

REPORTING OFFICER: Strategic Director, Policy and Resources

PORTFOLIOS: Environmental Sustainability and Economic Development

SUBJECT: The Liverpool City Region Sustainable Energy Action Plan

WARDS: Borough Wide

1.0 PURPOSE OF THE REPORT

- 1.1 To brief Executive Board Members on the Liverpool City Region Sustainable Energy Action Plan (SEAP) and the substantial benefits it could deliver, for the City Region and its districts, including Halton.
- 1.2 To set out how, through the Local Enterprise Partnership Low Carbon Economy Committee the SEAP will be implemented.
- 1.3 To ask that Executive Board members support this agenda through approval of the SEAP. The Environment and Urban Renewal PPB had considered and endorsed the SEAP for approval by the Executive Board.

2.0 RECOMMENDATION: That

- 1) Members endorse the Liverpool City Region Sustainable Energy Action Plan (SEAP) as the programme and framework for the City Region to advance its sustainable energy actions; and**
- 2) the Environment and Urban Renewal PPB receive progress reports on the SEAP Programme as and when appropriate**

3.0 SUPPORTING INFORMATION

- 3.1 A Sustainable Energy Action Plan (SEAP) has been prepared for the City Region by the Merseyside Advisory service (MEAS) and consultants ARUP, using external funding from the CLASP Climate Change Skills Fund. It is in response to the substantial opportunities that a low carbon economy could bring to the region. The SEAP was officially launched in July 2012.
- 3.2 The SEAP has been welcomed by both the public and private sector, including potential investors and energy companies as it provides a larger scale and more co-ordinated response to the energy agenda for the City Region.
- 3.3 The SEAP sets out a number of prioritised actions across the city region to deliver a low carbon economy, with the potential to add value through:

- Joint applications for EU funding and investment opportunities.
- Efficiencies in procurement of goods and services to deliver energy projects.
- Combining projects to increase the scale of energy projects will improve rates of return for investors and help to de-risk investment decisions.
- Development of a LCR heat network.
- Support for integrated programmes of action such as the development of a domestic, industrial and commercial retrofitting programme and alternative fuel strategy for transport and energy infrastructure.
- If appropriate, to design and develop proposals for a Special Purpose Vehicle (SPV) to reduce risk, attract subsidies, create revenues and deliver economies of scale in the delivery of the programme.
- work across administrative boundaries and ensure co-ordination
- signal to investors and energy companies that the LCR considers the SEAP to be a key priority and driver of the City Region's low carbon ambition.

3.4 Scale and size is particularly important for three main reasons. Firstly, given the scale of investment opportunities and the potential economic benefits they could bring we are looking at project values of £10M's to £100M's. For example, the UK Green Investment Bank is looking at a minimum project value of £50-£100M and a minimum investment of £25M. It is understood that other investment funds are similarly significant in their investment aspiration. Secondly, the nature of legal agreements, mechanisms and infrastructure requirements becomes less sensitive to investment scale, therefore biggest investment projects tend to deliver greater efficiency and economic benefit. Thirdly, investors are looking for return on investment (ROI), the larger the project, the required ROI may be smaller but more attractive to investors.

3.5 Because the LCR SEAP is a framework and a programme it also provides significant flexibility within which individual District projects or plans can be advanced but with the support of the LCR Programme and with potentially significant benefits of joining with other LCR projects over time. Examples of the potential joining include: procurement, sharing of skills and resources, joining and expansion of heat network infrastructure, delivery of heat to customers outside of a Local Authority boundary, project delivery vehicles, joint funding applications and attracting new developments to an area because there is access to modern, resilient energy infrastructure.

3.6 A further benefit of the LCR SEAP Programme is to provide the framework, including reporting on baseline emissions, within which Districts can take forward their own energy aspirations.

- 3.7 The LCR SEAP is a live document and will be updated on a periodic basis as and when required.

4.0 Governance and Reporting Arrangements

- 4.1 The Low Carbon Economy Committee (LCEC) of the Local Enterprise Partnership, has now taken ownership of the SEAP and views it as a key and strategic part of the Low Carbon agenda. Progress with the SEAP Programme will be reported to and monitored by the LCEC and reported to the LEP Board and City Region Cabinet.
- 4.2 The existing SEAP Steering Group will continue to meet to ensure that joint project opportunities are identified and to explore the benefits and options for E.U. Covenant of Mayors signatory.
- 4.3 Reports on progress with the SEAP programme will be reported to Halton's Environment and Regeneration PPB, subject to their approval for this to happen.

5.0 Project Opportunities

- 5.1 A number of projects across the sub-region have been identified as part of the ARUP study. 12 projects with a total investment value conservatively estimated at £200 - £500M have been identified as having immediate potential. Two of these projects are within Halton, one at Runcorn Docks and the other at Daresbury Park. These are listed in Appendix 1. A further 'long-list' of 33 projects with longer-term potential is also being monitored.
- 5.2 Many of these projects are still at a relatively early stage of development. Considerable technical work remains to be done to move the potential projects towards propositions capable of attracting investors to take them forward as commercial / investment-ready propositions. In the interim, and to maintain momentum, funding has been secured to advance work on some projects and ensure that project opportunities do not stall. Additional resources secured subsequently from LEP or other sources will be deployed with the agreement of LCEC and Steering Group at the appropriate time.

6.0 Halton Low Carbon Projects

- 6.1 There are a number of low carbon projects within the borough, all at various stages of development. These are listed below:-
- **Project Viridis** – Joint Merseyside housing project led by the registered housing providers. Project proposes to use ECO funding from the energy companies to install energy efficient measures in homes across the sub region
 - **Widnes Biomass-Fired Combined heat & Power Plant** - part of the 3MG Stobart park development. When completed the plant will supply heat and power to local businesses occupying the park and also possibly supply of

heat to the local community via a district heating scheme. The Plant will be utilising recycled wood chip sourced from recovered wood.

