

Rother District Council

Report to	-	Council
Date	-	5 July 2021
Report of the	-	Cabinet
Subject	-	References from Cabinet Meetings

The Council is asked to consider recommendations arising from the Cabinet meetings held on 24 May and 28 June 2021, as set out below.

CABINET – 24 May 2021

CB21/04. PRIVATE SECTOR LEASING SCHEME

The Head of Housing and Community outlined two measures proposed to improve housing outcomes and reduce the cost to the Council of providing temporary accommodation (TA) by preventing homelessness through greater access to quality and affordable accommodation.

To date, the Council had over 100 households within TA with the average stay of a household with children being 66 days at a cost of £2,500. During the COVID-19 pandemic, fewer properties had been made available to the Rother Tenant Finder Scheme (RTFS) as a result of a significant stagnation in the lettings market and increased rental charges. Therefore it was considered opportune to review the RTFS, as well as various incentives offered to private sector landlords and estate agents. It was noted that the RTFS had secured a limited number of properties during the pandemic, as a result of the provision of 0% tenant loans, as well as incentive payments to landlords and agents, funded through a combination of external government grants.

The two measures proposed to secure more accommodation were a Private Sector Lease Scheme (PSLS) and Rent Guarantee Scheme (RGS).

The PSLS would provide the Council access to properties for a fixed period and property owners would be guaranteed a fixed monthly payment. Properties would need to meet or exceed defined national standards and the property owner would retain full responsibility for the management, maintenance and repair of the external fabric of the building. At the end of the lease period, the property would be returned to the owner in the same condition as at commencement of the lease (except for an allowance on reasonable wear and tear). Initially, properties would be managed by an external management organisation with the potential to bring in-house once economies of scale could be achieved and property management expertise had been developed.

Cabinet was advised that the scheme would be funded from an external Homeless Prevention Grant allocated annually by the Ministry of Housing Community and Local Government (MHCLG). It was proposed that 30 properties be leased over 24 months (15 Year 1, 15

Year 2) and reviewed at the end of this period to ascertain whether the scheme was operating effectively. Each property would contribute 5% annual income to offset any repair costs.

The RGS, also funded from the external Homelessness Prevention Grant would underwrite landlord arrears risks, subject to the following conditions:

- time limited to 12 months;
- the Council would be liable for up to six months of rent arrears accrued during the first 12 months of the tenancy;
- guarantees would be provided for Assured Shorthold Tenancies with a minimum fixed term of 12 months;
- tenancies must be assessed as affordable for the tenant; and
- the landlord or their agent must inform the Council in writing within seven days of the first missed rent payment and within seven days of all subsequent missed payments.

The Council's Tenancy Sustainment Officer would monitor tenants' rent accounts and offer support to sustain rental payments. However, even with support there was a risk that some tenants would default on their rent payments. A 20% arrears level was considered a reasonable worst-case scenario; however the team would operate to an arrears target of 5% which was comfortably achieved by most Registered Providers.

The two options enabled the RTFS to make a more competitive offer to landlords and property owners that would enable the Council to reach its Corporate Plan target of securing 100 tenancies per year for homeless households by March 2023.

The two measures would prevent the need for the Council to place households in expensive TA, avoiding the associated cost. The P SLS proposal would enable the Council to avoid up to £11,000 of TA costs in its first year and £7,000 in its second year. The RGS would enable the Council to avoid up to £48,000 for every 30 rent guarantees issued.

RECOMMENDED: That:

- 1) lease agreements be entered into with property owners to enable the provision of tenancy agreements between the Council and households who are homeless or at risk of homelessness;
- 2) the Head of Service Housing and Community be authorised to enter into property and rent account management contracts; and
- 3) fixed-term rent guarantees be issued to private sector landlords to enable access to households who are homeless or at risk of homelessness.

(Cabinet Agenda Item 9)

CB21/12. CARAVAN SITES FIT AND PROPER PERSON FEES POLICY 2021

Following the introduction of new regulations on 1 July 2021, the Council was required to maintain a register of site managers of mobile home parks. Under the Mobile Homes (Requirements for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 (SI2020/1034), site owners must apply to their local authority for the appointed manager to be added to the register of fit and proper persons managing sites in their area.

The Council currently licenced four sites (130 units) to which the new regulations applied; fees did not apply to sites used for holiday purposes or other non-permanent residential sites. The Government had produced guidance to be followed in determining whether a person was fit and proper, including a Disclosure and Baring Service check. Regulations permitted the Council to determine the fee for an application or registration for someone to be added to the register and were limited to recovering the costs of exercising the fit and proper person test function only.

It was recommended that the initial application fee was set at £70 based on estimated processing time and to cover the additional cost of monitoring the fit and proper person scheme, an additional annual fee for registration be set at £0.50 per unit, to a maximum of £50, in accordance with Government guidance. In cases where, with the consent of the site owner, the Council appointed an individual to manage the site, a fee of £100 would be incurred; however, this was not considered likely. It was noted that if an application to be included on the register was not approved, the fee would not be refunded.

