

## Overview and Scrutiny Committee

Date and Time - **Monday 7 June 2021 – 6:30pm**

Venue - **Council Chamber**

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### **Councillors appointed to the Committee:**

J. Barnes, J.J. Carroll, C.A. Clark, S.J. Coleman, Mrs V. Cook, B.J. Drayson (ex-officio), Mrs D.C. Earl-Williams, S.J. Errington, P.J. Gray, C.A. Madeley, C.R. Maynard, M. Mooney and P.N. Osborne.

**Substitute Members:** P.C. Courtel, L.M. Langlands, G.F. Stevens and R.B. Thomas.

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## **AGENDA**

### **1. ELECTION OF CHAIRMAN**

The Head of Paid Service to seek nominations for election of Chairman for the municipal year. On election, Chairman of Committee to take the Chair.

### **2. ELECTION OF VICE-CHAIRMAN**

To elect a Vice-Chairman of the Committee for the municipal year.

### **3. MINUTES**

To authorise the Chairman to sign the Minutes of the meeting of the Overview and Scrutiny Committee held on 26 April 2021 as a correct record of proceedings.

### **4. APOLOGIES AND SUBSTITUTES**

The Chairman to ask if any Member present is substituting for another Member and, if so, to declare his/her name as substitute Member and the name of the absent Member.

### **5. ADDITIONAL AGENDA ITEMS**

To consider such other items as the Chairman decides are urgent and due notice of which has been given to the Head of Paid Service by 12 Noon on the day of the meeting.

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**Rother District Council's aspiring to deliver  
an Efficient, Flexible and Effective Council; Sustainable Economic Prosperity;  
Stronger, Safer Communities; and a Quality Physical Environment.**

6. **DISCLOSURE OF INTERESTS**

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

7. **RECOMMENDATIONS OF THE ANTI-POVERTY TASK AND FINISH GROUP** (Pages 1 - 14)

8. **FINANCIAL ASSISTANCE POLICY 2021-2025 (DISABLED FACILITIES GRANTS)** (Pages 15 - 42)

9. **EGERTON PARK CHILDREN'S CENTRE** (Pages 43 - 46)

10. **PERFORMANCE REPORT: FOURTH QUARTER 2020/21** (Pages 47 - 64)

11. **ANNUAL WORK PROGRAMME** (Pages 65 - 70)

Malcolm Johnston  
Chief Executive

Agenda Despatch Date: 27 May 2021

**NOTE:** Observers are kindly requested to watch the meeting live, via the YouTube broadcast and NOT attend the Town Hall in person, unless it is absolutely necessary. All observers present will be required to adhere to social distancing guidelines and wear a face covering at all times.

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## Rother District Council

**Report to:** Overview and Scrutiny Committee

**Date:** 7 June 2021

**Title:** Recommendations of the Anti-Poverty Task and Finish Group

**Report of:** Head of Service Housing and Community

**Ward(s):** All

**Purpose of Report:** For the Overview and Scrutiny Committee to consider the findings of the Anti-Poverty Task and Finish APT&FG and make recommendations to Cabinet.

**Officer**

**Recommendation(s):** It be **RESOLVED:** That Cabinet be requested to agree that:

- 1) an Anti-Poverty Strategy and Action Plan be developed for the district between partner services, led by the Council in partnership with Rother Voluntary Action and the Local Strategic Partnership;
- 2) the Council Tax Reduction Scheme Hardship Fund be reviewed by officers and report back to the Overview and Scrutiny Committee on options for improving the promotion of the scheme and the potential of establishing a mechanism for public donations to supplement the Hardship Fund;
- 3) the maximum support under the Council Tax Reduction Scheme be increased above the current 80% when the Council achieves its financial stability ambition, as set out in the draft Corporate Plan; and
- 4) consultation takes place with the public and key stakeholders on improving access to Council Tax Reduction Scheme for self-employed people who are also carers and those self-employed residents who are registered disabled, as outlined in this report.

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### Introduction

1. In January 2020 the Overview and Scrutiny Committee approved the formation of an Anti-Poverty Task and Finish Group (APT&FG) and set its Terms of Reference, attached at Appendix A. The aim of the APT&FG is to investigate the effects of income, health and housing poverty on local people and the local services that support them. The original timetable for the activity of the APT&FG has been revised due to the impact of COVID-19.
2. The Council's emerging Corporate Plan 2020-2027 includes a number of objectives that aspire to improve the economic, housing, health and wellbeing outcomes of its residents; therefore, adopting measures and supporting local initiatives that address some of the causes of income, health and housing

poverty (and alleviate its effects) will support the Council in its wider corporate ambitions.

3. The APT&FG held two events to gather evidence from external partners and internal Council colleagues to meet its objectives. The objectives are:
  - To undertake a review of the accessibility of appropriate financial products, including an analysis of the forms of less appropriate forms of credit and the extent of their use.
  - To assess how residents are educated about finances and consider what improvements can be made to financial literacy in the District.
  - To consider the impact of Council Tax Reduction policy and the accessibility of Council Tax Reduction to those experiencing financial hardship.
  - To consider the impact of Council administered discretionary housing benefit payments (DHP) its accessibility and the processes used to allocate DHP to those at risk of homelessness.
  - To investigate the availability of financial advice, homelessness advice, employment and training advice and the role of the Council in supporting these.
  - To investigate the availability of affordable fuel, food and other provisions and the Council's role in supporting these.
4. The first event was held on 17 November 2020 and invited a range of partner agencies to inform the APT&FG of the extent of poverty locally. The APT&FG asked the agencies invited to summarise the services they offer and provide details of the types of service user that access their services. The APT&FG also invited partner agencies to describe the main challenges service users experience in relation to poverty and where the main gaps in service provision exist.
5. The second event was held on the 9 December 2020 and focussed on examining the role of Rother District Council services. The APT&FG received presentations from the Council's housing needs, revenue and benefits and environmental health services and explored how these might be delivered differently to relieve poverty.
6. There was also a presentation to Members on the Council Tax Reduction (CTR) Scheme delivered by the Council's technical consultant on the 27 April 2021. This summarised the range of CTR schemes nationally and how the Rother scheme compared.
7. The evidence gathering sessions provided reassuring evidence of the levels of commitment from the professionals present to alleviating the symptoms of poverty. There is a great deal of service activity locally and an impressive level of knowledge and expertise within both Council and partner services. In addition, Rother Voluntary Action (RVA) is commissioned to support the voluntary and community sectors and successfully coordinates much of the existing activity in this area. The existing partnership between RVA and RDC is effective and successfully coordinates the Local Strategic Partnership (LSP), providing a forum where voluntary and community agencies can collaborate with statutory partners.
8. However, the evidence gathering sessions identified areas for improvement in how Council and partner services are delivered. The way in which services are

coordinated is sometimes disjointed and there was evidence of service duplication, particularly in the provision of benefits and budgeting support. In addition, while a wide range of specialist services are available to residents, they are not always delivered in a way that makes them accessible so that crisis situations can be prevented from developing; and finally, the way in which service information is promoted to service users and between professionals is uncoordinated at times and very focussed online. A multi-agency Anti-Poverty Strategy may well offer partners a means of achieving improvements in these areas.

## **Evidence Gathering**

9. The two events underlined to Members that the causes of poverty are complex and driven by a range of interrelated forces across income, health, housing, employment and education. Good working relationships exist between many of these services, notwithstanding the scope for improvement that has been identified; for example, the Local Strategic Partnership is a well-established forum delivered between RDC and RVA and has already identified many of the needs relating to income, health, food and housing poverty in the past; further, the Council already commissions benefits and budgeting advice services through Citizens Advice, as well as specialist legal advice to alleviate poor landlord practices through BHT Sussex.
10. The APT&FG was able to address at least three of its objectives through the process of listening to evidence from the range of providers that attended the first event. The APT&FG heard from local providers, who described using their specialist knowledge and expertise to successfully deliver a range of services to a large cohort of service users. The relative accessibility of financial products as well as the levels of financial literacy in the district are understood by these specialist partner services and there does not appear to be a gap in these expertise; further, there is seemingly no shortage of available housing and employment advice in the district.
11. The second event focussed on the Council's housing needs, revenue and benefits and the private sector housing team services. A series of briefings were delivered to Members, describing the detail of the services the Council offers to residents. In a similar vein to the first event, it was noted that the Council provides a great deal of advice and support in these areas; however, the modes of service delivery are perhaps reactive and designed to be administratively efficient rather than to be accessible. It was also identified that these services could be more proactively promoted to residents, Members, and other service providers.
12. However, there was plenty of evidence to suggest that some families are routinely being forced to choose between heating their homes, feeding themselves or paying their rent. In addition, the level of unmet need – while unquantified – is very likely to be high, given the increase in food bank use, presentation to benefits advice services, and levels of homelessness in recent years and more recently following COVID-19. It was also identified that the stigma associated with poverty makes some residents reluctant to seek help or 'be seen' to access services from a location associated with supporting those experiencing hardship.

## **Challenges**

### Service Coordination

13. The two events held identified challenges relating to the coordination of services and the confusion experienced by service users forced to navigate between an array of statutory, voluntary and community services. In addition, there did seem to be some evidence of a duplication of services.
- There are a high number of services available locally and there was concern that these may not be being coordinated between service providers and commissioners effectively at strategic levels.
  - There was evidence that there is no group locally coordinating the operational delivery of benefits advice, homelessness support, housing quality and food and fuel poverty services.
  - Every contact counts: a similar concern that front-line staff did not know what services are available locally and are unable to advise people holistically.
  - Barriers to data sharing need to be overcome so that organisations can share information between teams and organisations to share information to assist individuals effectively.
  - There is a strong link between financial and housing poverty and poor health outcomes and there is scope for greater coordination between support services and health providers.
  - The provision of affordable childcare is crucial in supporting access to employment as well as lifting children out of the effects of poverty through improved educational attainment.
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### Service accessibility

14. Further challenges identified related to the accessibility of services and their promotion:
- Access to the internet is imperfect, particularly in rural areas and service providers should not assume internet access is effective across all demographics and geographical locations.
  - There is a lot of reliance locally on signposting individuals to services through online routes and the telephone when many vulnerable people may not be able to access online or telephone services.
  - Service locations are distant from one another and not always in convenient locations.
  - Rural areas are challenging places in which to deliver services; however, there is limited use of technology and utilising existing community locations such as parish / town council buildings to deliver services.
  - There needs to be an upskilling of RDC staff so that residents are provided with information and the right advice at the right time – making every contact count.

### Service promotion

- There is a low level of knowledge amongst professionals and service users of the existing East Sussex Community Information Service.

- Literacy levels among some is limited - with the average reading age being nine years old nationally - are services therefore reaching those with low literacy levels effectively, through written communication and promotion?
- There is an overwhelming amount of information produced that promotes different services and it is not coordinated through a central group that could target vulnerable groups collectively.

## Solutions

15. In addition to the challenges identified many solutions were proposed by attendees to the evidence gathering sessions, which are summarised here:

- **Hubs** – can we harness existing hubs and increase the number of services located together in different venues e.g. Council buildings, The Pelham, CAB.
- **Street sheet** – a leaflet summarising services and where they are located might support greater accessibility.
- **Making every contact count** – Scale of activity and number of different services and grant-funding opportunities – we could inform the public and officers on the frontline what is out there more effectively.
- **Homelessness** - We might invest more in services that seek to prevent homelessness – particularly regards support with damp/disrepair and eviction.
- **Digital exclusion** – encourage parishes and community groups to open their offices to residents to access internet and support.
- Linked to the above is ‘virtual hubs’ and Zoom to improve access to services esp. rural residents.
- **Local Strategic Partnership** – logical vehicle for delivering an anti-poverty strategy – more partnership focussed.
- **Communication** – a need to ensure services communicate in plain English and websites utilise software such as Recite, to support comprehension.
- **Philanthropy** - residents who can afford to make a donation to the Council to enhance the level of support provided to those in need of Council Tax relief; other Councils have used such mechanisms as crowd funding.
- **Customer Services** – the Council’s Customer Services Team need to be up to date with all initiatives / grants / charitable organisations so they can advise residents and enable residents to access the support they require to access services effectively.
- **Artificial Intelligence (AI) & algorithms** – the use of AI and algorithms may improve accessibility and be less complicated than on-line forms that used algorithms to guide claimants; more assistance to those in community that have a learning disability.

## Council Tax Reduction Scheme

16. The CTR presentation in April 2021 illustrated that Rother is ahead of many local authority areas in having an income banded system in operation and that the level of financial support offered was typical. The income banded scheme had many advantages for the claimant and simplified the administration. Further work would be undertaken in time for any final decisions in June, to illustrate the impact of increasing the amount of help given. It was, however, clear that moving towards a 100% CTR scheme would have significant implications on the Council and other organisations who receive a share of council tax revenue.

17. The Group did however agree three actions to recommend to the OSC:

a. that the current Council Tax Reduction Scheme Hardship Fund should be reviewed and a plan for better promoting the scheme in the community be developed. In addition it was suggested that the Council should establish a donations page on the Council website to supplement the Hardship Fund.

b. that Cabinet be requested to consider increasing the maximum support under the Council Tax Reduction Scheme above the current 80% when the Council achieves its financial stability ambition, as set out in the draft Corporate Plan

c. that Cabinet be requested to consult with the public and key stakeholders on improving access to Council Tax Reduction Scheme for self-employed people who are also carers and those self-employed residents who are registered disabled. The current scheme reflected previous national benefits in assuming a minimum level of working and income. Experience has shown that the current scheme disadvantages those households where full-time work is not possible, in particular where they are carers or where they are disabled. Details of the current scheme and the proposed changes are shown at Appendix B.

