

Public Document Pack



Nottingham City Council Overview and Scrutiny Committee

Date: Wednesday, 3 March 2021

Time: 2.00 pm

Place: To be held remotely via Zoom and livestreamed on the Council's YouTube channel - <https://www.youtube.com/user/NottCityCouncil>

Councillors are requested to attend the above meeting to transact the following business

A handwritten signature in black ink.

Director for Legal and Governance

Governance Officer: Kim Pocock **Direct Dial:** 0115 876 4321

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2	Declarations of interests	
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If you need any advice on declaring an interest in any item on the agenda, please contact the Governance Officer shown above, if possible before the day of the meeting

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Nottingham City Council

Overview and Scrutiny Committee

Minutes of the meeting held remotely via Zoom and livestreamed on the Council's You Tube channel on 3 February 2021 from 2.00 pm - 4.24 pm

Membership

Present

Councillor Anne Peach (Chair)
Councillor Georgia Power (Vice Chair)
Councillor Carole McCulloch (Vice Chair)
Councillor Steve Battlemuch
Councillor Gul Nawaz Khan
Councillor Pavlos Kotsonis
Councillor Jane Lakey
Councillor Ethan Radford
Councillor Angharad Roberts
Councillor Andrew Rule
Councillor Cate Woodward

Absent

Councillor AJ Matsiko

Colleagues, partners and others in attendance:

Luke Brewster	- Principle Electoral Services Officer
Beth Brown	- Head of Legal and Governance
Owen Harvey	- Sector Growth Manager, Economic Development
Councillor Neghat Khan	- Portfolio Holder for Employment and Community Protection
Councillor Sally Longford	- Deputy Leader and Portfolio Holder for Energy, Environment and Democratic Services
Sarah Wilson	- Chief Electoral Services Officer
Kim Pocock	- Scrutiny Officer
Laura Wilson	- Senior Governance Officer

47 Apologies for absence

Apologies were received from Councillor AJ Matsiko (bereavement).

48 Declarations of interests

None.

49 Minutes

The Committee confirmed the minutes of the meeting held on 6 January 2021 as a correct record and they were signed by the Chair.

50 Update on the Action Plan in response to the Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy

Councillor Sally Longford, Deputy Leader and Portfolio Holder for Energy, Environment and Democratic Services (representing Councillor David Mellen, Leader, who was unable to attend the meeting due to other business) attended the meeting to provide a progress report on the recommendations of the Report in the Public Interest Robin Hood Energy (PIR).

She highlighted the following information:

- a) A Governance Improvement Board has been established, chaired by Councillor Longford, which also includes in its membership the Chair of the Overview and Scrutiny Committee and two independent members – Professor Peter Murphy, Nottingham Trent University (NTU) and Mark Edgehill, Local Government Association (LGA). This Board has met twice to monitor the progress of the action plan for the PIR. Minutes of these meetings are publicly available on the City Council website.
- b) Delivery of actions in response to the PIR recommendations is progressing well, including in the following areas:
 - i. review of governance arrangement;
 - ii. strategic review of Robin Hood Energy (RHE) and Enviroenergy.
 - iii. Provision of in-house legal training for Council appointed directors of Council companies;
 - iv. commissioning further training from the Institute of Directors to support more cost effectiveness in running Council companies;
 - v. review of the terms of reference for the Audit Committee and the Overview and Scrutiny Committee;
 - vi. approval by Full Council of a revised member/ officer protocol;
 - vii. the Council's risk management framework now incorporates the risk from the Council's group of companies; and
 - viii. review of the role of shareholder representatives, soon to be finalised.
- c) The role of the Governance Improvement Board may change in light of the work of the Ministry of Housing, Communities and Local Government (MHCLG) Improvement Board's work, but it has been very useful to monitor performance against the PIR recommendations and the input of the independent members has been helpful and supportive.
- d) Overall there has been significant progress against the action plan, with many actions completed already and within timelines.

In response to questions from the Committee and in the subsequent discussion the following points were made:

- e) The Governance Improvement Board will have at least one further meeting to complete its work.