The annual fee therefore to be charged from 1 April 2022 was recommended as follows:

Relevant Protected Sites	Band				
	A (2 – 5)	B (6 - 24)	C (25 - 99)	D (100+)	E (Single unit sites and family sites)
Number of units on site					
Annual Fee	No Fee Charged	£185.00 Plus £0.50 per unit for registration of fit and proper person	£215.00 Plus £0.50 per unit for registration of fit and proper person	£285.00	No Fee Charged

RECOMMENDED: That the Caravan Sites Fit and Proper Person Fees Policy 2021 as set out above be approved and adopted.

(Cabinet Agenda Item 6)

CB21/13. **FINANCIAL ASSISTANCE POLICY 2021-2025 (DISABLED FACILITIES GRANTS)**

Cabinet received and considered Minute OSC21/07 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 7 June 2021 regarding a revised Financial Assistance Policy 2021-2025 (Disabled Facilities Grants [DFG]).

The OSC had considered the proposed revised Financial Assistance Policy 2021-2025 (DDFG that enabled the provision of DFG funding through the Better Care Fund (BCF) and had supported the policy. DFGs were essential for improving the health and wellbeing of residents who experienced disability and mobility impairments.

In addition, the new Discretionary Disabled Project Grant would allow the Council to maximise the use of the BCF allocation through more flexible use of the funds and to make adaptations to its own estate and those public realm locations for which it was responsible. Those eligible to apply were detailed within the report and included voluntary / community groups, parish councils, faith groups, and not-for-profit organisations. Cabinet was pleased to endorse and recommend onto full Council.

RECOMMENDED: That:

- 1) the Financial Assistance Policy 2021-2025 be approved and adopted [Appendix 1 to this report]; and
- 2) initially, £200,000 be allocated to the Discretionary Disabled Project Grant from the balance of Disabled Facilities Grant funds held in earmarked reserves.

(Cabinet Agenda Item 9)

CB21/14. **PROTECTING DISCRETIONARY SERVICES STRATEGY**

Following the creation of the Bexhill-on-Sea Parish Council (now known as Bexhill Town Council), Rother was now fully parished and this presented an opportunity for Rother District Council (RDC) to become predominately strategic and regulatory within the district.

Integral to this was to consider how and by whom discretionary services were best provided, with the guiding principle of ensuring such services were delivered by the most appropriate organisation, closest to the community it served. In addition, the devolvement of these services would help to alleviate the Council's financial deficit and reliance on reserves.

The Council's programme of work to deliver financial stability, as set out in the emerging Corporate Plan, sought to transfer certain community assets to organisations better able to protect them and secure their public use into the future. A simple and straightforward strategy, attached at Appendix A to the report, had been developed that set out the Council's proposed approach.

The report gave details of the discretionary services the strategy sought to protect, how decisions would be made about which assets to transfer, who would be delivery partners, how assets would be protected from change of use or disposal, early financial support packages to delivery partners and who the other key stakeholders were. Good working relationships were being forged with the Parish and Town Councils across the district and the Council would be working in partnership and agreement with them and others to progress this work. It was made clear that there was no intention to close any public conveniences across the district which were considered a necessity.

A communications plan would be developed in conjunction with the Council's communications team to ensure that the rationale for the approach was understood by all. Work would be progressed by a small dedicated team, including both relevant operational staff together with legal and financial support, and represented a great learning opportunity for staff and secondments would be encouraged.

RECOMMENDED: That the Protecting Discretionary Services Strategy at Appendix 2 to this report be approved and adopted.

(Cabinet Agenda Item 9)

CB21/15.
(13)

**CORPORATE PLAN CONSULTATION RESPONSE AND
CORPORATE PROGRAMME 2020-2027**

The draft Corporate Plan 2020-2027 (Appendix A to the report) had been subject to a six-week consultation period, following approval earlier in the year. The report set out the response to the consultation and recommended that the Corporate Plan be approved and adopted, without amendment, and the Corporate Programme of projects to deliver the Corporate Plan be approved.

Consultation invitations were sent to 127 business and voluntary organisations, schools, colleges, public bodies, leisure and interest groups and organisations across Rother, including all the Parish and Town Councils (P&TCs) in Rother, together with 400 residents in the Rother Citizens Panel. Whilst it was disappointing to note that only 133 responses were received, considering that the consultation took place on line, during the pandemic, with no opportunity for face-to-face events, the quality of responses was considered high. All objectives had majority support and a detailed analysis of all responses was provided at Appendix B to the report. Members were also disappointed to note the low level response from the 32 P&TCs (+1 parish meeting) across the district and more work to engage with these local authorities was required.