## Conclusion

18. It is clear from the evidence gathering sessions that the causes of poverty are multiple and complex and its symptoms wide ranging. The effects of poverty are felt by a range of different sectors of the community across different demographic groups and geographic locations. Therefore, strategic objectives should be developed between partner services alongside a Strategy Action Plan the delivery of which should be led by the Council and Rother Voluntary Action, in partnership.
19. The recommended aim of the strategy is for statutory and community services operating in the Rother district to work together to reduce levels of poverty. The main objectives of the strategy are recommended as follows:
  - **Coordination:** develop local strategic commissioning and operational structures to coordinate services designed to alleviate poverty
  - **Access:** maximise the accessibility of services so that those in the greatest need can be reached
  - **Promotion:** promote information, advice and support to service users and professionals
20. The delivery of the strategy is also a consideration and it is recommended that the development and delivery of the proposed strategy be coordinated in partnership with RVA through the Local Strategic Partnership.
21. Elsewhere on this Agenda the OSC will consider its Annual Work Programme and what Task and Finish Groups it wishes to maintain / re-appoint for the new municipal year. This will determine whether the resulting draft strategy will be considered by a further meeting of the APT&FG or reported back direct to the main OSC.

## Legal Implications

22. An Equalities Impact Assessment will need to be completed before a final Strategy is adopted.



## Environmental Implications

23. Current and future district environmental strategies and interventions will need to consider the needs of those experiencing poverty of access to adequate income, health, housing and education and ensure these needs are met.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	Yes	Access to Information	No
Risk Management	No	Exempt from publication	No

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Appendices:	A - Terms of Reference - Anti-Poverty Task and Finish Group B - Council Tax Reduction Scheme – Proposed Minimum Income Floor
Relevant previous Minutes:	None.
Background Papers: Reference Documents:	None.

## Terms of Reference

### Anti-Poverty Task and Finish Group

#### 1. Aims and origin

- 1.1 The Council has a longstanding role in tackling poverty and raising aspirations with its partners, something that is at the centre of the aims of its Corporate Plan 2014-2021:

- **An Efficient, Flexible and Effective Council**
- **Sustainable Economic Prosperity**
- **Stronger, Safer Communities**
- **A Quality Physical Environment**

- 1.2 The aims of the Group are to:

- contribute to the development of an Anti-Poverty Strategy for Rother; and
- identify new ways of working to reduce poverty and hardship within the district.

#### 2. Objectives

- 2.1 To undertake a review of the accessibility of appropriate financial products, including an analysis of the forms of less appropriate forms of credit and the extent of their use.
- 2.2 To assess how residents are educated about finances and consider what improvements can be made to financial literacy in the district.
- 2.3 To consider the impact of the Council Tax Reduction Scheme policy and the accessibility to the scheme by those experiencing financial hardship.
- 2.4 To consider the impact of Council administered discretionary housing benefit payments (DHP), its accessibility and the processes used to allocate DHP to those at risk of homelessness.
- 2.5 To investigate the availability of financial advice, homelessness advice, employment and training advice and the role of the Council in supporting these.
- 2.6 To investigate the availability of affordable fuel, food and other provisions and to consider if the Council has a role in supporting these.

#### 3. Background

- 3.1 At its meeting on 14 September 2019 the Overview and Scrutiny resolved to establish a Task and Finish Group to consider how to deal with issues of poverty and hardship within the district.
- 3.2 Due to substantial changes in the benefits system, the services that the Council operates, the increase in the cost of living and the current economic

climate, the Council needs to identify measures it can take with its partners to help alleviate hardship.

- 3.3 At the Cabinet meeting held on 4 November 2019, it was resolved as part of the fees and charges report that this Task and Finish Group be tasked with looking at how the Council could support residents on low incomes across the district by reducing certain charges for residents who were in receipt of certain benefits.

#### 4. Resources

- 4.1 Six Members to be appointed to the Task and Finish Group.
- 4.2 The group will be supported by officers from the Corporate Core, Policy and Housing and Community services and such others as the Group deems appropriate.
- 4.3 The Overview and Scrutiny Committee will be invited to input into the review and will be kept informed of the Group's progress.
- 4.4 The Task and Finish Group will determine which external organisations will be invited to give evidence to the Group.
- 4.5 It may be necessary for the Group to appoint expert witnesses to assist with its work.

#### 5. Timetable

- 5.1 It is proposed that the work of the Anti-Poverty Task and Finish Group is scheduled as follows (a further detailed timetable will be determined following agreement of these Terms of Reference):

	<b>Purpose</b>
<b>1</b>	<b>Evidence/Information Gathering</b> Collate evidence against all objectives <i>Indicative time frame: June 2020</i>
<b>2</b>	<b>Consolidation Meeting</b> To consider the evidence and any additional information, and agree recommendations <i>Indicative time frame: July 2020</i>
<b>3</b>	<b>Final Report</b> To agree the final Draft Report before referring it to the Overview and Scrutiny Committee for consideration and approval. <i>Indicative time frame: Dec 2020</i>

**Minimum Income Floor**

The minimum income floor affects those claimants who are currently self-employed. Financial support is given for a start-up period of one year after which it would be assumed that the claimant is achieving a minimum level of income when assessing CTR. This would be based on 35 hours multiplied by the National Minimum Wage and this is in line with the approach taken under Universal Credit.

It is proposed to amend the Minimum Income Floor as follows:

- For self-employed applicants with caring responsibilities for a vulnerable person (excluding care for dependent children) the Council will have the discretion to reduce the assumed hours worked from 35 per week to take into account the care and support being provided.
- For self-employed applicants who are lone parents, the income from self-employment will be calculated using the greater of either their actual income taken from their profit and loss accounts or 16 hours at the national living wage.
- For self-employed applicants who also undertake PAYE employment the Council will have discretion to use the number of self-employed hours at the national living wage that, when combined with the hours worked during the PAYE employment, does not exceed 35 hours per week.
- For self-employed applicants in receipt of a disability benefit, the income from self-employment will be calculated using the greater of either their actual income taken from their profit and loss accounts or 16 hours at the national living wage.

**Extract from the current Council Tax Reduction Scheme****20.0 Earnings of self-employed earners**

20.1 Subject to paragraph 20.2, 'earnings', in the case of employment as a self-employed earner, means the gross income of the employment plus any allowance paid under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 to the applicant for the purpose of assisting him in carrying on his business unless at the date of claim the allowance has been terminated.

20.2 'Earnings' shall not include any payment in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant's care) nor shall it include any sports award.

20.3 This paragraph applies to –

- a. royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or
- b. any payment in respect of any
  - (i) book registered under the Public Lending Right Scheme 1982; or
  - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982, where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book of work concerned.

## **21.0 Calculation of net profit of self-employed earners**

- 21.1 For the purposes of the average weekly earnings (of self-employed earners) the earnings of an applicant to be taken into account shall be:
- a. in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
  - b. in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less-
    - 1. an amount in respect of income tax and of national insurance contributions payable under the Act; and
    - 11. one-half of the amount calculated in respect of any qualifying premium; and
    - 111. £25, this deduction shall apply once only irrespective of whether a person is also employed or self-employed in a number of occupations. For the avoidance of doubt a single £25 per week disregard shall be granted to any claim. Irrespective of the household composition, the number of employed persons within the household or the type or number of employment (s) or self-employment(s).
- 21.2 The net profit of the employment shall be calculated by taking into account the earnings of the employment over the assessment period less any expenses wholly and exclusively incurred in that period for the purposes of the employment.
- 21.3 Subject to paragraph 21.4 no deduction shall be made, in respect of -
- a. any capital expenditure;
  - b. the depreciation of any capital asset;
  - c. any sum employed or intended to be employed in the setting up or expansion of the employment;
  - d. any loss incurred before the beginning of the assessment period;
  - e. the repayment of capital on any loan taken out for the purposes of the employment;
  - f. any expenses incurred in providing business entertainment, and
  - g. any debts, except bad debts proved to be such, but this sub-paragraph shall not apply to any expenses incurred in the recovery of a debt.
- 21.4 The authority shall refuse to make deduction in respect of any expenses where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- 21.5 For the avoidance of doubt deduction shall not be made in respect of any sum unless it has been expended for the purposes of the business;
- 21.6 Where an applicant is engaged in employment, as a child minder the net profit of the employment shall be one third of the earnings of that employment, less an amount in respect of
- a. income tax; and
  - b. national insurance contributions payable under the Act; and
  - c. one-half of the amount in respect of any qualifying contribution; and

- d. £25, this deduction shall apply once only irrespective of whether a person is also employed or self-employed in a number of occupations. For the avoidance of doubt a single £25 per week disregard shall be granted to any claim. Irrespective of the household composition, the number of employed persons within the household or the type or number of employments or self-employments.
- 21.7 For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments shall not be offset against his earnings in any other of his employments.
- 21.8 The amount in respect of any qualifying premium shall be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying premium shall be determined
- a. where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and divided the product by 365;
  - b. in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.
- 21.9 In this section, 'qualifying premium' means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of claim.

## **22.0 Deduction of tax and contributions of self-employed earners**

- 22.1 The amount to be deducted in respect of income tax under these sections shall be calculated on the basis of the amount of chargeable income and as if that income were assessable to income tax at the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 257(1) of the Income and Corporation Taxes Act 1988(personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph shall be calculated on a pro rata basis.
- 22.2 The amount to be deducted in respect of national insurance contributions under this part shall be the amount of Class 4 contributions (if any) which would be payable under section 15 of the Act (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits shall be reduced pro rata.
- 22.3 In this section 'chargeable income' means-
- a. except where sub-paragraph (b) applies, the earnings derived from the employment less any expenses deducted; or
  - b. in the case of employment as a child minder, one-third of the earnings of that employment.

## **23.0 Minimum Income Floor**

- 23.1 Where no start up period (as defined within 23.2) applies to the applicant and the income from self-employment of the applicant or partner is less than an amount determined by the national living wage per hour multiplied by 35 hours per week (the Minimum Income Floor), the income used by the authority in the calculation of their award will be substituted to that appropriate amount. This amount shall not be less than 35 x the national living wage, or where higher the number of hours declared by the applicant multiplied by the national living wage. From that, the authority will deduct only an estimate for tax, national insurance and half a pension contribution (where a pension contribution is being made).
- 23.2 The authority shall determine an appropriate start up period for the employment activity being conducted by the claimant or partner. This will normally be one year from the date of claim, or one year from the date of commencement of the employment activity, whichever is sooner. During this period no Minimum Income Floor shall be applied. The start-up period ends where the person is no longer in gainful self-employment.
- 23.3 Where a claimant or partner holds a position in a company that is analogous to that of a sole owner or partner in the business of that company, he shall be treated as if he were such sole owner or partner and in such a case be subject to the Minimum Income Floor where appropriate.
- 23.4 Ordinarily, no start-up period may be applied in relation to a claimant where a start-up period has previously been applied, whether in relation to a current or previous award of a Council Tax Reduction. The authority may allow a subsequent employment to qualify for a start-up period based on the previous history of the claimant and an assessment of such evidence that would support a decision to allow for a subsequent start up period.
- 23.5 In order to establish whether to award a start-up period, or at its discretion a subsequent start up period, the claimant must satisfy the authority that the employment is:
- Genuine and effective. The authority must be satisfied that the employment activity is being conducted.
  - Taking up at least 35 hours per week
  - Being conducted with the intention of increasing the income received to the level that would be conducive with that form of employment.
- 23.6 For the purposes of determining whether a claimant is in gainful self-employment or meets the conditions for a start-up-period, the Council will require the claimant to provide such evidence or information that it reasonably requires to make that decision, the Council may also require the self-employed person to attend an interview for the purpose of establishing whether the employment is gainful or whether the conditions for a start-up period are met.

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## Rother District Council

**Report to:** Overview and Scrutiny Committee

**Date:** 7 June 2021

**Title:** Financial Assistance Policy 2021-2025 (Disabled Facilities Grants)

**Report of:** Head of Service Housing and Community

**Ward(s):** All

**Purpose of Report:** To propose a revised Financial Assistance Policy that sets out the tools for providing housing renewal assistance as required by the Regulatory Reform (Housing Assistance) England and Wales Order 2002.

### Officer

**Recommendation(s):** It be **RESOLVED:** That Cabinet be requested to agree that:

- 1) the Financial Assistance Policy 2021-2025 be recommended to Council for adoption; and
- 2) initially, £200,000 be allocated to the DDPG from the balance of DFG funds held in earmarked reserves.

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### Introduction

1. The Council must have an adopted Financial Assistance Policy to be able to provide Disabled Facilities Grant funding through the Better Care Fund (BCF). The proposed Financial Assistance Policy can be found at Appendix A.
2. The Housing Renewal Financial Assistance Policy sets out the financial tools available to the Council for providing financial assistance to households and residents in Rother. The Council is required to have such a policy under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.
3. Disabled Facilities Grants (DFGs) are also included in this policy and are given to vulnerable clients to allow them to remain in their own home and remain independent.
4. It is also proposed that a new Discretionary Disabled Project Grant (DDPG) be introduced as part of the Policy to enable the Council to spend its full complement of BCF allocation and identified needs within the community be met. The use of the Council's annual DFG allocation will remain prioritised to meet the identified needs of individuals through mandatory and discretionary grant awards; however, the DFG grant is regularly underspent, and the Council can therefore have regard for wider local needs.

5. The DDPG will invite applications from residents of Rother to improve and update disabled facilities for community-based buildings and groups. In addition, the Policy will allow the Council to make improvements to its own community assets, parks and open spaces where a need is identified and facilitate greater access to disabled residents and visitors to the district.
6. The expenditure on DFGs in 2019/20 was £1,186,860, enabling the Council to complete 129 adaptations. To deliver DFGs the Council receives referrals from the East Sussex County Council (ESCC) occupational therapy team. The capacity of the occupational therapy team is limited and this can affect the number of adaptations delivered each year; this situation is replicated across East Sussex and much of the wider country. However, there does not appear to be unmet demand from qualifying residents for the mandatory grants.
7. As the DFG funding allocated through the BCF is ring-fenced for the purpose of providing disabled adaptations, the Council has a cumulative underspend within its financial reserves of approximately £1.3m. The Council's BCF allocation for 2021/22 is £1,844,806, an increase of approximately £650,000 on last years' allocation.