- **PDM Group (Granox)** proposed anaerobic digestion plant in Widnes
- **The Heath Business Park, Runcorn** – Opportunities for expansion and growth at the site make use of renewable energy sources and maximise the benefit of water and heat conservation.
- **Castlefields new build** - To date 1243 unpopular and energy inefficient deck access flats have been demolished and these have been replaced by over 800 new homes. All new homes have been designed to high energy conservation standards and include the 1st new build properties in Halton with solar thermal heating, rain-water harvesting and heat recovery. Measures designed not only to help the environment, but keep household bills low. Success can be seen in recent research which demonstrates fuel poverty in Castlefields is improving, with one of Castlefields three lower super output areas ranked as 89th best in the country for fuel poverty reduction (out of 32,482 areas).
- **Castlefields retained properties** - retrofit 500 retained two-storey concrete system built properties. Phase 1 of this project is being delivered by Plus Dane and LHT working with EON and EDF respectively. Phase 1 aims to provide external wall insulation (EWI) to up to 240 homes, about 30% of which are within private ownership. Phase 1 has been made possible by accessing both CESP (Community Energy Saving Programme) and REECH (Renewables and Energy Efficiency in Community Housing), the latter is a European Funding scheme aimed at stimulating the low carbon economy. A key benefit of the using EWI is that it not only reduces heat loss from a home without the need for major internal work to the property; it also provides an opportunity to improve external visual appearance of properties. Using EWI on retained stock will enhance the neighbourhood as whole, by complementing new build homes. Partners are currently working to secure funding for a phase 2 EWI project to address remaining two-storey system built properties.
- **Daresbury park** – An Energy Masterplan will be developed to determine how best to meet the energy demands from the future expansion at Daresbury park.
- **Runcorn Docks** – This site is allocated within the Core Strategy for a large residential development, which is likely to bring commercial development opportunities which collectively could benefit from a district heating scheme
- **Brookvale Leisure Centre** – proposed new biomass plant to meet the energy demand of the site
- **Solar panels** – Solar panels have already been installed on a number of council owned buildings, including the Stobart stadium. These are helping meet the energy demands of the site and reducing energy costs as well as generating an income for the council from the Feed In Tariffs (FITs)

7.0 POLICY IMPLICATIONS

- 7.1 There are no direct policy implications associated with the SEAP.

8.0 OTHER IMPLICATIONS

8.1 At this stage there are no other implications associated with the SEAP.

9.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

9.1 The SEAP will support the borough's regeneration programme, potentially by bringing an added scale and longevity when coupled with schemes across the sub region. This will bring added value for all, including job and training opportunities, additional funding and the benefits from working in partnership, with each bringing their own resources, knowledge and skills to this agenda.

9.2 The SEAP includes projects that are identified within the borough's Core Strategy and potentially will act as a catalyst to bring these developments to fruition, whilst also benefiting the low carbon agenda.

10.0 RISK ANALYSIS

10.1 Not applicable.

11.0 EQUALITY AND DIVERSITY ISSUES

11.1 Not applicable.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTIONS 100D OF THE LOCAL GOVERNMENT ACT 1972

12.1 Liverpool City Region Sustainable Energy Action Plan (SEAP) – link to the full document is below

<http://www.liverpoollep.org/PDF/LiverpoolCityRegionSEAP1stEdition190712WEB.pdf>

Appendix 1

Project Opportunities Identified

Sub Region LA	Location Description	Space-types Potential customers/partners	Approx Viable Capacity	Potential Constraints	Comments
Halton	Green-field area in Daresbury to West of A56	Existing Business Park Science Park Emerging New employment land build-out New residential	≈ 0.6 MWe	Planned build-out area is relatively large at approx 2KM in length	Existing load centres are at either end of planned development area, with feasibility of connection dependent upon new- build elements and precise types New-build scheme providing opportunity to introduce DH from the start
Halton	Runcorn Docks	<i>Planned</i> Large Residential area Likely requirement for complimentary non-residential spaces	≈ 0.2 - 0.7 MWe (based solely on residential build-out of between 1,200 – 4,000 homes)	Pure residential would not provide suitable mix to maximise plant size	Scheme at this scale is likely to require provision of associated additional Community, Commercial and Retail spaces New-build scheme providing opportunity to introduce DH from the start
Liverpool	City centre area to West of Lime Street station and East of Prince's Dock	Commercial buildings Retail (shopping centres) Hotels Town Hall Law Courts and prisons Leisure facilities Residential buildings (flats)	≈ 3 MWe	Likely costs of pipework installation in dense urban area Mix of land ownership Built heritage Air quality	Any CHP capacity will depend heavily on take-up within identified area SHLAA plans feature new build-out areas in close proximity to priority zone Need to identify potential energy centre sites
Liverpool	Royal Liverpool Hospital & University of Liverpool	Hospital University Campus	≈ 3.5 MWe	Requirement to cross Lime St rail cutting to link to South of University Campus	Royal Liverpool Hospital represents key anchor load
Knowsley	Knowsley Business Park & South of Industrial Park	Existing Commercial buildings Light Industry Emerging New employment land build-out Energos energy-from- waste plant	9.0 MWe (proposed by Energos)	Potential requirement to cross East Lancashire road to access emerging Industrial Park load centres	Significant benefit offered by the commitment of Energos to install generation plant Heat availability not necessarily limited by emergence of related demands

Sub Region LA	Location Description	Space-types Potential customers/partners	Approx Viable Capacity	Potential Constraints	Comments
Sefton	Development areas around Southport & Formby District General Hospital	Existing Hospital Emerging New College Residential Light Industry Hotel	≈ 1.5 MWe	Planned Kew Southport residential development is awaiting cleanup of contaminated land Build-out dates for new King George V College not known	Southport & Formby District General Hospital represents key anchor load Good mix of space-types planned within close proximity to Hospital
St Helens	Area around Sutton Leisure Centre and Lea Green distribution centre	Existing Leisure Centre Sports College Distribution Centre Emerging New employment land build-out	≈ 0.5 MWe	Viability will depend on build-out phasing on employment land	Leisure Centre represents potential anchor load
Wirral	Wirral Waters (Peel)	Planned Commercial/Office space Retail & Leisure Residential Hotels	≈ 3.5 MWe	Extent to which heat network could serve entirety of site could depend on timing & phasing of scheme Any anchor load(s) would ideally emerge early within scheme build-out	Potential to size plant against sizeable and mixed heat loads New-build scheme providing opportunity to introduce DH from the start
Sefton	Bootle Docks	Biomass energy plant with allied energy requirements and commercial case energy export needs. Capacity >100MWe.	Application in progress with Major Infrastructure Unit.	Work in Progress	Tie-in potential to Peel Liverpool Waters development (DES 12) Proximity to Renewable Energy Systems Proximity to Sefton Council Public buildings
Liverpool	Liverpool Waters	High density, large scale mixed-use development to modern standards of energy efficiency.	Work in Progress	Work in Progress. Depends on model adopted, could be on-site energy centre or link to existing heat network.	Tie-in potential to Sefton EMR (DES 11) energy centre supplies of energy forming links with wider Sefton community
Liverpool	Eldonian Village	Dual fuel energy centre proposed with district heating network. ESCo arrangement under development.	28MWe (based on information from Eldonian Group.	Engineering constraints.	Tie-in with Liverpool Waters and other local areas.
Knowsley	Jaguar Land Rover		Work in Progress	Work in Progress	