- f) The Governance Improvement Board has focused on identifying priorities and key actions to determine how best to progress the work to deliver the action plan.
- g) The main focus of training in response to the PIR has been training for councillors who are the directors of companies. Training in response to the MHCLG report will be much more associated with cultural change.
- h) Training is outstanding for very few directors of the Council's companies, delayed largely due to illness. This is being rescheduled as people recover.
- i) The Governance Improvement Board has also focused on developing a clear role for the Council's shareholder representatives. It will produce a detailed job description for those who will be responsible for the connection between the company and Companies Governance Sub- Committee, which is effectively the Council's shareholder.

A further update on progress will be provided at the Committee's April meeting.

51 Non-Statutory Review/Recovery and Improvement Plan

Councillor Sally Longford, Deputy Leader and Portfolio Holder for Energy, Environment and Democratic Services (representing Councillor David Mellen, Leader, who was unable to attend the meeting due to other business) attended the meeting to provide a progress report on the recovery and improvement plan in place to respond to the non-statutory review of the Council. She highlighted the following information:

- a) Councillor David Mellen is attending the first meeting of the MHCLG Improvement Board, set up to drive and monitor improvements in response to the non-statutory review of the Council, this afternoon.
- b) The key recommendations of the review are as follows:
 - i. produce a 3-year Recovery Plan, to include key milestones to restore financial viability, longer term budget setting and to be submitted to the Secretary of State;
 - ii. MHCLG to establish an Improvement Board with an independent Chair (Sir Tony Redmond) and to include non-executive directors/ mentors;
 - iii. establish a simplified decision making process and ensure that the Recovery Plan is delivered at pace;
 - iv. review the Constitution, to include clarity on the roles of members and officers and to define efficient and streamlined decision making, performance management and procedures;
 - v. carry out an in-depth review of the Council's companies, to include determining the future status of each company; a policy statement about the roles of directors and shareholder representatives and define the relationship with council for each company;
 - vi. clarify the senior officer/ members structure.

In addition, the Secretary of State was recommended to

- vii. limit the Council's borrowing; and
 - viii. publish guidance on Council owned companies including roles and responsibilities of directors and shareholder representatives.
- c) The report noted that the Council will need to focus on recovery for the next two to three years, concentrating on what can be afforded and with support for the current leadership.
- d) The purpose of the Improvement Plan, which needs to be delivered at extreme pace, is to drive necessary change and improvement, while enabling the Council to remain under local democratic control. The Council needs to provide assurance to MHCLG that it understands the scale of the task and the actions required.
- e) The Improvement Plan was agreed by Full Council on 25 January and submitted to MHCLG, and the Improvement Board has now been established.
- f) Current actions in the Plan are deliberately front-loaded to ensure a robust response to the immediate priorities MHCLG has asked the Council to focus on, while leaving room for the development of later actions, eg arising out of the refresh of the Council Plan.
- g) The Plan has been developed at pace and going forward significant engagement and communication with staff, councillors and partners will be required.
- h) The Plan focuses on eight areas – the Medium Term Financial Strategy; Assets; Companies; the Capital Programme and Debt Management; the Constitution; Organisation and Culture; Delivery Options and the Policy Framework.
- i) The following have been prioritised within the Plan:
- i. delivering a sustainable financial footing for the Council in the medium term and protecting delivery of essential services to residents;
 - ii. focusing on providing the best quality core service the Council can afford, whilst continuing to be safe, clean, ambitious and proud for Nottingham;
 - iii. implementing a Council-wide cultural change and improvement programme to remedy the long standing cultural issues identified by the PIR and the non-statutory review;
 - iv. continuing to use the Council's leadership role in Nottingham to unite residents, businesses and partners around a common purpose, and to make a clear case for a better deal for Nottingham;
 - v. supporting Nottingham's businesses, partners and residents with the recovery from Covid 19; and
 - vi. demonstrating excellence in public administration and effective governance.