### **Discretionary Disabled Project Grant (DDPG)**

8. The increased allocation of central Government DFG funding presents an opportunity to make better use of the discretionary powers granted to the Council by the Regulatory Reform Order and support innovative projects that can improve the lives of our disabled residents.
9. The Council has worked closely in recent years with the countywide Joint Approach to Housing Solutions Officer Group. The Group works in partnership with ESCC and Clinical Commissioning Groups to look at options for using grant money more flexibly. As a result, districts and boroughs in East Sussex are recommending that their financial assistance policies are revised to allow for greater flexibility, through measures such as the new DDPG proposed within the revised Policy. It is proposed that initially £200,000 is allocated to the DDPG from the balance of funds in earmarked reserves. Funds for the DDPG will only be allocated from previous year underspends in order to ensure the full allocation of the current year funding is available to residents for adaptations.
10. The DDPG will be accessed and administered in a very similar way to the Council's existing Community Grants Scheme. A panel of relevant Council officers, ESCC occupational therapist representatives and the Portfolio Holder for Housing and Homes will be formed to assess applications and award grant allocations. The total value of the grant available through the DDPG will be variable and dependent on demand for mandatory DFGs. Individual grant applications will be limited to £10,000. In exceptional circumstances, the value of individual grant awards may be increased.
11. The grant is intended to support smaller projects that are easily deliverable. The conditions of the DDPG will also be supportive, responsive, and uncomplicated so that the grant is accessible to as wide a range of groups and organisations as possible. However, applicants will need to evidence the extent of the need for any proposed adaptation as well as illustrate what efforts have been made to secure funds from other sources and the reasons for these applications having been unsuccessful.

12. Further, the Council will not approve any grant unless the appropriate permissions and consents have been obtained. The contractual relationship regarding the works will be between the applicant and the contractor and the applicant will be responsible for ensuring the works subject to the grant are carried out to the required standard. The Council will inspect any works to ensure they have been completed to required statutory standards.
13. A copy of the DDPG application form can be found at Appendix B. The form includes the DDPG eligibility criteria and the types of adaptations the grant will support as well as the criteria against which applications will be assessed and grants awarded.
14. The types of adaptations for which grant will be awarded include, but are not limited to:
  - Disabled access – including ramping, wheelchair access, external step approaches, communal entrances.
  - Communal stair lifts.
  - Accessible playground/play for children with disabilities.
  - Sanitary facilities for disability and wheelchair users.
  - Toilets.
15. Applicants will be invited to provide responses to the following priorities against which scores will be given and grants awarded:
  - The proposed adaptation is needed and there is evidence that people with disabilities will benefit.
  - The proposed adaptation provides access to facilities or activities that are presently inaccessible to people with disabilities.
  - The proposed adaptation supports communities to promote active lifestyles that benefits physical and mental wellbeing.
  - To ensure the resilience of community and voluntary groups in the future.
  - To improve the safety of people with disabilities.
  - To support the local economy and businesses.

## **Conclusion**

16. It is recommended that the Council adopt the revised Financial Assistance Policy. The Council must have an adopted Financial Assistance Policy to be able to provide Disabled Facilities Grant funding through the BCF. DFGs are essential for improving the health and wellbeing of residents who experience disability and mobility impairments. The proposed Policy will allow the Council to continue to support residents by funding adaptations that improve access to their homes through the mandatory DFGs.
17. In addition, the new DDPG will allow the Council to maximise the use of its BCF allocation through more flexible use of the funds. Further, the Policy will allow the Council to harness these funds to make adaptations to its own estate and those public realm locations for which it is responsible. These new measures will provide greater access to public buildings, venues, parks and open spaces for disabled people, supporting the local economy and improving the health, wellbeing and quality of life for residents and visitors to the district.

## Financial Implications

18. The financial implications are discussed in the main report

## Legal Implications

19. Legal colleagues have and continue to be consulted prior to the adoption of the Policy proposed.

## Environmental Implications

20. The Housing Needs team endeavours to use local building contractors when undertaking necessary DFG works. The team will continue to review its approach to tendering such works in line with its broader objectives to achieve carbon neutrality by 2030.

## Equalities and Diversity

21. An Equalities Impact Assessment has been completed to support the proposed Policy. The Policy proposals will benefit disabled groups and promote an equality of access to essential facilities and recreational activities that promote the health, wellbeing and safety of disabled groups.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	Yes
Crime and Disorder	No	External Consultation	No
Environmental	Yes	Access to Information	No
Risk Management	No	Exempt from publication	No

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Joe Powell
e-mail address:	<a href="mailto:joe.powell@rother.gov.uk">joe.powell@rother.gov.uk</a>
Appendices:	A Financial Assistance Policy 2021-2025 B DDPG Application Form
Relevant previous Minutes:	None
Background Papers:	None
Reference Documents:	None



Housing Financial Assistance Policy

2021-2025

Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

Housing Services

Rother District Council

Town Hall

Bexhill on Sea

East Sussex TN39 3JX

01424 787000

## 1. Background

### Housing Renewal Financial Assistance Policy

- 1.1. The **Housing Renewal Financial Assistance Policy** sets out the financial assistance tools for providing housing renewal assistance. This is a requirement under the Regulatory Reform (Housing Assistance) England and Wales Order 2002

### Resources

- 1.2. Financial assistance measures are subject to available limited resources, with the exception of Mandatory Disabled Facilities Grants, financial assistance measures are DISCRETIONARY.
- 1.3. The mandatory disabled facilities grant is subject to a test of resources set by the Government.

### New measures – the need to offer flexible assistance (Better Care Fund)

- 1.4. Rother District Council may develop alternative options to the stated assistance available within this policy.
- 1.5. The Corporate Management Team in consultation with the portfolio holder with responsibility for housing has discretion under this policy to introduce and develop assistance that enables existing and new sources of funding to be targeted at eligible clients. This includes setting bespoke conditions and eligibility criteria.
- 1.6. The key aim of this section is the need to respond quickly to proposals, schemes and funding offered from time to time by other agencies and partner organisations.
- 1.7. From time to time resources may be targeted at specific areas and therefore some assistance measures will be unavailable. Up to date information will be provided on the Council's website or will be available from the Housing Team.

## 2. Mandatory Disabled Facilities Grant

- 2.1. The Mandatory Disabled Facilities Grant (DFG) remains a mandatory grant as prescribed by the Housing Grants Construction and Regeneration Act 1996 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. **Applications for this grant will be determined in accordance with current legislation, guidance, and good practice guides.**
- 2.2. The following is a summary of the main criteria the Council will consider when allocating a mandatory grant. The detailed conditions of the Mandatory Disabled Facilities Grant can be found at Appendix A.
- 2.3. The adaptations to the property must be considered necessary and appropriate for one or more of the following purposes:
  - (a) Facilitating access to and from the dwelling or building by the disabled occupant.
  - (b) Making the dwelling or building safe for the disabled occupant.
  - (c) Access to the principal family room by the disabled occupant.
  - (d) Access to or providing a bedroom for the disabled occupant.
  - (e) Access to or providing a room containing a bath or shower for the disabled occupant or facilitating the use by the disabled occupant of such a facility.
  - (f) Access to or providing a room containing a w.c. for the disabled occupant or facilitating the use by the disabled occupant of such a facility.
  - (g) Access to or providing a room containing a wash hand basin for the disabled occupant or facilitating the use by the disabled occupant of such a facility.
  - (h) Facilitating the preparation and cooking of food by the disabled person.
  - (i) Improving or providing a heating system for the disabled person
  - (j) Facilitating the use of power, light, or heat by the disabled person by altering same or by providing additional means of control.

- (k) Facilitating access and movement around the dwelling to enable the disabled person to provide care for someone

#### Maximum

- 2.4. The maximum level of grant available per application is set by statute at £30,000 at present. The amount of grant will include all relevant works, reasonable fees, and VAT. Where the cost of the work is less than the maximum grant limit the grant will be the cost of the works less the assessed contribution. Where the cost of the work exceeds maximum grant limit, the grant will be the maximum grant limit less the assessed contribution.

#### Eligibility

- 2.5. Applicants for a Mandatory DFG must be either the owner or a tenant of the property to be adapted and the disabled person must be registered or registerable with the welfare authority.
- 2.6. The disabled person and any partner are means tested to determine the amount of their contribution towards the cost of the works. If the disabled person is a child, the parents are no longer means tested.
- 2.7. An Owner-Occupation Certificate or Certificate of Intended Letting is required as evidence of occupation.
- 2.8. The Council operates a priority scoring system to help manage demand for assistance

#### Property Charges

- 2.9. The Local Authority may place limited charges on adapted properties of owner occupiers, where the cost of the DFG exceeds £5,000, limited to a maximum charge of £10,000. The charge will be incurred if the property is sold within ten years.

### **3. Mandatory Disabled Facilities Grant – top-up assistance**

- 3.1. A discretionary payment to provide top-up assistance to a Mandatory Disabled Facilities Grant where the council has taken the view that the amount of assistance available under mandatory DFG is insufficient to meet the needs of the disabled person and their family.
- 3.2. There is a £30,000.00 limit on top-up assistance



- 3.3. The eligibility criteria for top-up assistance is the same as the Mandatory Disabled Facilities Grant.

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### Discretionary Disabled Facilities Assistance (DDFA)

- 3.4. Discretionary Disabled Facilities Assistance (DDFA) will be considered necessary and appropriate when the adaptations will make the dwelling suitable for the accommodation, welfare, or employment of the disabled person with relation to the Better Care Fund
- 3.5. There is a £30,000 limit on the amount of grant that can be awarded per application. Where the cost of the work is less than the maximum limit of £30,000 the assistance will be the cost of the works less the assessed contribution.
- 3.6. Priority for DDFA shall be given to persons who are in receipt of an income related benefit, i.e.
- Income Support
  - Universal credit
  - Housing Benefit
  - Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credits assessment was below £15,050)
  - Guaranteed Pension Credit
  - Income Related Employment Support Allowance not contribution-based ESA alone
  - Income based Jobseeker's Allowance not contribution based JSA alone

#### **4. Disabled Persons Relocation Assistance (DPRA)**

- 4.1. In situations where major adaptations to a property under a Mandatory Disabled Facilities Grant are not considered cost effective and where the applicant would consider relocating to a previously adapted or more adaptable property: a Disabled Persons Relocation Assistance (DPRA) may be appropriate
- 4.2. The maximum DPRA grant that will be awarded is £5,000 and is intended to contribute to the cost moving accommodation, for example, estate agent fees, legal costs, surveyor fees, removal costs
- 4.3. Eligible applicants for a DPRA grant must be the owners of the property, which is not cost effective to adapt, and the disabled person must be registered or registerable with the welfare authority. For each case, a cost benefit analysis will be undertaken taking into account the potential cost of adapting the existing property and of adapting any future property in relation to the amount of DPRA provided. It is unlikely that any relocation assistance will be payable if the eligible Disabled Facilities Grant to adapt the new property exceeds £20,000.
- 4.4. Further, eligibility will depend on the applicant meeting the criteria for a Mandatory Disabled Facilities Grant. Priority shall be given to persons who are over 60 and are in receipt of a benefit that would enable them to be eligible for home maintenance assistance.

**Conditions:** 10-year repayment period if paid by grant, if property sold or otherwise disposed of or parted possession with, registered as a land charge. Separate repayment conditions if assistance is paid by means of loan/equity release registered as a land charge.

## 5. Discretionary Disability Project Grant (DDPG)

- 5.1. The Council's Discretionary Project Grant (DDPG) is designed to provide grant funding for community disability projects to eligible voluntary/community groups, parish councils, faith groups, non-for-profit organisations, and individuals.
- 5.2. The grant is designed to fund/assist the above groups to provide or upgrade suitable disability-based schemes that will improve the health and wellbeing outcomes/access for disabled residents in Rother.

### Summary of Scheme

- 5.3. The Council's Discretionary Disability Project Grant (DDPG) scheme is designed to be supportive, responsive, and uncomplicated for organisations delivering community-based activities and services.
- 5.4. The grant is intended to support smaller projects that are easily deliverable. A summary of the DDPG is detailed below:
  - Your Local District Councillor will decide whether to support or decline your request for grant funding.
  - You must contact your Local District Councillor to discuss your project and to receive an application form.
  - The proposed project will be discussed by a Council team comprising of the portfolio Council Member for Housing, Rother Equalities Officer, Senior Rother Occupational Therapist, and a Disabled Grant Officer.
  - Each project proposal will be approved or declined by the above panel.
  - The amount of grant funding is dependent on a case by case basis, however, is capped at £10,000
  - Match funding is not required but may be requested by the Council.
  - Applications received will be checked for compliance and scored against the scheme criteria. Applications which do not comply with the criteria will be rejected.
  - Projects must be completed within 12 months of funding being awarded.
  - The grant can be paid in advance or at completion of the project.
  - The Council is not responsible for project managing any scheme. It is the applicant's responsibility. The Council will, however, inspect completed schemes for compliance and suitability for Disabled Residents. A Notice of Approval of Application will be provided.
  - The above grant is discretionary and as such is subject to capital funds being available. For this reason, the provision of this grant may be limited or discontinued at any time.

### Eligible Works

5.5. The following types of work will be eligible for the scheme.

- Disabled access – including ramping, wheelchair access, external step approaches, communal entrances.
- Communal stair lifts
- Accessible playground/play for children with disabilities.
- Sanitary facilities for disability and wheelchair users
- Toilets

### Amount of Grant

5.6. All applications will be considered, depending on available discretionary funds, at the time of application. There will be a cap of £10,000, however, applications over this amount will be considered in exceptional circumstances.

### Conditions

- The Council will not approve any grant unless the appropriate permissions and/or consents have been obtained, e.g., planning permission, listed building consent, building control approval etc.
- Unforeseen/additional funding over and above the original grant amount will not be considered.
- The payment of any grant issued is conditional upon the eligible works being carried out to satisfaction of the applicant and council. Upon receipt by the Council of an acceptable invoice as well as any certificates required, all payments will be made direct to the nominated person.
- The Council will consider requests for interim payments if they are requested prior to works commencing. This would usually be a request of up to 50% of the total grant issued.
- It is the responsibility of the applicant to obtain quotes for the works requested – three quotes are required for works over £3000. The legal contractual relationship regarding the works to be carried out is between the applicant and the contractor, and not between the Council and the contractor. Where the approved works undertaken must be insured, the contractor must provide a recognised warranty for any works.
- The Council does not undertake or accept responsibility for supervision and the standard of the work. You/ your group/your organisation is responsible for ensuring that the works subject to the grant are carried out and to the required standard.