REPORT TO:	Executive Board
DATE:	13 th December 2012
REPORTING OFFICER:	Strategic Director Policy and Resources
PORTFOLIOS:	Environmental Sustainability and Economic Development
SUBJECT:	Liverpool City Region Covenant of Mayors and Climate Local
WARDS:	Borough Wide

1.0 PURPOSE OF THE REPORT

The report outlines the benefits and implications of signing up to two climate change commitments; the EU Covenant of Mayors, which commits the Council to preparing a Sustainable Energy Action Plan and taking action to reduce carbon emissions within the borough and the Local Government Association's 'Climate Local' which requires commitments and actions in terms of both carbon reduction and adapting to future climate change. The Environment and Urban Renewal PPB has considered and endorsed the approach.

2.0 RECOMMENDATION: That Executive Board endorse that the Council signs the EU Covenant of Mayors and 'Climate Local'.

3.0 BACKGROUND

3.1 The European Commission launched the Covenant of Mayors in 2008 to endorse and support the efforts deployed by local authorities in the implementation of sustainable energy policies. It was recognised that action at a local level was vital to achieve the EU's carbon reduction targets and local authorities played a major role.

3.2 The Covenant of Mayors is a charter of commitments, signed by the local authority Mayor or other authorised representative (Appendix A). The key commitments outlined in the Adhesion Form (Appendix B) are as follows:

- To go beyond the objectives set by the EU for 2020, reducing CO₂ emissions by at least 20%;
- To submit a Sustainable Energy Action Plan (SEAP) within one year of signing, outlining how the objectives will be reached;
- To submit with the SEAP a Baseline Emission Inventory (BEI);
- To submit an implementation report at least once every two years;
- To organise community 'Energy Days' to encourage energy efficiency; and
- To attend and contribute to the annual EU Conference of Mayors for a Sustainable Energy Europe (this has been confirmed as optional with the Covenant of Mayors Office).

3.3 The scope of the local SEAP is action at a local level within the competence of the local authority, covering the whole geographical area of the authority, with the main target sectors being buildings and transport.

- 3.4 The local SEAP should outline which structures are in place within the local authority to implement the actions and monitor the results and the financial resources that will be made available. Signing the Covenant allows access to alternative European funding schemes and advice/support from the Covenant of Mayors Office.
- 3.5 Liverpool Council signed the Covenant in October 2011 and are the only Liverpool City Region authority to do so to date. The City Region SEAP, launched in July 2012, included as a key recommendation that all LCR authorities sign the commitment. A total of 33 UK local authorities are registered as signatories.
- 3.6 The LGA launched 'Climate Local' in June 2012 as a replacement to the Nottingham Declaration on Climate Change which the Council signed in 2007. This again requires the signing of a commitment to address climate change (Appendix C) but is wider in scope than the Covenant of Mayors in that it also addresses climate resilience and managing the future impacts of climate change such as extreme weather. Two authorities have signed the commitment with 16 others signalling an intention to sign.
- 3.7 For Climate Local, the Council is required to submit its commitments and actions within 6 months of signing.

4.0 Implications for Halton Borough Council

- 4.1 The EU target is a 20% reduction in CO₂ emissions by 2020 based on 1990 levels. It is recognised that the majority of areas do not have data relating to 1990, so the guidance states that the first year for which the authority has reliable data should be used as the baseline year. The Government have provided data on local area emissions since 2005 and it is proposed that this is used as the baseline year. The latest data available relates to 2010, where a 11% reduction had been achieved from the 2005 baseline year. This means that a target reduction of at least 20% by 2020 is a challenge but not unrealistic.
- 4.2 Data supplied by the Government on borough wide emissions, in addition to that collated on the council's carbon emissions, means that preparation of the required Baseline Emissions Inventory should not be an onerous task.
- 4.3 The development of the Council's Carbon Management Plan, Halton's Low Carbon Plan, and LCR SEAP will all provide strong foundations for the development of the Halton local SEAP which must be produced within one year of signing. Additional work will be required, particularly around quantifying the carbon reduction of projects, developing the SEAP document itself and completing the required templates for submission.
- 4.4 The Council already engages with registered housing providers and the Energy Savings Trust to engage with the local community on energy efficiency at events and continuation of this work will fulfil the requirement to hold 'Energy Days'.
- 4.5 For Climate Local, all that is required is publication of the Council's commitments and actions within 6 months of signing with a regular refresh as local priorities develop. The Council's Carbon Management Plan and Halton's Low Carbon Plan will form the foundations for this document.

5.0 CONCLUSION

5.1 The Covenant of Mayors and Climate Local initiatives both secure and highlight the commitment of local authorities to addressing climate change in their areas. Signing up to these initiatives links closely to the Council's existing low carbon work through the Carbon Management Plan, Low Carbon Plan, regeneration programme and is a key recommendation in the Liverpool City Region SEAP, launched in July 2012 (subject of a further report to this Board). It would also provide access to additional support on energy reduction from the Covenant of Mayors' Office and EU funding schemes. The main requirement of the Covenant is to commit to a carbon reduction target and develop a SEAP within one year of signing, with Climate Local requiring publication of commitments and actions within six months of signing.