- j) Members of the Improvement Board are:
- i. Sir Tony Redmond – Independent Chair – former Chief Executive of the Commission for Local Administration and Local Government Ombudsman; former Chief Exec of the London Borough of Harrow
 - ii. Sean Nolan – former Chief Finance Officer for two County Councils and a Police and Crime Commissioner; retired from the position of Director of Local Government and Policing for CIPFA (*Chartered Institute of Public Finance and Accountancy*);
 - iii. Professor Donna Hall – currently Chair of the New Local Government Network; former Chief Executive of Wigan Council and Chorley Borough Council; appointed Non-Executive Advisor to Birmingham City Council;
 - iv. Robin Hughes – Crown Representative at Cabinet Office; former Head of Markets and Economics at BG Group; and
 - v. Councillor David Mellen – Leader of Nottingham City Council and representing the Council on the Improvement Board.

In response to questions from the Committee and in the subsequent discussion the following points were made:

- k) While the sale of assets is not a sustainable way forward, there are assets which, if sold, will contribute to the reduction of current debt. These assets (worth approximately £100 million) largely relate to commercial activity and the Council's property portfolio. The Improvement Board will consider what should be disposed of to give the best return for the Council.
- l) There will also be consideration of different ways of working to achieve change, ie repayment of debt will not be solely focused on sale of assets. There is scope for continued digitisation of processes and councillors and colleagues are looking across the Council's whole group of companies to introduce ways of working efficiently. Clearly the Council will be a smaller organisation and has already started reducing the size of its workforce. The Council will need to be mindful that it does not lose skills and experience build up over time.
- m) The Constitution is under review and changes will include looking at the operation of committees. The work has not yet reached a stage where it can be discussed in detail but work is ongoing.
- n) There do not seem to be any plans to add to the current membership of the Improvement Board and no one has been specifically appointed with political decision making experience to date (as suggested in the non-statutory review).
- o) Discussions are underway in relation to the sale of assets, although the detail cannot yet be shared. Being aware of the impact of Covid on market value and ensuring the best value for sale will be key. The Asset Rationalisation Board will manage this.
- p) While it was acknowledged that the Improvement Board needs to be small to work effectively, concern was expressed regarding the lack of apparent diversity in its

composition, especially considering the diversity of the city. It was noted that the Council's Chief Executive will attend meetings as an observer, but is not a member.

- q) The Council Plan will be reviewed and adapted to accommodate the impact of Covid without losing its basis to reflect the manifesto of the party elected to power in the previous election. Resource commitments will need to be managed to deliver realistically, building on previous experience of functioning with limited funds.

A further update on progress will be provided at the Committee's April meeting.

52 Electoral Registration

Electoral Registration

Sarah Wilson, Chief Electoral Services Officer and Luke Brewster, Principle Electoral Services Officer attended the meeting to provide a progress report on the canvass reform process 2020 and electoral registration. Sarah Wilson highlighted the following information:

- a) The purpose of the canvass is to
 - i. include the names and addresses of citizens who are entitled to be registered, but who are not already registered;
 - ii. remove citizens who are on the register, but who are no longer entitled to be registered at a particular address (normally because they have moved).
- b) The objectives of the reform were to
 - i. make the process simpler and clearer for citizens;
 - ii. give Electoral Registration Officers (EROs) discretion on how to run their canvass, based on what suits their local area;
 - iii. to reduce the administrative burden on EROs and the financial burden on the tax payer;
 - iv. to safeguard the completeness and accuracy of the register;
 - v. to maintain the security and integrity of the register;
 - vi. to provide a model that is adaptable and has capacity for innovation and improvement.

There are still requirements to be met, but the reform has provided flexibility, eg increased use of electronic communication and using the telephone to canvass, not just door knocking.

- c) Under the previous system:
 - i. a Household Enquiry Form (HEF) was sent to every property;
 - ii. a response was required (for changes and no changes);
 - iii. response methods were post, telephone, internet, SMS, in person;
 - iv. the chase cycle included a first reminder then final reminder;
 - v. an Invitation to Register (ITR) was sent to every new person and responses chased;
 - vi. door knocking took place for all non-responders; and
 - vii. the register was published on 1 December.