- Applications will be usually be determined within 60 working days of receipt provided that the application is complete. If information is missing, the applicant will be contacted and advised as to what is required. However, we may take longer to determine an application, to ensure the best use of our financial resources.

**The Application Form for Community Grant can be found at Appendix B of this Policy.**

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## **Appendix A**

### **Conditions: Mandatory Disabled Facilities Grant**

#### *General conditions*

1. Applications for assistance shall be made on the appropriate Council application form and be accompanied by all supporting documents as required.
2. The council will not approve any application for assistance if the relevant works have started before the application is approved
3. Sections 38, 40, 41, 42, 43 and 51 of the Housing Grants, Construction and Regeneration Act 1996 apply.
4. It is a condition of the Disabled Facilities Grant that the applicant shall notify the Council immediately if equipment installed with grant assistance is no longer needed. Subsequent to this the council may upon providing 21 days written notice access the dwelling in order to inspect the equipment and, where appropriate, remove it.
5. The payment of any assistance is conditional upon any eligible works being carried out to the satisfaction of the council and upon receipt by the council of an acceptable invoice for the works carried out and any ancillary charges or services. All payments will be made direct to the contractor or other agency involved in the provision of any assistance. The Council may, in certain circumstances, make payments to applicants in the form of an instrument (cheque) made payable to the contractor.
6. Payment of any assistance is also conditional on the applicant taking all reasonable steps when appropriate to pursue any relevant insurance claim or legal claim for damages in which the cost of the works to the dwelling to which the assistance relates is part of that claim. The applicant shall repay to the Council any assistance so far as is appropriate out of the proceeds of that claim.

#### *Funding*

7. Budget set on annual basis comprising of specific government allocated funding via Communities and Local Government Department, and a council funded contribution.

#### *Property Charges:*

8. The Local Authority may place limited charges on adapted properties of owner occupiers where the cost of the DFG exceeds £5,000, limited to a maximum charge of £10,000. The charge will be incurred if the property is sold within 10 years.

## **Discretionary Assistance**

### **Eligibility Conditions**

- 1 Applications for assistance shall be made on the appropriate Council application form and be accompanied by all supporting documents as required.
- 2 There is a two-year prior residency requirement and the property must be over 10 years old (does not apply to empty homes/disabled adaptation assistance)
- 3 Any eligible works are to be carried out in accordance with any specification the Council decides to impose
- 4 In applying for assistance, the applicant(s) are to allow the Council to undertake any steps and enquiries (including external organisations) as they see fit to verify the application, including financial
- 5 Works that should be covered by buildings or contents insurance are not eligible. The Council require the applicant to take all reasonable steps to pursue any relevant claim and to repay the assistance, so far as appropriate, out of the proceeds of such a claim. This condition applies where the relevant claim is an insurance claim, or a legal claim against another person, in respect of damage to the premises to which the assistance relates, or a legal claim for damages in which the cost of the works to premises to which the assistance relates is part of the claim.

### **Approval Conditions**

- 6 The Council will not approve any application for assistance if the relevant works have started before the application is approved.

(Except disabled person relocation assistance: the grant will usually be approved when confirmation of ownership of the `new` property has been received by the Council. A request for payment can be submitted immediately because most of the costs incurred in moving will have already been incurred.



7. Where a certificate of owner occupation accompanies an application it is a condition that the dwelling is occupied in accordance with the intention stated in the certificate for the period specified from the certified date of completion of the works. This condition will become binding on any person who is for the first time being the owner of the dwelling (may not apply to empty homes/landlord assistance).
8. It is a condition that the applicant and grant recipient are required to notify the council of any possible breaches of the above certificates and to give the council any information reasonably requested of them by the Council in that connection. The Council may at any time serve notice upon applicants requiring them to provide within 21 days a written statement showing how the conditions are being met.
9. The assistance is repayable during the specified repayment period if the property is sold or otherwise disposed of or parted possession with; or if there is a breach of the certificate of owner occupation, certificate of intended letting and tenancy referral agreement/nomination agreement. The assistance is registered as a land charge.
10. Clause that applies for charges registered at HM Land Registry
  - I In consideration of the Lender in exercise of its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 providing assistance for adaptation or improvement to the Property the Borrower hereby Charges the Property in favour of the Lender to secure repayment of the sum of £xxxxxxx (xxxxxxx pounds) together with simple interest thereon calculated from National Westminster Bank PLC base rate, such interest being payable on redemption of the charge`
  - II It is hereby provided that the said charge shall not be enforced unless the Borrower (Mr and Mrs xxx) has sold or otherwise disposed of or parted with possession of or ceased to reside in the Property as the Borrower`s only or principal home.
  - III After the expiration of the (specified number of years) from the date hereof the said charge shall cease to be enforceable.

The applicant and grant recipient shall from the certified date of completion throughout the assistance condition period notify the Council of their intention to sell or otherwise dispose of or part possession with the dwelling. Pursuant to this condition the applicant shall furnish the council with any information reasonably requested by them in connection with such notification.

11. Unless otherwise directed by the Council all eligible works must be carried out by a contractor whose estimate accompanied the application. Where appropriate works undertaken must be insured, the contractor should provide a recognised warranty for any works. It is a condition of any assistance that the eligible works are commenced within 6 months of the date of the approval. The works should then be completed within a further 6 months of commencement. These timescales can be extended by the Council in reasonable circumstances upon a written request from the applicant.
12. The Council may increase (subject to the maximum limit) the estimated amount of assistance if they are satisfied that, owing to circumstances beyond the control of the applicant, the eligible works cannot be, or could not have been, carried out on the basis of the amount of the expenses originally approved (e.g. when a contractor becomes VAT registered prior to the commencement of any works). The Council may also increase the estimated amount of assistance in the event that the eligible works cannot be or could not have been completed without carrying out additional unforeseen works.
13. Joint signatures are required on the application for properties in joint ownership.
14. The Council does not undertake or accept responsibility for supervision and the standard of the work. The applicant or appointed agent is responsible for ensuring that the works subject to the assistance are carried out and to the required standard.
15. The applicant is responsible for ensuring that any necessary Building Regulation/Planning Permission/Listed Building consents are obtained prior to work commencing.

### **Payment Conditions**

16. Payment will be made direct to the contractor/agent on behalf of the applicant unless the applicant instructs the Council otherwise in writing.
17. The payment of any assistance is conditional upon any eligible works being carried out to the satisfaction of the Council and upon receipt by the Council of an acceptable invoice for the works carried out and any ancillary charges or services. All payments will be made direct to the contractor or other agency involved in the provision of any assistance

18. [DFG relocation: relocation costs will not be made prior to the move and applicants must be aware that they may have to fund costs before receiving an assistance payment.]
19. It is a condition of assistance that the eligible works are carried out within twelve months from the date of approval of the application. This period may, however, be extended by the Council if they think fit, particularly where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made.
20. Payment of any assistance is also conditional on the applicant taking all reasonable steps when appropriate to pursue any relevant insurance claim or legal claim for damages in which the costs of the works to the dwelling to which the assistance relates is part of that claim. The applicant shall repay to the Council any assistance so far as is appropriate out of the proceeds of that claim.
21. In the event that the eligible works have been carried out by a member of the applicant's family the Council may consider payment towards only the materials used in carrying out the works.

#### **Post Completion Conditions:**

22. In the event of a breach of any of the conditions or fraudulent application the Council may demand repayment from the applicant of a sum equal to the amount of the assistance paid or, as the case may be, any instalment of the assistance paid.
23. The applicant shall from the certified date of completion throughout the assistance condition period notify the Council of their intention to sell or otherwise dispose of or part possession with the dwelling. Pursuant to this condition the applicant shall furnish the Council with any information reasonably requested by them in connection with such notification.
24. Where an applicant has an insurable interest in the property they shall arrange and maintain in effect adequate insurance of the property throughout the condition period. The applicant shall also take all necessary steps, where they have the duty or power to do so, to ensure the property remains free of any dangerous risks to their or the dwellings

occupier's health and safety. In the event of a breach of this condition the Council may demand whole or partial repayment of any assistance.

## **Information relating to all types of financial assistance**

### **Fees and VAT**

25. In addition to the actual costs of carrying out any works other reasonable charges necessarily incurred in the undertaking of the works are also eligible to be included as part of any assistance. These may include:

- Architects or surveyors' fees
- Charges for planning permission or building regulation approval
- Charges by any agency services for advising on or assisting with the client's application

26. The Authority will need to determine which fees are eligible for assistance in the same way it assesses the eligible works. In doing so it will consider the reasonableness of the fees and whether they are properly incurred. The fees will be included up to the maximum amount of assistance available.

### **Request where repayment may not be demanded**

27. The Council may in exceptional circumstances (subject to Cabinet approval) demand a lesser sum. Applications with detailed reasons why repayment should not be demanded must be made in writing.

### **Application Process**

28. The Council will operate a preliminary enquiry system for dealing with applications for housing assistance. This will take the form of an initial enquiry form sent to the potential applicant in addition to the appropriate information. The enquiry form is not a formal application for assistance and is purely a request for service.

29. Upon receipt of the initial enquiry form the Council will assess the applicant's eligibility for housing assistance and advise them, accordingly, including any contribution towards the cost of the works the client may need to make.

30. Applicants must be over 18 years old.

31. Applications will be accompanied by at least two competitive estimates.

32. The Council will determine which works are eligible.

### **Applications where there is more than one owner**

33. All owners will be required to sign the application form and relevant forms related to conditions, e.g. future occupation, local land charges, land registry charges, etc. Means/income testing will be applied to all owners.

### **Applications outside the Policy**

34. In exceptional circumstances consideration may be given to applications that fall outside the provision of this policy. These applications will be reviewed on a case by case basis and a decision will be made by the Corporate Management Team.

### **Development of the Policy**

This Policy will be subject to periodic reviews. Any amendments will only be necessary in the case of significant change to policy items. The Head of Service for Housing and Communities with the relevant Lead Member will make changes to the policy without the need for formal ratification, where such changes make no significant change to service provision. Any amendments that produce major changes to service provision, those amendments will require approval of the Cabinet before the Policy is changed.

### **Enquires about Assistance**

Enquires about any of the forms of assistance in the policy, and information about how to apply, should be made to Rother District Council, Housing Services Adaptations, Town Hall, Bexhill on Sea, East Sussex, TN39 3JX.

Tel: 01424 787599

email: [Claire.ellwood@rother.gov.uk](mailto:Claire.ellwood@rother.gov.uk)

### **Appeals about Decisions**

Appeals about how the policy is operated in individual cases, for example where assistance is refused, will be considered by the Housing Manager, or the authorised officer.

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## DDPG Application Form

This form is used to ascertain the eligibility for financial assistance. Please complete the form in BLOCK CAPITALS and return to: Claire Ellwood, Disabled Facilities Grants Support Officer, Rother District Council, Town Hall, BEXHILL ON SEA, TN39 3JX

(Tel: 01424 787599 - please call if you need help completing the form).

Please note that financial assistance cannot be given for any works that are started prior to formal approval.

Name of Group/ organisation.....

Name of main contact for this application.....

Address for  
correspondence.....

..... Post code:

Contact telephone number.....

Email.....

Website.....

What type of group are you? e.g charity, community group, community building

.....

Do you have Vulnerable Adult and/or Child Protection Policies and Procedures in place to protect safety? (please circle) Yes **No**

Do you have Public Liability insurance? (please circle) Yes **No**

Please tell us which area/s of the District will benefit:

Estimate the number of Rother residents who will benefit – NOT including volunteers

Name of Councillor supporting this application.....

Tick the box(es), which best reflect how your project will help to achieve the District Council aims.

Priorities	Please tick
The proposed adaptation is needed and there is evidence that people with disabilities will benefit	
The proposed adaptation provides access to facilities or activities that are presently inaccessible to people with disabilities.	
The proposed adaptation supports communities to promote active lifestyles that benefits physical and mental wellbeing	
To ensure the resilience of community and voluntary groups in the future	
To improve the safety of people with disabilities	
To support the local economy and businesses	

Reason for the Funding Request: Include what you are planning to do and how you feel it will meet the priorities above (Max. 500 words)

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Continued.....

[illegible]

Please give a detailed, itemised list about the grant cost you are requesting:

£

Your signature/agreement as the main contact on this form- NB your main contact signatory must be separate members of your organisation whom you reasonably expect to be available for the duration of the financial year and take responsibility for providing monitoring information. You must notify the Council of an alternative suitable contact who has agreed to take over the responsibility if either leaves your organisation for any reason.

*I confirm that to the best of my knowledge and belief, all replies given on this application form are true and accurate. I understand that supporting information may be requested at any stage of the application process.*

Signed.....Date.....

### Contract

(This section MUST be completed by a person duly authorised to do so on behalf of the organisation making this application. They must have read and understood the whole application. This may be for instance your Chairperson, Vice Chairperson, Secretary or Treasurer. They should **not** be the main contact for the application.

### Terms

1. The grant will be used for the purposes set out in this application only.
2. The Council may use our name and the name of our project in its own publicity materials and we will inform the Council of situations where confidentiality is an issue.
3. The Council shall have no liability to the Organisation for any claims, losses, damages, or expenses it may suffer or incur as a result of its use of the grant.
4. The Council may at its sole discretion withhold or suspend payment of a grant and/or require repayment of all or part of the grant in the following circumstances:
  - a) The Organisation uses the grant for purposes other than those for which they have been awarded.
  - b) The Organisation fails to comply with any of the term and conditions set out in this Agreement.
  - c) The Organisation provides the Council with incorrect or misleading information or completes the application form or supporting documentation dishonestly.
  - d) Any member of the governing body, employee or volunteer of the Organisation has
    - (i) Acted dishonestly or negligently at any time and directly or indirectly to the detriment of the Project; or
    - (ii) Taken actions which, in the reasonable opinion of the Council, bring or are likely to bring the Council's name or reputation into disrepute.