6.0 POLICY IMPLICATIONS

6.1 Signing up to the Covenant of Mayors will require the council to produce a local Sustainable Energy Action Plan identifying actions to meet a 20% carbon reduction by 2020. For Climate Local, the Council is required to submit its commitments and actions within 6 months of signing. Both actions will support the wider work of the council in developing the borough's low carbon economy.

7.0 OTHER IMPLICATIONS

7.1 At this stage there are no other implications associated with the Covenant of Mayors or Climate Local.

8.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

8.1 The Covenant of Mayors and Climate Local will support the borough's Low Carbon economy and regeneration programme and improving energy efficiency in homes.

9.0 RISK ANALYSIS

9.1 Not applicable.

10.0 EQUALITY AND DIVERSITY ISSUES

10.1 Vulnerable groups are at a greater risk from the effects of climate change such as extreme weather events (heat waves, flooding etc). Reducing carbon emissions and the effects of climate change will therefore have a positive impact.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTIONS 100D OF THE LOCAL GOVERNMENT ACT 1972

Appendices:

Appendix A: Covenant of Mayors Text

Appendix B: Covenant of Mayors Adhesion Form

Appendix C: Climate Local Commitment



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COVENANT OF MAYORS

WHEREAS the Inter-Governmental Panel on Climate Change has confirmed that climate change is a reality and that the use of energy for human activities is largely responsible for it;

WHEREAS on 9 March 2007 the EU adopted the Energy for a Changing World package, committing unilaterally to reduce its CO₂ emissions by 20% by 2020, as a result of a 20% increase in energy efficiency and a 20% share of renewable energy sources in the energy mix;

WHEREAS the “European Union Action Plan for Energy Efficiency: Realising the Potential” includes the creation of a «Covenant of Mayors», as a priority;

WHEREAS the EU Committee of the Regions stresses the need to join local and regional forces, as multilevel governance is an effective tool to enhance the efficacy of actions to be taken against climate change, and therefore promotes the involvement of regions in the Covenant of Mayors;

WHEREAS we are willing to follow the recommendations of the Leipzig Charter on Sustainable European Cities, concerning the need to improve energy efficiency;

WHEREAS we are aware of the existence of the Aalborg Commitments, at the basis of many ongoing urban sustainability efforts and Local Agenda 21 processes;

WHEREAS we recognise that local and regional governments share the responsibility of fighting global warming with national governments and must be committed thereto independently of the commitments of other parties;

WHEREAS towns and cities account directly and indirectly (through the products and services used by citizens) for more than half of the greenhouse gas emissions derived from energy use related to human activity;

WHEREAS the EU commitment to reduce emissions will be achievable only if local stakeholders, citizens and their groupings share it;

WHEREAS local and regional governments, representing the closest administration to the citizen, need to lead action and to show example;

WHEREAS many of the actions, on energy demand and renewable energy sources, necessary to tackle climate disruption fall within the scope of competence of local governments, or would not be attainable without their political support;

WHEREAS the EU Member States can benefit from effective decentralised action at local level in order to meet their commitment to greenhouse gas emission abatement;

WHEREAS local and regional governments throughout Europe are reducing global warming pollutants through energy efficiency programs, including sustainable urban mobility, and the promotion of renewable energy sources;



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WE, THE MAYORS, COMMIT TO:

Go beyond the objectives set by the EU for 2020, reducing the CO₂ emissions in our respective territories by at least 20%, through the implementation of a Sustainable Energy Action Plan for those areas of activity relevant to our mandates. The commitment and the Action Plan will be ratified through our respective procedures;

Prepare a baseline emission inventory as a basis for the Sustainable Energy Action Plan;

Submit the Sustainable Energy Action Plan within the year following each of us formally signing up to the Covenant of Mayors;

Adapt city structures, including allocation of sufficient human resources, in order to undertake the necessary actions;

Mobilise the civil society in our geographical areas to take part in developing the Action Plan, outlining the policies and measures needed to implement and achieve the objectives of the Plan. An Action Plan will be produced in each territory and shall be submitted to the Covenant of Mayors Office within the year following signing up;

Submit an implementation report at least every second year after submission of the Action Plan for evaluation, monitoring and verification purposes;

Share our experience and know-how with other territorial units;

Organise Energy Days or City Covenant Days, in co-operation with the European Commission and with other stakeholders, allowing citizens to benefit directly from the opportunities and advantages offered by a more intelligent use of energy, and to regularly inform the local media on developments concerning the action plan;

Attend and contribute to the annual EU Conference of Mayors for a Sustainable Energy Europe;

Spread the message of the Covenant in the appropriate fora and, in particular, encourage other Mayors to join the Covenant;

Accept termination of our membership of the Covenant, subject to prior notice in writing by the Secretariat, in case of either:

- i) failing to submit the Sustainable Energy Action Plan within the year following formally signing up to the Covenant;
- ii) non-compliance with the overall CO₂ reduction objective as set in the Action Plan, due to failure to implement or insufficient implementation of the Action Plan;
- iii) failing to submit a report in two successive periods.

WE, THE MAYORS, ENDORSE



The European Commission's decision to implement and fund a structure of technical and promotional support, including implementation of evaluation and monitoring tools, mechanisms to facilitate sharing of know-how between territories and tools to facilitate replication and multiplication of successful measures, within their budget;

The European Commission's role to assume co-ordination of the EU Conference of Mayors for a Sustainable Energy Europe;

The European Commission's declared intention to facilitate the exchange of experience among the participating territorial units, the provision of guidelines and benchmark examples for possible implementation, and linking to existing activities and networks that support the role of local governments in the field of climate protection. These benchmark examples should become an integral part of this Covenant, to be stipulated in its annexes;

The European Commission's support providing for recognition and public visibility of the cities and towns taking part in the Covenant through the use of a dedicated Sustainable Energy Europe logo and promotion through the Commission's communication facilities;

The Committee of the Regions' strong support for the Covenant and its objectives, in representation of local and regional authorities in the EU;

The assistance which those Member States, regions, provinces, mentor cities and other **institutional structures** supporting the Covenant provide to smaller municipalities in order that the latter may comply with the conditions set out in this Covenant;



WE, THE MAYORS, INVITE



The European Commission and the national administrations to set up co-operation schemes and coherent support structures which help the signatories to implement our Sustainable Energy Action Plans.