The draft Corporate Programme of projects to deliver the Corporate Plan had been developed through the consultation period with Corporate Management Team and council officers. A total of 23 projects had been identified and these were attached to the report at Appendix C. The project scopes would be presented to a newly formed Programme Board to review and assess if the projects met the vision and priorities of the new Corporate Plan. The Programme Board

would initially consist of the Chief Executive, the Section 151 Officer and three Members appointed by the Leader of the Council and progress reports would be made quarterly. An annual report on progress of the Corporate Programme would also be presented to the Overview and Scrutiny Committee.

It was noted that the Corporate Plan was a living document and the Council would be able to add additional projects to the Corporate Programme identified to deliver the outcomes within the Plan. The current plan was achievable and focused and officer resources were available to deliver within the timescales. Following debate, Members agreed that it be recommended to Council that an objective to develop a healthy living strategy, subject to consultation, be added to the plan later in the year.

RECOMMENDED: That the:

- 1) draft Corporate Plan [Appendix 3 to this report] be approved and adopted;
- 2) that an objective to develop a healthy living strategy, subject to consultation be added to the plan, later in the year; and
- 3) draft Corporate Programme [Appendix 4 to this report] be approved and adopted.

Cabinet also **RESOLVED:** That subject to the approval of full Council, a Corporate Programme Board of Members and senior officers, to be appointed by the Leader of the Council, be established to monitor the delivery of the Corporate Programme 2020-2027.

(When it first became apparent, Councillor Dixon declared a Personal Interest as his wife was Clerk to Brede Parish Council who had responded to the consultation and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

(Cabinet Agenda Item 10)

CB21/16. **COUNCIL RESTRUCTURE**

As a consequence of the emerging Corporate Plan, it had already been established that the officer structure and allocation of resources would need to change to ensure sufficient organisational focus was maintained on delivering the ambitions of the current administration.

The report set out the broad proposals for the new structure and sought approval for the reassignment of the Chief Finance Officer and Monitoring Officer roles. The restructure would take place in two phases, firstly the restructure of the senior management team (Chief Officers) and secondly the departmental structure. The draft Chief Officer and departmental structure was attached at Appendix A to the report.

The new structure saw the creation of two new posts, Deputy Chief Executive and Director of Place/Climate. The Deputy Chief Executive

post would focus on the transformational change of the Council and would also carry the statutory role of Monitoring Officer. The Director of Place/Climate would focus on the climate emergency and the place shaping ambitions of the Corporate Plan. To ensure the two new posts were affordable, there would be a reduction of two existing Heads of Service which would lead to redundancies at the current Head of Service level. The Assistant Director, Resources post was to be deleted from the new structure and the statutory position of Chief Finance Officer (CFO) would be reassigned to the Council's Finance Manager.

Consultation with staff and union representatives had taken place and it was confirmed that most of the responses to date were concerning the process and procedures that would be undertaken and not objection to the proposals. All Heads of Service and senior officers involved had been spoken to on a 1:1 basis and dialogue was on-going.

Some concern was expressed regarding the hierarchical nature of the proposals, as opposed to a flatter structure, which was more common place, whether the proposal to have a Director responsible for both the green agenda and planning gave rise to a possible conflict and the perceived playing down of finance, given the Council's current and future financial deficit issues. Since returning to a single Chief Executive (CE) model, experience had shown that the CE was being drawn into operational issues; the two new posts would remove that call on the CE's time to enable improved focus on strategic matters. The CFO post would be focusing purely on finance and be part of the Corporate Core and in other areas, the structure would be flatter. The current Assistant Director Resources had many other services under his remit and this separation of the finance role was a welcome step. It was noted that all Members would be briefed on the iESE report following the review of the planning service.

The appointment process to both new posts would require the establishment of a Member Panel to undertake the interviews, with the support of the Chief Executive. It was suggested that the Leader of the Council, in consultation with all Group Leaders, appoint five Members to the Panel, made up of representation from all the political parties/groupings on the Council. Following the appointments to the new posts, departmental structures would be finalised, and further consultation carried out with staff and unions as appropriate. It was envisaged that the full implementation of the new structure would take in the order of six months to complete; an outline of the timetable was attached at Appendix B to the report.

Whilst it was hoped that the restructure would broadly be cost neutral in terms of on-going staffing costs, it was recognised that there may be one-off costs that would need to be met from reserves in order to deliver the new structure.

RECOMMENDED: That at the appropriate time in the implementation of the new officer structure, the Chief Finance Officer role be reassigned to the post of Finance Manager and the Monitoring Officer role be reassigned to the post of Deputy Chief Executive.

Cabinet also **RESOLVED:** That the Leader of the Council, in consultation with Group Leaders, agree the Members to serve on the Interview Panel for the posts of Deputy Chief Executive and Director of Place/Climate.

(Cabinet Agenda Item 16)

Councillor D.B. Oliver
Leader of the Council