Title	First Name	Last Name
-------	------------	-----------

Occupation
------------

Position in Group
-------------------

Contact address (including postcode)
--------------------------------------

Contact Number
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Please enter your email address to confirm you have read the full application and agree to the terms (the Contract signatory must NOT be the Main Applicant)

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**Final Checklist**

Please tick off this checklist to make sure you are sending us everything we need to process your application	Tick Box
All questions are answered fully and correctly	
You have taken and kept a copy of this application form for your reference	
This form has been signed by the two separate signatories required (the Main Contact must NOT sign it twice)	

**Additional Information**

Please use an additional sheet for any additional information you wish to add. (up to a maximum of an A4 sheet) Please ensure you include the question number to which the information relates to.

## Rother District Council

**Report to:** Overview and Scrutiny Committee

**Date:** 7 June 2021

**Title:** Egerton Park Children's Centre

**Report of:** Head of Acquisitions, Transformation & Regeneration

**Ward(s):** Central

**Purpose of Report:** To update the Overview and Scrutiny Committee on the position relating to the Egerton Park Children's Centre, Bexhill.

**Officer**

**Recommendation(s):** It be **RESOLVED:** That the report be noted.

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### Introduction

1. This report is presented to update Members on the current position with regard to the Children's Centre at Egerton Park, Bexhill following its closure by East Sussex County Council.

### Background

2. The land on which the Egerton Park Children's Centre building stands is owned by Rother District Council (RDC) and prior to the development of the building it was used as open space, being part of the wider Egerton Park facility.
3. In November 2005, the Council granted a ground lease of a parcel of land to East Sussex County Council (ESCC), to enable them to construct an Early Years centre on the site. The lease was for 25 years (expiring November 2030) at a peppercorn rent. A two-storey building was constructed by ESCC on the site, which housed a registered childcare centre and facilities for a range of courses, training opportunities and groups.
4. In September 2019, ESCC published a document entitled "Children's Early Help Revised Strategy" which stated, "The County Council aims to secure sufficient availability, as far as is reasonably practicable, of nursery provision in Bexhill. Nurseries in Bexhill will no longer be operated by the Council, which will instead work with other providers to secure, so far as is reasonably practicable, sufficient nursery places in the area, as it does in the rest of the county. This process may include sub-leasing the spaces for Rainbow and Cygnets nurseries to other nursery providers, without ongoing financial or other direct responsibilities for nursery services. If development of sufficient alternative provision in Bexhill proves impossible, it may be necessary to review closure of the nurseries." (p20).
5. In the period between then and now arrangements were made with the Bexhill Family Collective Community Interest Company to operate a nursery from part of ESCC's Sidley Community Centre site, but despite efforts on all sides a

suitable arrangement could not be made for the Egerton Park building. ESCC have since held discussions with the NHS to use the premises for a healthcare centre, although nothing has been concluded as at the date of publishing this report.

6. The lease between RDC and ESCC contains no alienation provisions that define the ability or otherwise for ESCC to sub-let all or parts of the building. Instead the use of the building is controlled by the user clause which is restricted to "... a centre for early education, childcare, health and family support for no other purpose whatsoever." There is nothing to prevent ESCC from subletting all or part of the building, and charging a rent, provided the use remains within that definition. The Council has sought legal advice on the proposed subletting to the NHS which indicates that this would fall within the permitted use as defined in the lease.
7. The lease contains a clause which states, "In the event that central government funding (including any monies received under the Sure Start program) for the permitted use is withdrawn or substantially reduced there shall be the right for the Tenant upon 12 months prior written notice to terminate this Lease at any time from 1 January 2010 onwards". It should be noted this clause does not say the tenant must terminate the lease, simply that they have the right to terminate the lease. ESCC have not indicated that they wish to terminate the lease.

## Conclusion

8. In summary, the building is under the control of ESCC until November 2030. They do not need the permission of RDC to sublet the building and, providing the use remains within the parameters of the user clause, do not need RDC's permission for the activity in the building.
9. The Council will consider any proposals concerning the future occupation and use of the building in accordance with the terms of the existing lease.
10. Should a proposal come forward from ESCC that would require a variation to the lease, officers will report and take instructions from Cabinet at that time.

## Recommendation to the Overview and Scrutiny Committee

11. The report be noted.

## Legal Implications

12. The Council will take further legal advice as appropriate in the event of alternative proposals coming forward from ESCC.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

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Chief Executive: Malcolm Johnston

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Report Contact Officer:	Ben Hook
e-mail address:	<a href="mailto:Ben.Hook@rother.gov.uk">Ben.Hook@rother.gov.uk</a>
Appendices:	None
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A

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## Rother District Council

<b>Report to:</b>	Overview and Scrutiny Committee
<b>Date:</b>	7 June 2021
<b>Title:</b>	Performance Report: Fourth Quarter 2020/21
<b>Report of:</b>	Head of Service – Acquisitions, Transformation and Regeneration
<b>Ward(s):</b>	N/A
<b>Purpose of Report:</b>	To monitor the delivery of the Council's Key Performance Indicators
<b>Officer Recommendation(s):</b>	It be <b>RESOLVED:</b> That the Overview and Scrutiny Committee consider these findings and recommend any actions to Cabinet, as necessary.

## Introduction

1. For the financial year 2020/21, Members of the Overview and Scrutiny Committee (OSC) and Cabinet selected a set of 12 key performance indicators (KPIs). These indicators stand as a barometer of the delivery of the Council's Corporate Plan and those service areas Members wish to scrutinise over the year, as agreed by Cabinet on 10 February 2020.
2. For the 2020/21 financial year, the focus has been set on four themes:
  - Housing and Homelessness: to monitor the delivery of the Housing and Homelessness and Rough Sleeping Strategy adopted in 2019.
  - Waste and Recycling: to monitor the delivery of the waste and recycling contract from July 2019.
  - Asset Income: to monitor the delivery of the Property Investment Strategy adopted in 2018.
  - Other Income: to monitor significant non-tax income as a part of the Council's revenue streams.
3. This report brings before Members a summary of the Council's Performance against the selected themes, giving the position at the end of the fourth financial quarter (1 January 2021 to 31 March 2021) and the whole year. The report gives Members an opportunity to scrutinise the progress towards the Council's stated aims, outcomes and actions in the Corporate Plan and make any necessary recommendations to Cabinet for future service delivery.

## Overview

4. A summary of the KPI performance is set out in the table below. Performance is compared to the previous quarter result and to the same quarter the previous year.

<b>Housing &amp; Homelessness</b>	Status	Compared to same quarter previous year	Compared to previous measurement
Affordable Homes Built (gross) Supply target			
Affordable Homes Built (gross) Local Plan target			
Net Additional Homes Provided (Supply Target)			
Net Additional Homes Provided (Local Plan Target)			
Prevention of Homelessness Cases per 1,000 Rother Households			
Number of all Households in Temporary Accommodation			
Average Weeks in Temporary Accommodation			
<b>Waste &amp; Recycling</b>	Status	Compared to same quarter previous year	Compared to previous measurement
Waste Re-used, Composted and Recycled (reported one quarter in arrears)			
Contractor Re-used, Composted and Recycled			
Contractual Missed Bins per 100,000 Collections			
<b>Asset Income</b>	Status	Compared to same quarter previous year	Compared to previous measurement
Net Income from All Investment Assets			
Investment Asset: Return on Investment %			
<b>Other Income</b>	Status	Compared to same quarter previous year	Compared to previous measurement
Car Park Income			
Garden Waste Income			
Planning Income			

PI Status	Long Term Trends	Short Term Trends
Alert	Improving	Improving
Warning	No Change	No Change
OK	Getting Worse	Getting Worse
Unknown		

5. The tables of performance and explanation accompanying each of the four themes can be found at Appendices A, B, C and D.

## Indicators by Exception

6. Members requested to have reported, by exception, any other performance that is doing significantly better or significantly worse than its target set. There are no indicators by exception to report this quarter.

## COVID-19

7. March 2020 saw the onset of the COVID-19 pandemic. This has adversely affected performance levels in quarter one for all KPIs reported. The KPIs remain the same to provide a baseline for the overall impact of COVID-19 in the current financial year as agreed by the Overview and Scrutiny Committee on 14 September 2020.

## Conclusion

8. This report sets our performance against the agreed key performance indicators for the four themes for the year of 2020/21.
9. Members are requested to consider performance against targets or forecasts and pass any additional recommendations for action to Cabinet for consideration.

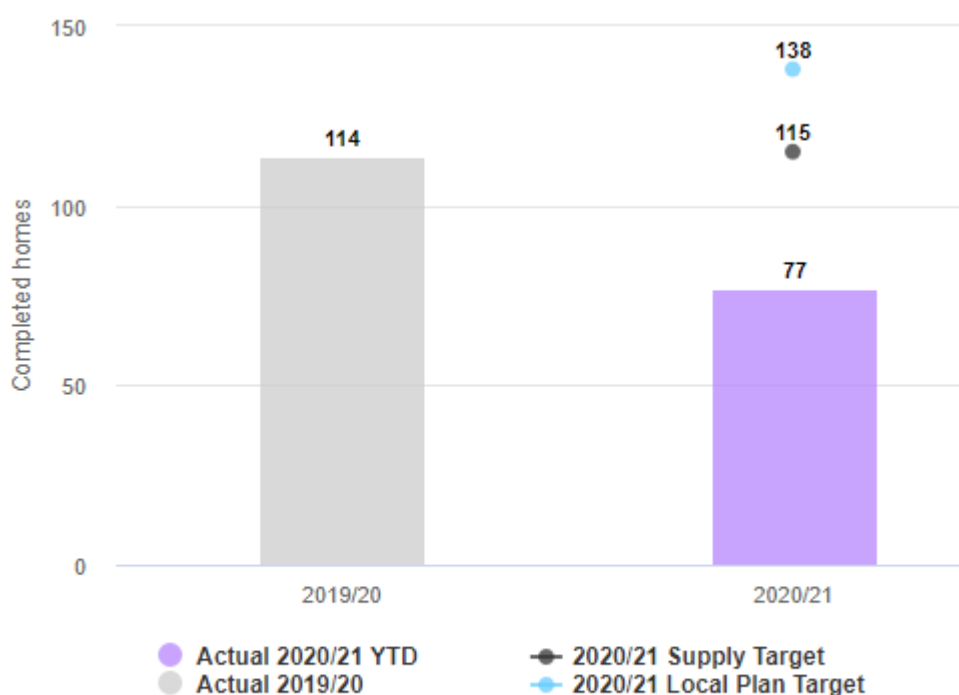
Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Nicola Mitchell
e-mail address:	<a href="mailto:nicola.mitchell@rother.gov.uk">nicola.mitchell@rother.gov.uk</a>
Appendices:	A – Housing & Homelessness B – Waste & Recycling C – Asset Income D – Other Income
Relevant previous Minutes:	CB19/95 OSC20/20
Background Papers:	N/A
Reference Documents:	N/A

## HOUSING & HOMELESSNESS

### Affordable Homes Built

1. This measurement is the gross number of new affordable homes that have been completed in the district. By completed we mean that the home has been built and handed over from the developer to the provider for occupation by a tenant or purchaser. The home may not yet be occupied. This measurement monitors the delivery of the Corporate Plan outcome for affordable and decent housing stock, specifically the action to support the development of affordable accommodation.
2. The indicator has two targets: the supply target and the Local Plan Target. The supply target is based on anticipated delivery from planned sites that we knew about at the time of setting the target. The supply target is 115 affordable new homes for 2020/21. The Local Plan target is based on local housing need set out in the Local Plan and is set at 138 new affordable homes by the end of 2020/21.

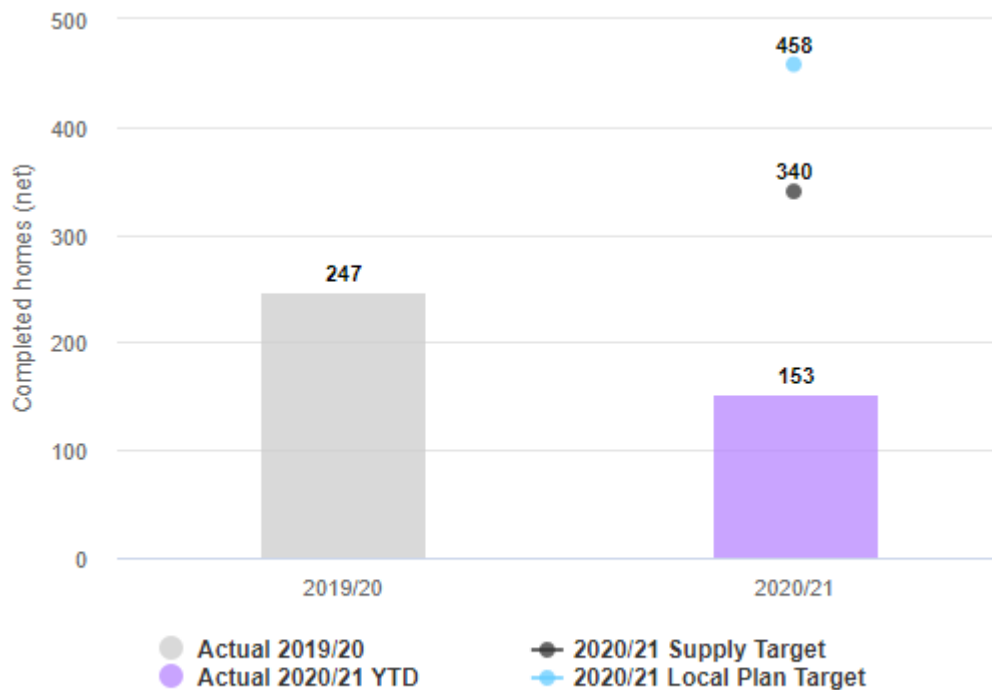


### Affordable Homes Built

Polarity: Higher is better

### Additional Homes Provided

3. This measurement counts the number of all new homes in Rother, allowing for demolitions and change of use to give a net gain. This measurement monitors the delivery of the Corporate Plan outcomes to manage spatial development and the provision of affordable and decent housing stock.
4. This indicator has two targets: the supply target and the Local Plan target. The supply target is based on the projected delivery for the year, as set out in the April 2019 Housing Land Supply and Trajectory report. The supply target is 340 new homes for 2020/21. The Local Plan target is based on the outstanding annual requirement in order to meet the local need of 5,700 homes identified in the Core Strategy. As April 2019, the annual Local Plan target is 458.