The European Commission and the national administrations to consider the activities in the Covenant as priorities in their respective support programmes, and inform and involve the cities in the preparation of policies and funding schemes concerning the local level in the scope of its objectives.

The European Commission to negotiate with the financial actors to set up financial facilities aimed at aiding accomplishment of the tasks within the Action Plans.

The national administrations to involve local and regional governments in the preparation and implementation of the National Energy Efficiency Action Plans and of the National Action Plans for Renewable Energy Sources.

The European Commission and the national administrations to support implementation of our Sustainable Energy Action Plans consistent with the principles, rules, and modalities already agreed upon, and those which may be agreed upon by the Parties for the future at the global level, in particular within the UN Framework Convention on Climate Change (UNFCCC). Our active involvement in the CO₂ emissions' reduction could also result in a more ambitious global target.

WE, THE MAYORS, ENCOURAGE OTHER LOCAL AND REGIONAL GOVERNMENTS TO JOIN THE INITIATIVE OF THE COVENANT OF MAYORS, AND OTHER MAJOR STAKEHOLDERS TO FORMALISE THEIR CONTRIBUTION TO THE COVENANT.



APPENDIX

1. Roles of local governments in implementing work

Energy efficiency measures, renewable energy projects and other energy-related action can be introduced in various activity areas of local and regional governments.

- consumer and service provider

Local governments occupy many buildings which use substantial amounts of energy, such as for heating and lighting. Introducing energy saving programmes and actions in public buildings is an area where considerable savings can be achieved.

Local and regional governments also provide energy-intensive services such as public transport and street lighting where improvements can be made. And even where the authority has contracted these services to other providers, measures to reduce energy use can be implemented through procurement and service contracts.

- planner, developer and regulator

Land use planning and organisation of the transport system are responsibilities of most local and regional governments. Strategic decisions concerning urban development such as avoiding urban sprawl can reduce the energy use of transport.

Local and regional governments can often have a regulator role for example by setting energy performance standards, or stipulating incorporation of renewable energy equipment in new buildings.

- advisor, motivator and role model

Local and regional governments can help to inform and motivate residents, businesses and other local stakeholders on how they can use energy more efficiently. Awareness-raising activities are important to engage the whole community to support sustainable energy policies. Children are an important audience for energy saving and renewable projects: they will pass on the lessons learnt also outside the school. It is equally important that the authority should lead by example, and play an exemplary role in sustainable energy activities.

- producer and supplier

Local and regional governments can promote local energy production and the use of renewable energy sources. Combined Heat and Power (CHP) district heating systems using biomass are a good example. Local and regional governments can also encourage citizens to implement renewable energy projects by giving financial support for local initiatives.

2. Benchmarks of Excellence (BoE)

'Benchmarks of Excellence' are defined as those initiatives and programmes which represent a worldwide model of successful implementation of sustainable energy development concepts in urban settings. Representatives of the Benchmarks of Excellence through the Covenant state their willingness to share their experience and to help cities to implement similar approaches when applicable and convenient, and commit to facilitate know-how transfer through the distribution of information, including guidelines, participation in events of the Covenant signatories and, in general, day-to-day co-operation with the Covenant.

3. Supporting structures

The Covenant of Mayors is open to cities of all sizes in Europe. Those cities and towns which due to their size do not have the resources to prepare an inventory, or work on and draft an action plan should be supported by administrations with such capacities. These supporting structures can be regions, counties, provinces, agglomerations, NUTS III areas, or mentor cities. Each supporting structure will be explicitly recognised by the Commission as a key actor in the Covenant. The degree of involvement in the Covenant, as well as the specific conditions of such involvement, including decision making powers, will be detailed in a specific written agreement.



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ADHESION FORM

I, **[Name of the Mayor or other authorised representative]**, **[Mayor or Job title]** of **[Name of the city/town/region/territorial unit]** inform you that the **[City Council or equivalent decision-making body]** decided at the meeting on **[date]** to mandate **[me / legal representative: Mayor, President,..]** to sign up to the Covenant of Mayors, in full knowledge of all commitments, in particular:

- to **go beyond the objectives set by the EU for 2020**, reducing the CO₂ emissions in our respective territories by at least 20%;
- to **submit a Sustainable Energy Action Plan** including a baseline emission inventory which outlines how the objectives will be reached, within one year of the abovementioned date;
- to **submit an implementation report** at least every second year following the submission of the Action Plan for evaluation, monitoring and verification purposes;
- to **organise Energy Days**, in co-operation with the European Commission and with other stakeholders, allowing citizens to benefit directly from the opportunities and advantages offered by a more intelligent use of energy, and to regularly inform the local media on developments concerning the action plan;
- to **attend and contribute to the annual EU Conference of Mayors** for a Sustainable Energy Europe.

[Name and complete address of the city/town/region/territorial unit]

[Name, e-mail and phone number of the contact person]

[Date],



SIGNATURE

Climate Local [insert council(s) name]:

Our commitment to taking action in a changing climate

We recognise that our council has an important role to help our residents and businesses to capture the opportunities and benefits of action on climate change. These include saving money on energy bills, generating income from renewable energy, attracting new jobs and investment in 'green' industries, supporting new sources of energy, managing local flood-risk and water scarcity and protecting our natural environment.

We will progressively address the risks and pursue the opportunities presented by a changing climate, inline with local priorities, through our role as:

- Community leader – helping local people and businesses to be smarter about their energy use and to prepare for climate impacts;
- Service provider – delivering services that are resource efficient, less carbon intensive, resilient and that protect those who are most vulnerable to climate impacts;
- Estate manager – ensuring that our own buildings and operations are resource efficient, use clean energy, and are well prepared for the impacts of a changing climate.

In signing this commitment, **we will:**

- **Set locally-owned and determined commitments** and actions to reduce carbon emissions and to manage climate impacts. These will be specific, measurable and challenging;
- **Publish our commitments, actions and progress**, enabling local communities to hold us to account;
- **Share the learning from our experiences and achievements** with other councils; and
- **Regularly refresh our commitments and actions** to ensure they are current and continue to reflect local priorities.