- d) Under the new system:
 - i. following the last election and before beginning the new canvas, the Elections team completed a thorough data match exercise of the existing electoral register against government data (DWP);
 - ii. where all of the details of electors matched **Route 1** was followed, ie E-comms and Canvass Communication A was sent to these properties, followed by a paper form and no response was required unless changes needed to be made.
 - iii. where households had at least one unmatched elector **Route 2** was followed, ie a canvass form was sent to the property, followed by reminders and personal contact via telephone/door knock and E-comms where possible – a response was required;
 - iv. where a household was classed as a defined property (eg student halls, care homes) **Route 3** was followed, ie a request was made by email to the designated responsible person for the specific property type, rather than directly with the property.
- e) Route Processes
 - i. **Route 1** – initial contact was by email or text. if one person responded to this no further work was required. Initially 14,000 responses were received (24% response rate). If there was no response, then a paper form was sent. No response was required to this unless there were changes to be made. A further 3,000 responses were received following receipt of the paper form.
 - ii. **Route 2** - the paper canvass form was sent to 33,000 unmatched properties on 3 August 2020 and non-responders were chased on 2 occasions. Nottingham City Council chose to chase by letter and these were sent to properties on 7 September with a view to door knocking to follow up. However, as Nottingham was in Tier 3, due to Covid, the follow up was completed by telephone between November and December 2020.
 - iii. **Route 3** – the Election Services contacted all care homes in the city and discussed with them how to respond. Responses were low as this was a very difficult time due to the pandemic. There were also difficulties where an individual lacked capacity to respond themselves, as someone has to have to have power of attorney to register on their behalf.
- f) There were issues with student accommodation due to initial concerns from them about GDPR. The team tried to allay those as it is a legal requirement to provide the information. Since 2017 Universities have been obliged to notify Election Services of students in university accommodation. The universities are providing better information than previously. However, there are still problems with students who only provide their campus details rather than their actual address. This has to be followed up, taking a lot of workforce resource. The team achieved a 90% match rate as a result of their work. The Council Plan goal of increasing the number of registered students was achieved before the General Election in December 2019, but this has now been impacted by Covid and movement of students.

- g) Covid has not impacted on citizens' ability to register to vote and Electoral Services have been able to work from home throughout the pandemic. All canvass responses have been processed in time to be included in the revised register, due to the use of electronic methods of response and off site scanning. The door knocking element of the personal canvass did have to be cancelled, but the canvass period was extended to maximise contact via telephone. As a result, publication of the register was delayed from 1 December 2020 to 4 January 2021.
- h) The overall percentage completion rate for both Routes 1 and 2 this year was 89.42%, an increase of 6.13% from last year's response rate of 83.29% (although not comparing like for like). The reforms will allow Electoral Services to focus more on hard to reach groups in future to maximise registration and participation in elections. The cost of the canvass has been reduced by nearly £40,000, due to the changes, despite an additional form and the telephone calls due to the cancellation of the personal canvass. Further reductions in expenditure are expected in future years, as the number of electronic communications and responses increases.

In response to questions from the Committee and in the subsequent discussion the following points were made:

- i) In terms of students, while properties are providing new names there may still be the names of previous students who no longer reside in the property on the register. Election Services is working with a software provider to bulk review any names not coming directly from a household. In the meantime, the team is checking the data manually as the link with the DWP enables identification of those students and follow up.
- j) While the new system offers flexibility, Electoral Services will be providing feedback to the Cabinet Office on parts of the system, for example:
 - i. wider use of electronic communications would help to make contact with more individuals and, therefore, a more accurate register – parts of the process require paper communication at present;
 - ii. The team has to trust the DWP data in terms of Route 1, leaving them without direct access to the data for information and checking;
 - iii. if someone does not respond when required, they are not auto deleted from the register – they have to be checked against other sources, eg council tax, and then removed if they are not there.
- k) Councillors can support the canvass to achieve completion rates, particularly in areas with traditionally low completion rates, through, for example, ward walks, attending student events on campus. Student areas do tend to have a low response rate.
- l) Electoral Services does not have specific data on EU citizens with settled status. It does receive lists of people who become British citizens
- m) Residents are legally required to respond to annual canvass. Under the new requirements a penalty can only be applied if there are changes to make, as there is then a duty to respond. However, the Council does not impose the fine of up to £1000 as it requires disproportionate effort and time to collect fines; and some of

those who don't respond may have other issues to address - it would not help to take them to court.