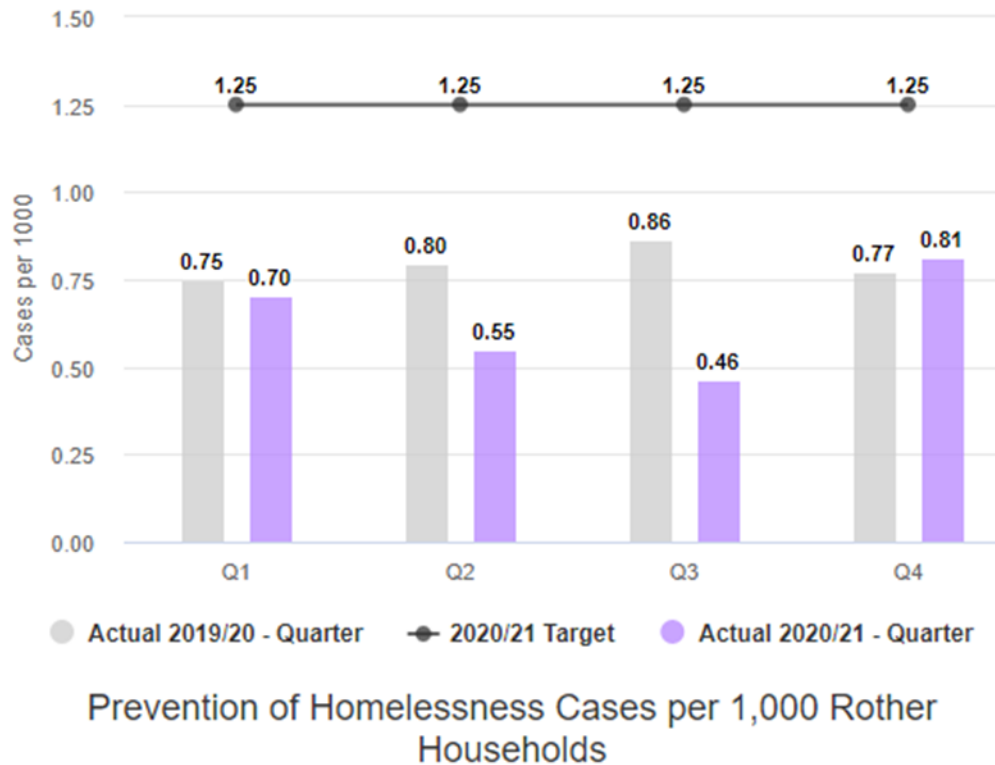


### Additional Homes Provided

Polarity: Higher is better

## Prevention of Homelessness Cases per 1,000 Rother Households

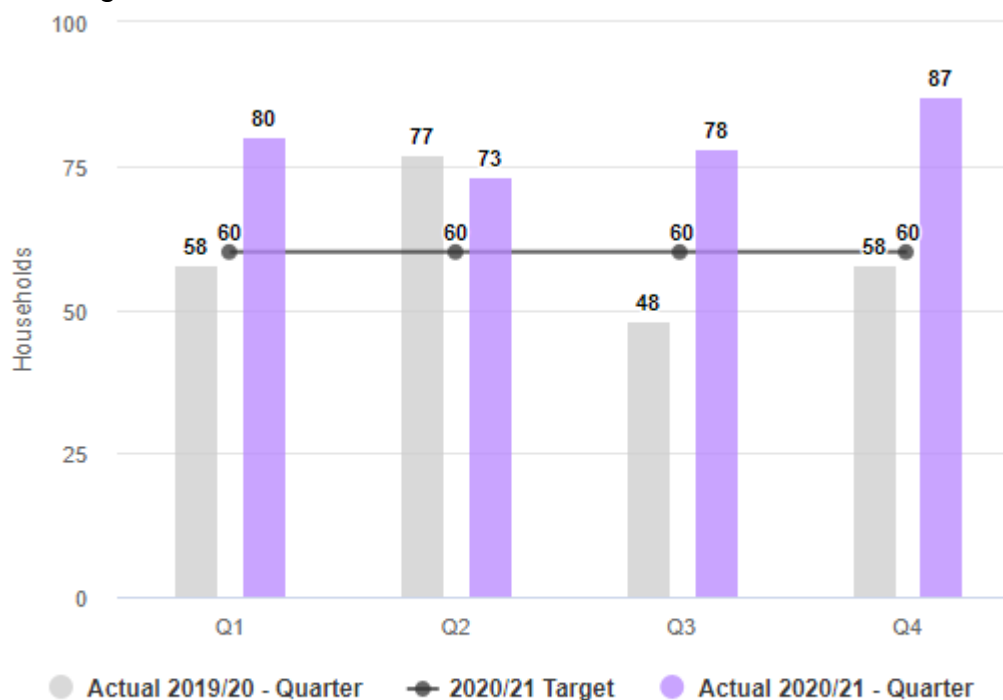
5. This measurement shows the number of households the Housing Needs service prevented from becoming homeless through intervention, advice, assistance, and relief. It is expressed as the number of cases in proportion to 1,000 Rother households and can be benchmarked against other district councils in England.
6. The target for 2020/21 is 5 preventions per 1,000 households.



Polarity: Higher is better

### Number of all Households in Temporary Accommodation

7. This measurement is the number of households in Temporary Accommodation on the last day of the month.
8. The target for 2020/21 is 60 households.

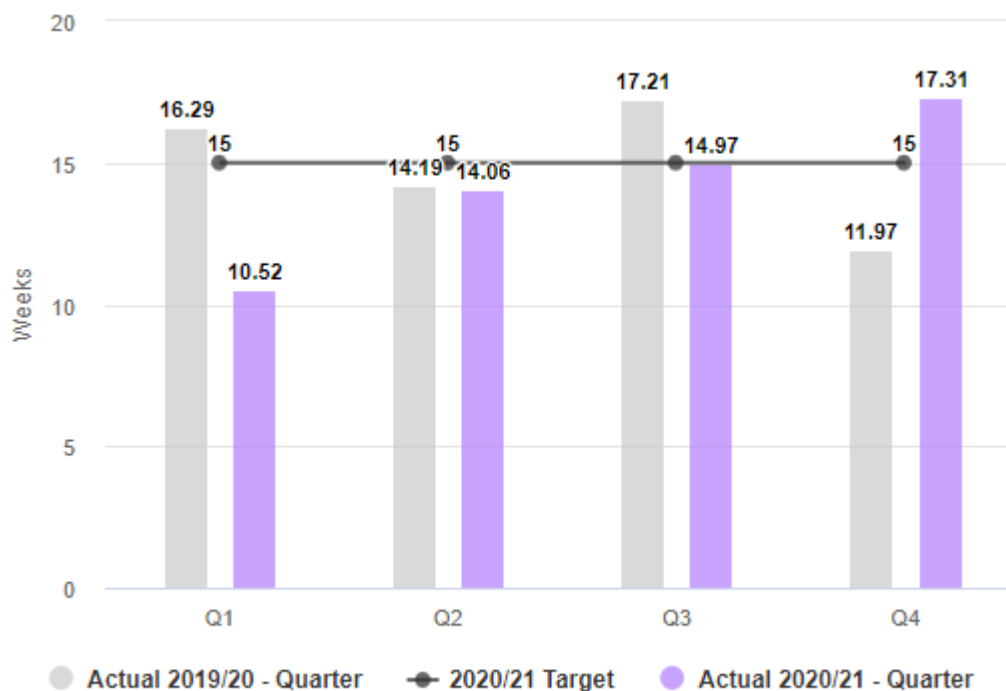


### Number of Households in Temporary Accommodation

Polarity: Lower is better

### Average Weeks in Temporary Accommodation

9. This measurement is the average number of weeks that households in temporary accommodation have remained in temporary accommodation.
10. The target for 2020/21 is 15 weeks.



### Average Weeks in Temporary Accommodation

Polarity: Lower is better

### Housing & Homelessness Summary

11. The impact of COVID-19 on housing completions across the district continues to be severe and whilst it was hoped figures would pick up in Q4 this has not materialised. There remains a significant lag on delivery; in particular, the district's strategic sites in West & North East Bexhill. Developers have cited shortages of materials as one of the main hurdles to delivery, compounded by post BREXIT market conditions.
12. Like in Q3, it is also worth noting a number of Approved Inspectors have not submitted their completion certificates (so any property at this stage cannot be included in the final figures).
13. By end of March 2021, we received a total of 77 affordable housing completions out of our 115-supply target for 2020/21. This shortfall of delivery is primarily due onsite caused by the COVID-19 pandemic and Government restrictions on construction sites preventing schemes progressing at a normal pace.
14. Of the 77 affordable completions, 33 AH were AR (43%) and 44 SO (57%). This is a higher number of SO than normally expected and over the planning policy level. This is mainly due to phasing of larger schemes, to include the first phase of the Orbit s106 site at Wrestwood Road Bexhill. Affordable rental tenures are expected to complete on this site during 2021.



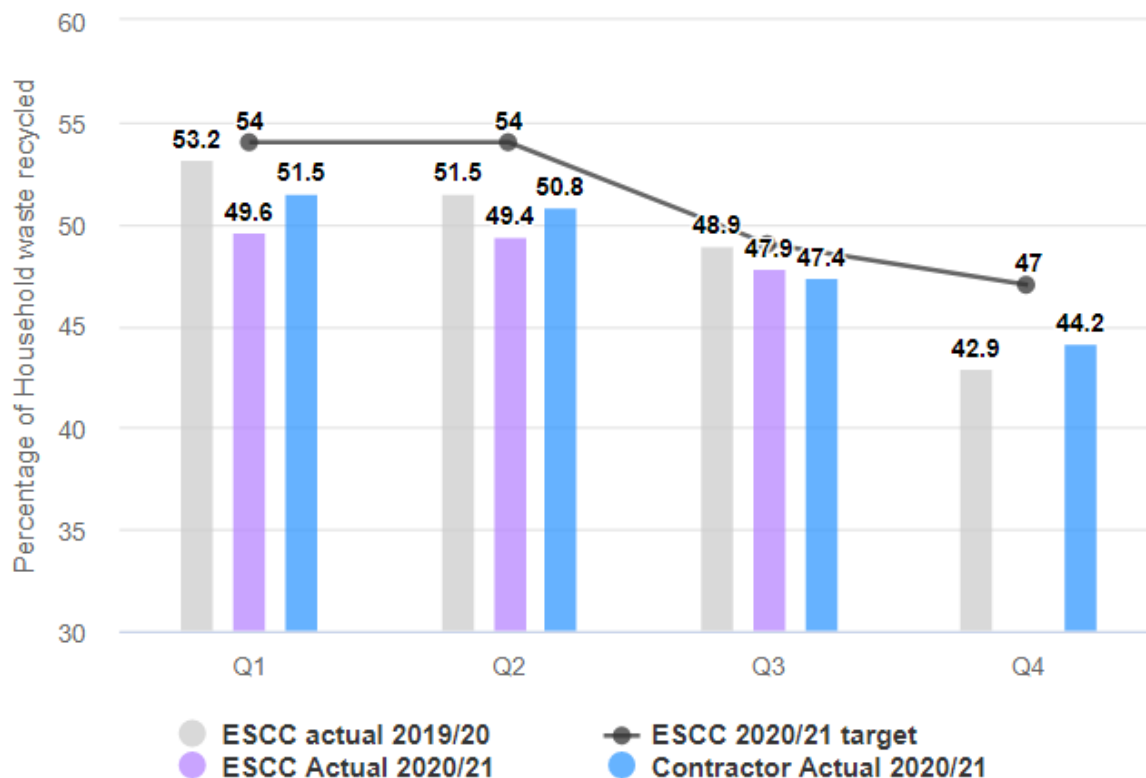
## **Appendix A**

15. 3 x supported affordable housing dwellings for young people were secured by the YMCA during 2020/21. And one wheelchair dwelling built to M4 (3) standards at Bankyfields, Ticehurst was delivered during October 2020. All other completions were general needs housing.
16. From the total completions received during 2020/2021, Optivo remains the leading register provider delivering over 79% of the Affordable Housing Development Programme in Rother.
17. The prevention of homelessness levels in achieving positive outcomes was improving prior to the COVID-19 pandemic, 3.2 in 1,000 households being prevented in 2019/20 compared to 2.3 in 2018/19. The trend has unfortunately been reversed during Q4 2020/21. One of the effects of COVID-19 has been that the availability of private rented accommodation has fallen significantly, leaving councils less able to support households in housing difficulty, to access new accommodation.
18. There is a concern that the present restrictions on evictions could lead to a flood in evictions once the restrictions are lifted. In response we are reviewing our incentive schemes within the Rother Tenant Finder Service.
19. It is unfortunate that we are seeing the same impact on the time people spend in temporary accommodation (TA) as we are proving less able to secure alternative accommodation effectively. We also continue to see a rise in new cases entering TA which can have the effect of tempering the full extent of the increasing time many households are accommodated in TA. We have seen a steady increase in the total number of homeless households accommodated in TA due to COVID-19, from 51 households in February 2020 to 87 households in March 2021.
20. We are continuing to purchase new properties for use as TA to complement the 5 properties we have to date. We are confident of having 20 units by summer 2021 as following the additional £6million investment approved by Cabinet in recent months.

## WASTE & RECYCLING

### Household waste Re-used, Composted and Recycled

1. This measurement is the percentage of collected household waste sent to be re-used, recycled and composted.
2. There are two measurements. The first based on data reported by East Sussex County Council (ESCC) which includes all waste collection streams and is reported one quarter in arrears. The second measurement is provided by our contractor and includes most, but not all waste collection streams; this measurement is not the official result but gives an indication of likely outturn.