[Date]
[Name of council or group of councils]
[Signature of Leader or Mayor of Council]

REPORT TO: Executive Board

DATE: 13th December 2012

REPORTING OFFICER: Strategic Director – Policy & Resources

PORTFOLIO: Resources

SUBJECT: Discretionary Non-Domestic Rate Relief

WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to consider 5 new applications for discretionary non-domestic rate relief, under the provisions of the Local Government Finance Act 1988, and to consider the renewal of relief for those existing organisations who continue to satisfy the appropriate criteria.

2.0 RECOMMENDED: That

(1) Under the provisions of Section 47, Local Government Finance Act 1988, discretionary rate relief be granted to the following organisation at the percentage indicated, for the period from 1st April 2012 or the commencement of liability, whichever is the later, to 31st March 2016:

Halton & St Helens Voluntary & Community Action	20%
Halton Haven Hospice	20%
Halton YMCA Ltd	20%
Widnes RUFC	20%

(2) In respect of the following organisations, it is also recommended that they should be granted discretionary rate relief for the backdated element of the charge from 1st April 2010 and from the commencement of liability, respectively;

Halton Haven Hospice	20%
Widnes RUFC	20%

(3) Under the provisions of Section 47, Local Government Finance Act 1988, the following application for discretionary rate relief is refused:

Alzheimer's Society	20%
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- (4) Under the same provisions, all current recipients of discretionary rate relief who still satisfy the appropriate criteria, as listed in Appendix 2, be re-awarded relief from 1st April 2013 to 31st March 2016.

3.0 SUPPORTING INFORMATION

- 3.1 Under the provisions of Section 47 of the Local Government Finance Act 1988, the Council is allowed to grant discretionary rate relief to organisations that are either a charity or a not for profit organisation. This relief may also be awarded to Community Amateur Sports Clubs. The Council currently grants discretionary rate relief for a period of three years. Details are given below of each new application to assist the Board in considering those applications and a summary of the financial implications is shown in Appendix 1.

Alzheimer's Society - Ground Floor West, Victoria House, Croft Street, Widnes

The Alzheimer's Society is a registered charity, which offers an array of services to people affected by dementia. The organisation provides day care, home care, support and befriending services across England, Wales and Northern Ireland, whilst also campaigning for the rights of people with dementia.

The premises are used as an administrative office for the organisation, which is used to provide support, training and information to people living with dementia, their carers and family members. In addition, the offices offer a base for staff within the borough.

As a registered charity, 80% mandatory rate relief has already been awarded but the application includes a request for discretionary rate relief. The Alzheimer's Society operated from offices in Public Hall Street, Runcorn until 6th December 2011 and did not receive the additional relief for this property.

Cost to Taxpayer (75%) 2012/13 £611.43

Halton & St Helens Voluntary & Community Action - Ground Floor, Sefton House, Public Hall Street, Runcorn

Halton & St Helens Voluntary & Community Action is a registered charity. The organisation support, develop and advise local voluntary, community and faith groups across both boroughs, whilst promoting co-operation and partnership working between the third sector, statutory and other relevant bodies.

The property is used as an administrative base for the organisation within Halton and is utilised to offer training, funding advice and network support. A volunteer centre is also operated from the premises and it also provides a base for the local involvement network in the borough.

As a registered charity, 80% mandatory rate relief has already been awarded but a request has now been submitted for 20% discretionary rate relief. The charity operated from both floors of the building until 19th April 2012 and was awarded the additional relief for that assessment.

Cost to Taxpayer (75%) 2012/13 £971.03*

* based on charge for 28th May 2012 to 31st March 2013 only.

Halton Haven Hospice - Unit 12A Expressway Industrial Estate, Pimlico Road, Runcorn

Halton Haven is an independent hospice providing palliative care for 15 in-patients and day care for another 50 patients. The organisation provides extensive care for the terminally ill and also offers respite facilities to the community. Although they will not exclude affected parties, their services are intended to provide assistance to the residents of Halton.

The application is in respect of a warehouse which is used as a storage facility and recycling centre for donated goods. Suitable goods can subsequently be supplied to the organisation's shops and offered, for sale to the general public, in order to raise funds and financially assist the provision of care offered by the Hospice.

As they are a registered charity, 80% mandatory rate relief has already been awarded but their application also includes a request for 20% discretionary rate relief. The hospice is currently awarded such relief for 57-61 Widnes Road, Widnes, 25 High Street and Unit 21, Expressway Industrial Estate, Runcorn.

Cost to Taxpayer (75%) 2012/13 £357.24

Halton YMCA Ltd - 5 Alcock Street, Runcorn

The fundamental aim of Halton YMCA Ltd is to assist young people fulfil their potential by providing a number of services, which can be integrated into the various aspects of their lives. The company operates predominantly in Halton, with 16 to 25 year olds being the main focus of the services offered.

The premises are used as an advice centre by the group, providing training, advice, guidance and support to young people in the borough. Such provision is intended to specifically assist homeless and vulnerable young people, in order to prepare them for independent living but other parties are not excluded.

The organisation qualifies for 80% mandatory rate relief, as they are a registered charity and their application includes a request for an award of discretionary rate relief. Halton YMCA Ltd has previously been awarded the additional relief for the neighbouring premises at 3 Alcock Street, Runcorn.

Cost to Taxpayer (75%) 2012/13 £224.34*

* based on charge for 1st July 2012 to 31st March 2013 only.

Widnes RUFC - Heath Road, Widnes

Widnes RUFC has become registered as a Community Amateur Sports Club (CASC), with effect from 18th February 2010. The organisation was previously awarded 100% discretionary rate relief but this was prior to the club attaining CASC status. The club provides facilities for and to promote participation of the whole community in sport.

The organisation supports and promotes sporting activity within Halton and the surrounding areas, with the main emphasis focusing on Rugby Union. The club is based at Heath Road, Widnes, with the provision of recreational facilities and the associated training amenities required for any such participation, provided on a 'not for profit' basis.

As a registered CASC, the organisation now qualifies for 80% mandatory rate relief and has applied for the additional relief. An award of 20% discretionary rate relief to provide 100% rate relief, (as previously granted to the club), would reduce the Authority's financial contribution from that needed to fund the previous award. This is due to the change in status of the club, which has reduced the amount of discretionary rate relief required to maintain the overall level of rate relief previously granted.

Cost to Taxpayer (75%) 2012/13 £2,053.76

- 3.2 The Council currently grants discretionary rate relief to organisations for a three year period and Regulations require that organisations are given twelve months' notice of ceasing that relief. In March 2012 the Council therefore gave the required twelve months' notice to all existing recipients, as 2012/13 is their third year of receiving relief.

3.3 The Board has in previous years chosen to support these organisations by granting them discretionary rate relief for a period of three years. In light of the current financial constraints upon the Council the Board could however decide not to grant relief to organisations, or to renew it for a shorter period, or at a lower percentage.

3.4 It is proposed that discretionary rate relief is granted from 1st April 2013 for a further three years at the current percentage, for all existing recipients who meet the appropriate criteria. The organisations who would receive this relief are shown in Appendix 2, along with the associated costs.

4.0 POLICY IMPLICATIONS

4.1 The Board is required by the Regulations to consider each application on its own merit. Any recommendations provided are given for guidance only and are consistent with previous decisions, where applicable, and Council policy.

5.0 FINANCIAL IMPLICATIONS

5.1 For any discretionary rate relief granted to organisations who receive mandatory rate relief 75% of the cost will be funded by the Council. Whilst in cases where mandatory rate relief has not been awarded by Government 25% of the cost of discretionary rate relief will be funded by the Council. Appendices 1 and 2 identify the cost to the Council for each application, the total of which can be met from the existing discretionary rate relief budget.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

Halton YMCA Ltd and Widnes RUFC engage heavily within this particular demographic.

6.2 Employment, Learning and Skills in Halton

None specifically applicable.

6.3 A Healthy Halton

None specifically applicable.

6.4 A Safer Halton

None specifically applicable.

6.5 Halton's Urban Renewal

None applicable.

7.0 RISK ANALYSIS

7.1 There are no risks associated with the proposed action.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 All of the applicants offer their services to all sections of the community, without any prejudice.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

9.1 Document	Place of Inspection	Contact Officer
Application forms and supporting evidence	Kingsway House, Caldwell Road, Widnes	Phil Murphy, Business Rates Manager

New Applications for Discretionary Rate Relief

Ratepayer	Address	Annual Rates 2012/13 £	Actual Rates Liability 2012/2013 £	Mandatory Rate Relief Awarded	Actual Rates Payable 2012/2013 £	Discretionary Rate Relief Claimed	Annual Cost of Relief to HBC 2012/2013 £	Actual Cost of Relief to HBC 2012/2013 £
Alzheimer's Society	Ground Floor West, Victoria House, Croft Street, Widnes	4,076.20	4,076.20	80%	815.24	20%	611.43	611.43
Halton & St Helens Voluntary & Community Action	Ground Floor, Sefton House, Public Hall Street, Runcorn	7,671.50	6,473.48	80%	1,294.70	20%	1,150.73	971.03
Halton Haven Hospice	Unit 12A, Expressway Industrial Estate, Pimlico Road, Runcorn	2,381.60	2,381.60	80%	476.32	20%	357.24	357.24
Halton YMCA Ltd	5 Alcock Street, Runcorn	1,992.30	1,495.59	80%	299.12	20%	298.85	224.34
Widnes RUFC	Heath Road, Widnes	13,691.73	13,691.73	80%	2,738.35	20%	2,053.76	2,053.76

Discretionary Rate Relief Only (Not for Profit Organisations)

These are “not for profit” organisations and as such are not entitled to mandatory rate relief from Government. They have previously applied to the Council and been granted up to 100% discretionary rate relief. All the organisations below have previously been granted 100% relief except for two indicated by footnotes. The cost of discretionary rate relief for “not for profit” organisations is funded 75% by Government and 25% by the Council.

Liabile Party	Amount of Relief Awarded	25% Cost to HBC (2012/13)
Astmoor Community Project Ltd	£12,709.50	£3,177.38
Birchfield Sports Ltd T/A Birchfield Park Sports & Social	£5,512.50	£1,378.13
Bridgewater Motor Boat Club	£2,565.00	£641.25
Gentlemen Of Moore RUFC	£4,140.00	£1,035.00
Hale Juniors Football Club	£1,215.00	£303.75
Halebank Football Club	£364.50	£91.13
Halton Access To Media	£2,430.00	£607.50
Halton Credit Union Ltd	£10,057.5	£2,514.38
Halton Leisure Community Association Ltd	£162,475.50	£40,618.88
Kingsway Bike Project	£423.00	£105.75
Moorfield Sports & Social Club	£4,725.00	£1,181.25
Pavillions Arena Ltd	£3,580.85	£895.21
Runcorn Resident's Federation	£3,150.00	£787.50
Runcorn Rowing Club	£418.50	£104.63
Runcorn Sports Club	£3,600.00	£900.00
Runcorn Subscription Bowling Club	£708.75	£177.19
Runcorn War Memorial Club Ltd ^(note 1)	£585.00	£146.25
West Bank Boat Club	£945.00	£236.25
Weston Rifle & Pistol Club ^(note2)	£894.38	£223.60
Widnes Cricket Club	£6,750.00	£1,687.50
TOTAL	£238,699.98	£59,675.01

(1) This organisation was deemed to be primarily social related and therefore only 10% relief was granted.

(2) This organisation's relief was reduced to 75% following the Dunblane tragedy.

Top-Up Discretionary Rate Relief (Community Amateur Sports Clubs)

These organisations have Community Amateur Sports Club status and as such receive 80% mandatory rate relief from Government. In respect of the remaining 20% they have previously applied to the Council and been granted the full top-up discretionary rate relief to provide 100% relief. The cost of top-up discretionary rate relief in these cases is funded 25% by Government and 75% by the Council.