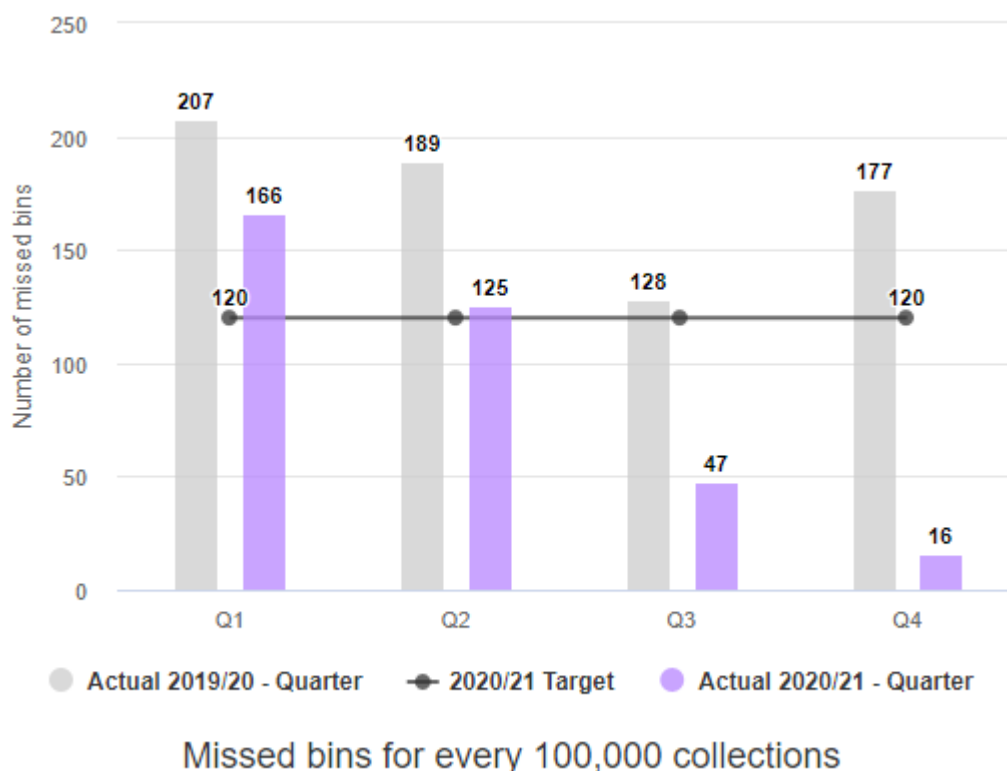


### Waste Re-Used, Composted and Recycled

Polarity: Higher is better

### Missed bins for every 100,000 collections

3. This measurement is calculated by dividing the number of missed bins by the total number of collections and multiplying by 100,000 so the data is comparable across all waste collection services.
4. The contract target for 2020/21 is no more than 120 missed bins per 100,000 collections.



Polarity: Lower is better

### Waste & Recycling Summary

5. The overall number of missed bins for waste collections has continued to steadily reduce in Q4 and the number of 16 per 100,000 remains much improved on the target of 120. Biffa remains confident the level of service of less than 96 missed bin collections (the new agreed Joint Waste & Recycling Committee target) will continue providing that COVID-19 infections remain at a low level locally and Biffa continue to work diligently to mitigate infection risks. To date all services are working well and no issues reported.
6. Contractor waste reused, composted, and recycled overall for Q4 has fallen to 44.2%, against ESCC actual last year of 42.9% for the same period. This is the expected drop in percentage due to the seasonal reduction in garden waste. ESCC waste data year to date to December 2020 is 49.05%. The recycling rate is heavily influenced by garden waste volumes, which in turn is subject to seasonal variations, weather patterns and numbers of garden waste subscribers. Following recent promotion and officer focus on increasing the number of garden waste subscribers, we are delighted to report that we now have just under 20,500 customers which means the service is delivered by Biffa at a more cost-effective rate to the Council. In turn this

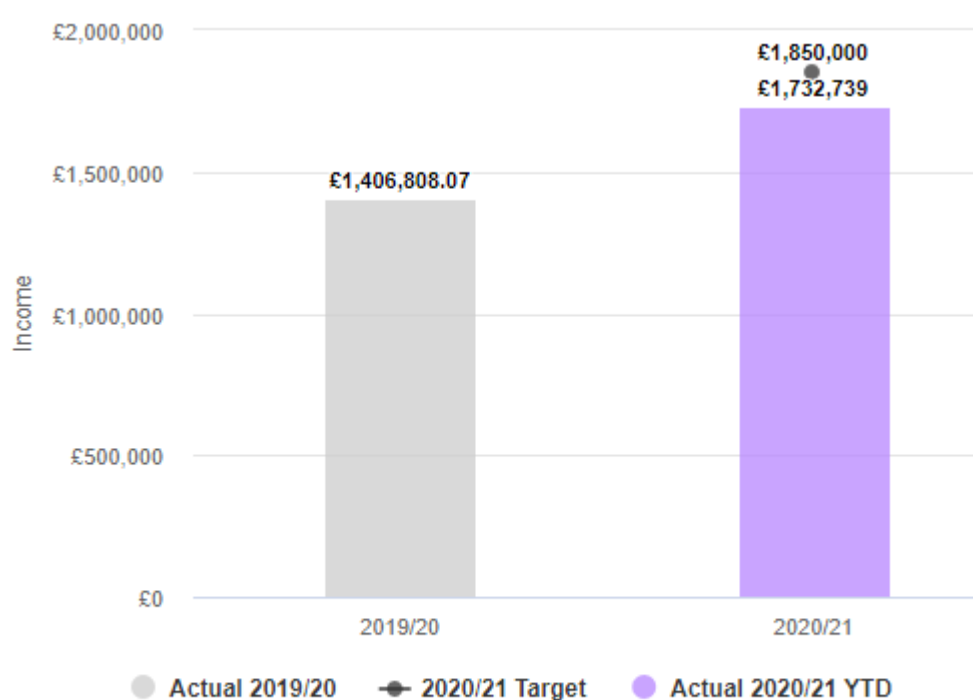
should increase tonnage collected and so should support an increase in recycling percentage during the Spring and Autumn in particular.

7. Since COVID-19 restrictions were introduced in March 2020 domestic waste tonnages have remained at significantly high volumes, with continuing high levels of contamination of 'Bring sites' containers and fly tips adding to the increased percentage of refuse and a knock-on reduction in recycling. Delays are still being experienced at ESCC Household Waste & Recycling Sites which may be adding to these volume increases. Officers continue to progress the reduction in the number of bring sites and improve the quality of materials collected at the remaining sites.

## ASSET INCOME

### Net Income from All Investment Assets

1. This measurement is forecast annual net income from investments calculated from gross income less expenditure excluding borrowing and interest payments.
2. The Asset Income total does not include 'community' assets which might also generate an income such as sports facilities, allotments etc.
3. The target for 2020/21 is £1,850,000. This does not include any provision for income from any new property purchases achieved in the year.

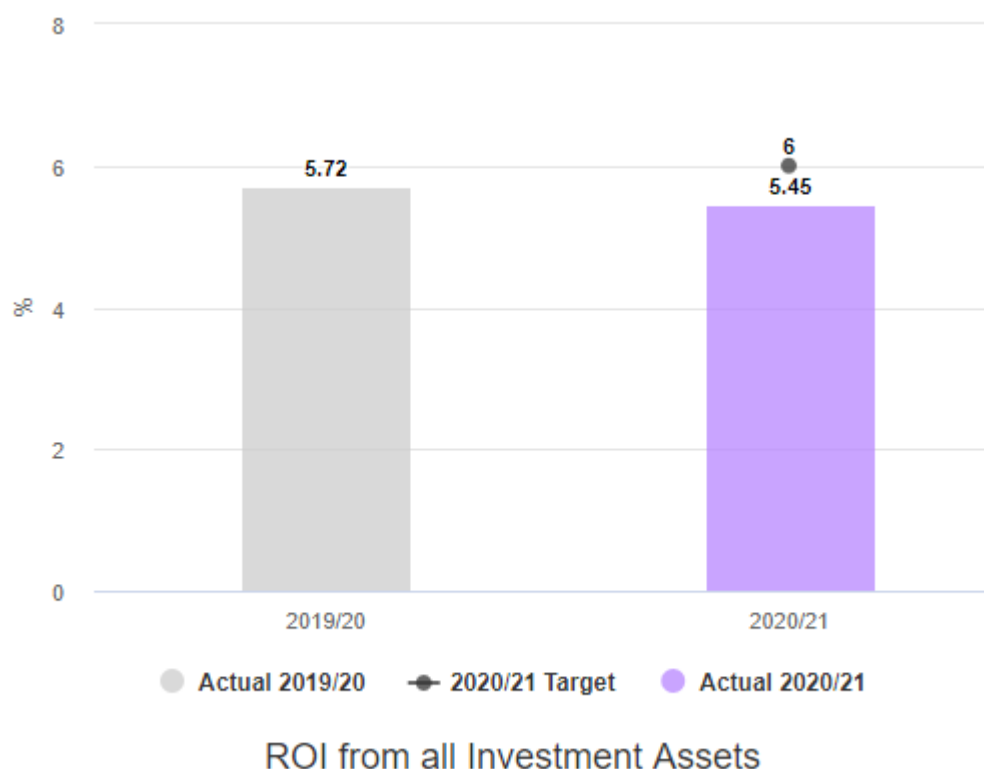


### Net Income from all Investment Assets

Polarity: Higher is better

### Investment Asset: Return on Investment %

4. The Council calculates its return on investment based on the valuation of the investment assets, their combined income and combined expenditure.
5. The target for 2020/21 is a 6% return on investment.



Polarity: Higher is better

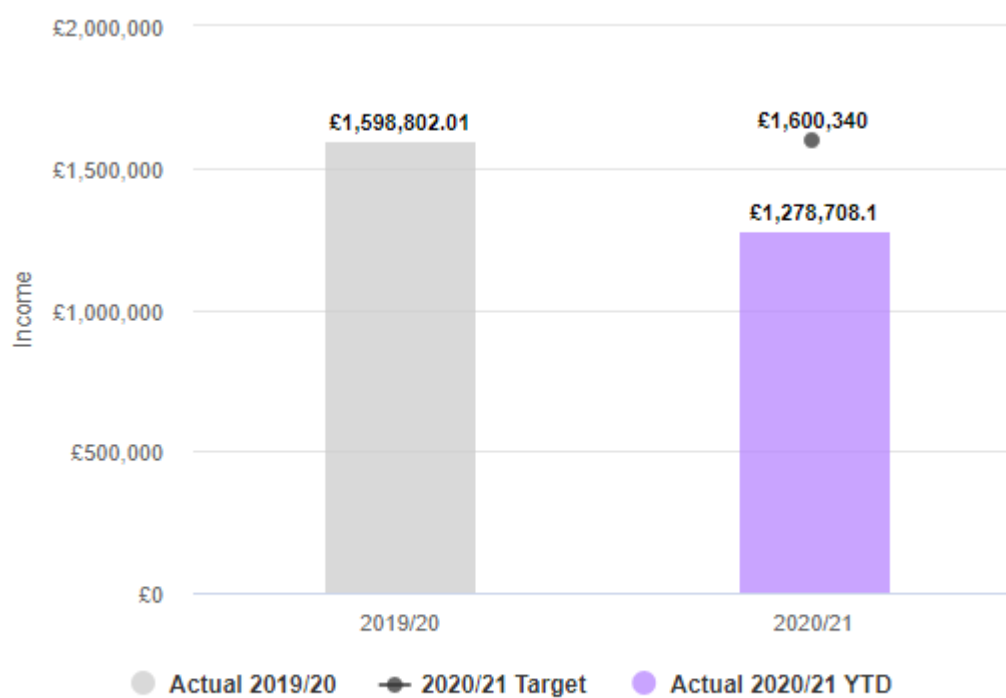
### Asset Income Summary

6. Given the overall impact of COVID-19 on employers throughout the district, the final outturn for the return-on-investment assets is positive. It was initially anticipated that £120,000 would be lost in rent arrears and the realised position is slightly under this. No additional purchases were made in the last financial year as focus is placed upon the delivery of projects already in the programme.

## OTHER INCOME

### Car Park Income

1. This measurement monitors the income received from RDC owned car parks.
2. The target for 2020/21 is £1,600,000.

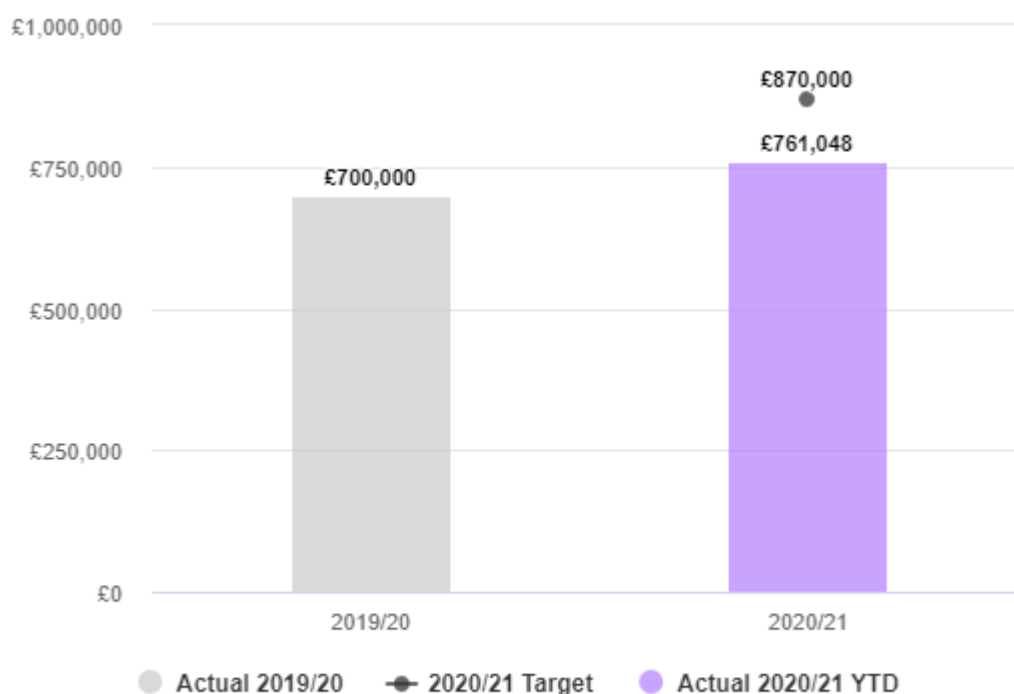


### Car Park Income

Polarity: Higher is better

## Garden Waste Income

3. This indicator is to measure the impact of increasing garden waste collection charges by £5.
4. The Target for 2020/21 is £870,000.