Liable Party	Amount of Relief Awarded	75% Cost to HBC (2012/13)
Focus Institute Of Gymnastics	£2,358.70	£1,769.03
Halton Farnworth Hornets ARLFC	£251.90	£188.93
TOTAL	£2,468.10	£1,851.08

Top-Up Discretionary Rate Relief (Mandatory Rate Relief Also Awarded)

These organisations are in the main registered charities and as such receive 80% mandatory rate relief from Government. In respect of the remaining 20% they have previously applied to the Council and been granted the full top-up discretionary rate relief to provide 100% relief. The cost of top-up discretionary rate relief in these cases is funded 25% by Government and 75% by the Council.

Liable Party	Amount of Relief Awarded	75% Cost to HBC (2012/13)
10th Hough Green Scout & Guide Group	£567.92	£425.94
1st Halton Scout Group	£229.00	£171.75
1st Moore Scouts	£144.27	£108.20
1st Runcorn Scout Group	£114.50	£85.88
1st Weston & Weston Point Scouts	£334.34	£250.76
4th Runcorn Scout Group	£247.32	£185.49
5th Widnes (Highfield) Scout Group	£103.05	£77.29
Age Concern Mid Mersey	£2,441.94	£1,831.46
Catalyst Science Discovery Centre & Museum Trust Ltd	£10,534.00	£7,900.50
Cheshire Asbestos Victim Support Group	£357.24	£267.93
Four Estates Ltd	£1,305.3	£978.98
Hale Village Hall Management Committee	£439.68	£329.76

Liabile Party	Amount of Relief Awarded	75% Cost to HBC (2012/13)
Hale Youth Club	£146.56	£109.92
Halebank Youth Club	£233.58	£175.19
Halton & District Womens Aid	£2,404.50	£1,803.38
Halton Association For Mental Health T/A Mind Halton	£1,820.55	£1,365.41
Halton Autistic Family Support Group Ltd	£190.07	£142.55
Halton Carers Centre Ltd	£576.50	£432.38
Halton Speak Out	£1,557.20	£1,167.90
Halton District Citizen Advice Bureaux Service	£2,584.65	£1,938.49
Halton Haven Hospice	£3,549.5	£2,662.13
Halton Play Council Ltd	£2,473.20	£1,854.90
Halton YMCA Ltd	£1,259.5	£944.63
Age UK	£3,405.68	£2,554.26
Liverpool Housing Trust Ltd	£226.71	£170.03
Lords Taverners Woodside Youth Centre	£370.98	£278.24
Norton Priory Museum Trust Ltd	£7,785.22	£5,838.92
RSPCA Warrington, Halton & St Helens Branch	£1,241.18	£930.89
Runcorn, Frodsham & District MENCAP Society	£297.70	£223.28
Runcorn West District Guide Association	£151.14	£113.36
Sandymoor Community Association	£851.88	£638.91
Shetland Rescue	£304.87	£228.65
St Edwards Playgroup T/A Busy Bee's Pre School	£398.46	£298.85
St John Ambulance	£833.56	£625.17
St Lukes Scouts & Guides	£796.92	£597.69
Trustees Of Mrs TH Brown's Trust	£595.40	£446.55
Trustees Of Preston Brook Village Hall	£632.04	£474.03
Vicarage Lodge Pre-School Community Play Group	£622.88	£467.16
West Runcorn Youth Club	£476.32	£357.24
Widnes & Runcorn Cancer Support Group	£549.60	£412.20
Widnes Fellowship Centre	£467.16	£350.37
Widnes Unit 365 Of The Sea Cadet Corps	£696.16	£522.12
TOTAL	£56,628.46	£42,471.40

REPORT TO: Executive Board

DATE: 13 December 2012

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Resources

TITLE: Abolition of the Discretionary Social Fund

WARDS: Borough Wide

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to ask the Executive Board to consider a set of recommendations from the Corporate Policy and Performance Board in relation to the abolition of the Discretionary Social Fund.
- 1.2 The Corporate Policy Performance Board meets on 11 December 2012 to formulate its recommendations.

2.0 RECOMMENDED: That the Executive Board consider and respond to the recommendations of the Corporate Policy and Performance Board.

3.0 BACKGROUND/SUPPORTING INFORMATION

- 3.1 The Executive Board first considered this matter at its meeting on 18 October 2012. At that time the Board resolved as follows:

“That this item be deferred and referred to the Corporate Policy and Performance Board and they be asked to consider the issue and make recommendations to the Executive Board”.

- 3.2 The PPB met informally on 30 October 2012 to give some initial consideration to this issue and are meeting formally on 11 December 2012 to consider making recommendations to the Executive Board.
- 3.3 A copy of the report the PPB is considering on 11 December 2012 can be accessed from the Link below:

<http://moderngov.halton.gov.uk/documents/s27737/CS%20PPB%2011Dec12%20SocialFund.pdf>

Copies of the Appendices can be accessed from the links below:

Appendix 1:

<http://moderngov.halton.gov.uk/documents/s27738/Proposals%20for%20a%20scheme%20to%20replace%20the%20current%20discretionary%20social%20fund.pdf>

Appendix 2:

<http://moderngov.halton.gov.uk/documents/s27775/New%20Scheme%20Criteria%2030%2011%2012%20docx.pdf>

- 3.4 Details of the PPB conclusions and recommendations will be circulated to the Executive Board on 12 December 2012.

4.0 POLICY IMPLICATIONS

- 4.1 The Council has a discretion whether to provide such schemes and this fact will form part of the PPB's consideration.

5.0 OTHER IMPLICATIONS

- 5.1 Managing the demand for such schemes will be difficult and any criteria will need to be kept under review to ensure the schemes are delivered within the grant provided.
- 5.2 This again will be considered by the PPB.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 6.1 **Children and Young People in Halton**
6.2 **Employment Learning and Skills in Halton**
6.3 **A Healthy Halton**
6.4 **A Safer Halton**
6.5 **Halton's Urban Renewal**

As there were over 7,000 applications made last year the schemes have the potential of affecting all of the Council's priorities.

7.0 RISK ANALYSIS

- 7.1 There are a number of key risks that will need to be considered:

- The timescale for the implementation (if the Council decides on this course of action).
- Financial controls over demand led budgets that the Council has little experience of.
- The accounting for spend and the control of spend. Ensuring the loans/grants are used for the purposes given.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 An equality impact assessment will be required of any scheme adopted.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

9.1 There are no background papers under the meaning of the Act.