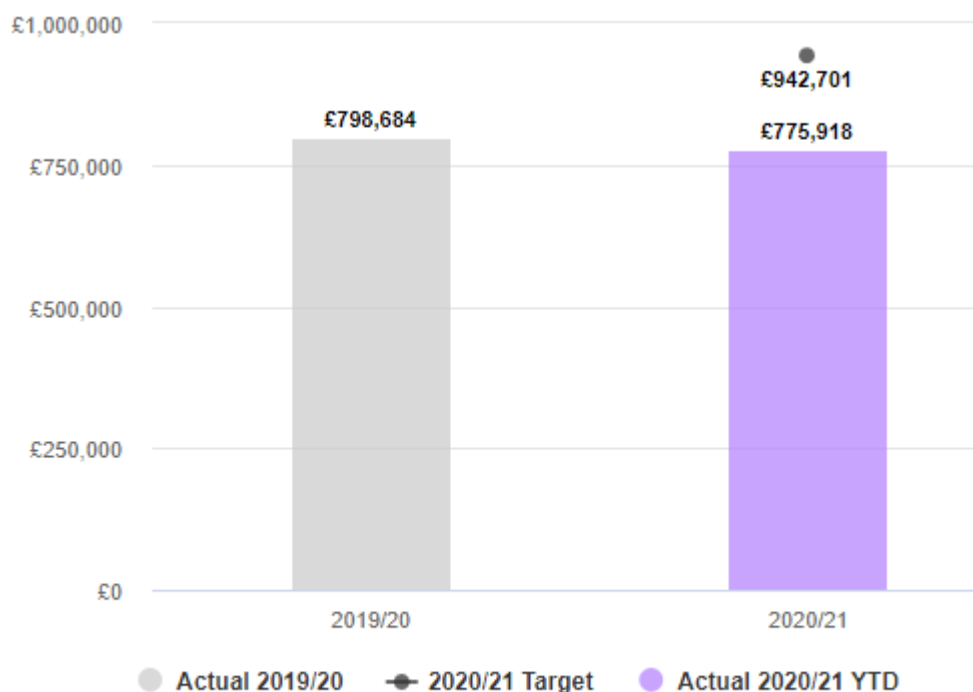
## Garden Waste Income

Polarity: Higher is better



## Planning Income

5. This measures the income received for planning applications, land charges and pre-planning advice.
6. The target for 2020/21 is £940,000.



### Planning Income

Polarity: Higher is better

## Other Income Summary

7. The car park budget for 2020/2021 was set prior to COVID-19 outbreak at £1,600,000 and achieved £1,278,708.10, a deficit of £321,000. Most car parks experienced a drop in annual revenue of between 39% to 57% against 2019/2020 due to the COVID-19 lockdowns and restrictions on peoples' movement. Three car parks at Camber Sands went against this trend with Camber Central car park achieving an increase in revenue of 21.1%, Camber Western increased by 59.2% and Old Lydd achieving an increase of 58.6%.
8. The garden waste service was suspended during the first lockdown in April 2020 to allow the waste collection contractor to focus available resources on statutory refuse and recycling waste collections. Garden waste customers lost 4 weeks of paid service and it was agreed that customers who renewed would be able to renew at the pre-existing rate of £35 per annum instead of the new rate of £40 in compensation. This resulted in an initial loss of revenue of approximately £92,000. Some of this the loss was made up during the course of the year through gaining more garden waste subscribers.

9. Following a successful campaign during December 2020 through to March 2021, officers focused on increasing the number of garden waste subscribers. We are delighted to report that we now have just under 20,500 customers, up from a previous high of approximately 19,600 in July 2020, which not only means increased revenue but that also the service is delivered by our contractor at a more cost-effective rate to the Council.
10. Planning income in real terms has held up reasonably well £775,917.33 compared with £798,702.41 last year, which is very positive, taking into consideration all the issues surrounding COVID-19 in the last 12 months. As we look forward there are signs of further recovery as we are receiving higher numbers of planning applications since the turn of the year, which will increase income.

## Rother District Council

**Report to:** Overview and Scrutiny Committee

**Date:** 7 June 2021

**Title:** Annual Work Programme

**Report of:** Chief Executive

**Ward(s):** All

**Purpose of Report:** Members to give consideration to Council priorities when setting the Overview and Scrutiny Committee's Work Programme for the year 2021/22.

### Officer

**Recommendation(s):** It be **RESOLVED:** That the Committee set its Work Programme for the new Council year and determine which Sub-Committees / Task & Finish Groups it wishes to appoint / re-appoint.

---

### Introduction

1. In accordance with the Constitution, the Overview and Scrutiny Committee (OSC) will:
  - a) receive reports from the Leader after each annual Council meeting on the Executive's Priorities for the coming year and its performance in the previous year and, if the Leader so chooses, on the state of the District [Part 4, paragraph 1(c)(i)]; and
  - b) approve an annual OSC Work Programme, including the programme of any Sub-Committees / Task & Finish Groups it appoints so as to ensure that the Committee and Sub-Committees / Task & Finish Groups' time is effectively and efficiently utilised [Part 4, paragraph 1(c)(ii)].
2. In order to manage the OSC's workload and ensure that there is sufficient time to fully consider the issues arising, it is recommended that priorities are set. These priorities should take account of the time and resources each work item will require and the importance of that item to the Council's priorities.

### Other Considerations

3. In establishing its Work Programme, the OSC needs to consider the terms of reference for each scrutiny or review item, who it wishes to involve and consult with and which key partners or expert witnesses it may wish to involve.
4. In all of these considerations the most important one that the OSC should bear in mind is how the outcome of the Committee's deliberations will have a positive effect on the well-being of residents and businesses of the area. The OSC also needs to consider how scrutiny can be used to engage with the community either directly or by giving a high profile to matters of concern to residents.

5. Members will need to consider these issues in tandem with the Executive Priorities as set out in the Corporate Plan 2014-21 and the emerging Corporate Plan when setting the Work Programme.

### **Annual Scrutiny Work Programming Meeting**

6. The Annual Scrutiny Work Programme meeting was not held this year, but the Work Programme was circulated by email to Members of the OSC, other non-Executive Members and the Corporate Management Team and examined alongside key work priorities of the Council for 2021/22. Ideas and suggestions for issues to be considered for inclusion in the Work Programme for the year as a result were collated, Members were asked to give each a priority rating of 1-3 (1 being the highest) along with those already listed under 'Items for Consideration' and are attached at Appendix 1 to the report.
7. Members will need to consider whether the OSC's Work Programme, attached at Appendix 2, needs to be amended to reflect any items identified.

### **Sub-Committees and Task and Finish Groups**

8. In accordance with the Constitution, the OSC may appoint up to four formal Sub-Committees or four informal Task and Finish Groups which can include residents, experts or representatives from outside bodies in their membership at any one time. The only proviso being that the same Heads of Service or officers are not involved in more than one active Sub-Committee / Task and Finish Group at any one time.
9. As a distinction, Sub-Committees are formally constituted, should reflect the political make-up of the Council and must meet in public with Agendas and Reports available 5 clear working days in advance of any meeting. Task and Finish Groups are usually less formal, do not normally meet in public and are not required to meet the 5 clear working day requirement for Agenda publication.
10. In setting and agreeing the Work Programme, Members should consider whether to maintain the existing Groups or establish new Sub-Committees or Task and Finish Groups and, if so, to make appointments to them.
11. During the last municipal year, the OSC established one new Task and Finish Group: Off-Street Car Parks Task and Finish Group (OSCPT&FG). The Anti-Poverty Task and Finish Group (APT&FG) was established in January 2020 but did not meet for the first time until August 2020.
12. At the meeting held on 26 April, the OSC decided to extend the life and expand the remit of the OSCPT&FG (Minute OSC20/57 refers). The current Membership is: J Barnes, Mrs V. Cook, P.C. Courtel, L.M. Langlands, C.A. Madeley, P.N. Osborne and G.F. Stevens. The OSC is invited to confirm or make changes to the Membership of this Group.
13. Elsewhere on this Agenda, the OSC will be asked to consider the final recommendations of the APT&FG; the OSC will also need to decide whether to reform this Group to consider the proposed Anti-Poverty Strategy when it is compiled, or whether the draft strategy will be presented to the full OSC. The current Membership is: J. Barnes, M.L. Barnes, J.J. Carroll, S.J. Coleman, Mrs V. Cook, Mrs D.C. Earl-Williams, P.J. Gray and C.A. Madeley.

## **Bexhill Town Centre Steering Group**

14. The Bexhill Town Centre Steering Group (BTCSG) had initially been established by Cabinet to deliver the vision and objectives of the Bexhill Town Centre Strategy (BTCS) June 2013; the Strategy seeks to collaborate with key groups and agencies in the area in its delivery plan.
15. Following a change of political control and Cabinet Portfolio Holder in May 2019, it was decided that the original timetable was insufficient to develop the BTCS. Therefore, the timetable had been reviewed and Terms of Reference amended accordingly.
16. In November 2019, Cabinet agreed the revised Terms of Reference and an initial allocation of £10,000 of the Town Centre Section 106 funding to start the work of developing a Town Centre Strategy and Masterplan with a further report to come back to Cabinet following the reconstitution of the Bexhill Town Centre Steering Group.
17. Working with a wide variety of stakeholders the BTCSG, led by Rother District Council (RDC), will create a new Town Centre Strategy and Master Plan that will clearly define and articulate the vision for the future sustainable economy of the area. The BTCSG will also set out a proposed funding approach and will be responsible for initiating engagement with key partners to secure funding for the delivery of the Strategy's aims and objectives. The BTCSG is tasked with being ambitious and aspirational in its plans for Bexhill.
18. The Strategy will build on the work already delivered by the group in recent years. The ultimate ambition for this work is to provide Bexhill with a town centre that works for all those who use it, as residents, businesses and or visitors.
19. The OSC may wish to request an update on the work of the Steering Group from either a member of the Group or the Cabinet Portfolio Holder for Economic Development and Regeneration.

## **Crime and Disorder Committee**

20. Under section 19 of the Police and Justice Act 2006, the Scrutiny Committee is designated as the Council's 'Crime and Disorder Committee'. This is not a separate working or steering group; it simply means that on an annual basis, as part of their regular Scrutiny business, the OSC reviews the work of the Rother and Hastings Community Safety Partnership (RHCSPP) as the Council's Crime and Disorder Committee.
21. The Committee receives an annual report from the RHCSPP. Members of the OSC can then decide whether there are any specific decisions or actions of the RHCSPP that they believe require further scrutiny.

## **Conclusion**

22. Members need to consider, set and agree the Committee's Work Programme for the year, taking into account the various issues set out within the report. The Work Programme should be flexible to accommodate any changes in priorities and circumstances, which may emerge during the year.

## Risk Management

23. Failure to set a realistic and achievable Work Programme which supports the Council's Aims and Executive's Priorities may result in the Council losing opportunities for the development of an effective overview and scrutiny function.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Risk Management	Yes	Exempt from publication	No

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Appendices:	Appendix 1 Items for Consideration Appendix 2 Overview and Scrutiny Work Programme 2021/22
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A

ITEMS FOR CONSIDERATION	
SUBJECT	WEIGHTING OF PRIORITY 1-3 (1 being the highest priority)
Regeneration incl Leisure Centre, Fountains, Skate Park and Accessibility of Green Spaces across the district	1
Corporate Plan review – referred back by Cabinet	
Review of the Tourism Strategy	1
Review of the Economic Regeneration Strategy	
Peer Review	
Annual review of Homelessness Strategy	2
Draft Anti-Poverty Strategy Proposals	2
Draft Corporate Customer Services Strategy Proposals	1
Litter Strategy	2
Progress of the Environment Strategy	1
Impact of Airbnb and second homes in Rye/Winchelsea/Camber	

## OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2021 – 2022		
DATE OF MEETING	SUBJECT – MAIN ITEM IN BOLD	Cabinet Portfolio Holder
07.06.21	<ul style="list-style-type: none"> <li>• <b>Report of the Anti-Poverty Task and Finish Group</b></li> <li>• Performance Progress Report: Fourth Quarter 2020/21</li> <li>• Annual Work Programme</li> <li>• Financial Assistance Policy 2021-2025 (Disabled Facilities Grants)</li> <li>• Egerton Park Children's Centre</li> </ul>	Byrne Dixon
19.07.21	<ul style="list-style-type: none"> <li>• Revenue Budget and Capital Programme Monitoring Quarter 4 2020/21</li> </ul>	Dixon
13.09.21	<ul style="list-style-type: none"> <li>• Performance Progress Report: First Quarter 2021/22</li> <li>• Revenue Budget and Capital Programme Monitoring – Quarter 1 2021/22</li> <li>• Post-COVID Recovery Plan</li> </ul>	Dixon Bayliss
18.10.21	<ul style="list-style-type: none"> <li>• Medium Term Financial Plan 2022/23 to 2026/27</li> </ul>	Dixon
22.11.21	<ul style="list-style-type: none"> <li>• Performance Progress Report: Second Quarter 2021/22</li> <li>• Revenue Budget and Capital Programme Monitoring – Quarter 2 2021/22</li> </ul>	Dixon
24.01.22	<ul style="list-style-type: none"> <li>• <b>Draft Revenue Budget Proposals 2022/23</b></li> <li>• Report of the Off-Street Car Parks Task and Finish Group</li> </ul>	Dixon Field
14.03.22	<ul style="list-style-type: none"> <li>• <b>Crime and Disorder Committee: to receive a report from the Community Safety Partnership</b></li> <li>• Performance Progress Report: Third Quarter 2021/22</li> <li>• Revenue Budget and Capital Programme Monitoring – Quarter 3 2021/22</li> </ul>	Dixon
25.04.22	<ul style="list-style-type: none"> <li>• Call-in and Urgency Procedures</li> <li>• Draft Annual Report to Council</li> </ul>	