- n) Data shows that a lot of people have used electronic methods of communication and there will be continuing drives to use this. However, Electoral Services is likely to continue to use the paper form at the first stage of contact to give that option. Keeping a range of communication methods is likely to achieve the greatest response.
- o) Nottingham City Council benchmarks well with other core cities, even though Nottingham's student population as a proportion of its electorate is very high and, as a small geographic city, Nottingham has fewer suburban areas.

53 Scrutiny of the Portfolio Holder for Employment and Community Protection

Councillor Neghat Khan, Portfolio Holder for Employment and Community Protection attended the meeting to report on progress against her priorities in the Council Plan. She highlighted the following information, focusing on key areas from her 29 commitments:

- a) All crime has reduced due to Covid (including victim based crime) but anti-social behaviour (ASB) has increased by 33.3%. Covid breeches are being recorded as ASB incidents. A number of activities are under way to try to tackle ASB, including regular meetings of all partners, targeting hot spot areas and ensuring a Community Protection response to all incidents.
- b) The full roll out of the noise-nuisance hotline has been delayed due to Covid, but is being used by some Community Protection Officers (CPOs). Noise nuisance is responded to within 48 hours by CPOs by visit or telephone.
- c) The target for increasing Level 2 qualifications for Nottingham residents is 74% (ie within 3% of the national average) within three years – in 2019/20, 69.9% was achieved. Figures for 2021 will be available in April. The Kickstart programme has been introduced, which provides funding to employers to recruit 16-24 year olds. This will play a part in increasing Level 2 qualifications.
- d) The Higher Education data lag is 18 months and data for 2019/20 is due to be reported in late February 2021. 226 city residents have been supported towards the 4-year target of creating 500 new apprenticeships.
- e) The Council has joined the Nottingham College joint planning team to work on employer needs. The One Stop Jobs and Training Centre, opened to provide a range of support under one banner, is closed for face to face contact, but partners are engaging clients virtually.
- f) Work is ongoing with the Police to deliver 'Operation Graduate' to help students keep their homes and property safe. CPOs are visible in student areas, although these areas are currently relatively quiet as students are at home.

- g) The city centre Public Space Protection Order (PSPO) is fully implemented and operational. 70 Fixed Penalty Notices were issued in quarter three (October – December 2020). This has been impacted by the lower footfall in the city centre due to lockdown.
- h) The Nottingham Hate Crime Strategy was launched in October, following consultation, adopted at Full Council and signed off by the Crime and Drugs Partnership Board. The target to reduce hate crime by 10% has not yet been met, but hate crime is currently well below the 2019 baseline. A more focused approach is being taken to neighbourhood based incidents, especially neighbour disputes, which have grown during Covid. This is monitored by the Police and reported monthly to the Hate Crime Incidents Performance Panel. Learning will be reported to the Hate Crime Partnership Board.
- i) Participation of young people in work experience has been delayed by Covid, but work is now ongoing with partners to look at how to deliver this on a virtual platform. In partnership with Futures, an annual partnership programme which will support 100 young people at risk of not being in employment, education or training, including children in care, will be delivered during the week commencing 1 March. Students who missed out last year will also be captured, as well as new students this year. The Council will offer work experience placements in its own departments and link up with its apprenticeships.
- j) Work with the universities to link with businesses, particularly in creative industries has been delayed by Covid, but the Creative Quarter continues to work with businesses.
- k) The Council, along with other partners is in discussion with the Police and Crime Commissioner to create a Violence against Women and Girls Strategy to address the safety of women and girls in their homes and their communities.
- l) To improve the work of Rapid Response teams to ASB, Community Protection phones are now compatible with the ASB platform, so that incidents can be reported quickly and to the right people.
- m) Areas of work which will present challenge as budgets are tightened include staffing the 24 hour CCTV control room, maintaining the teams dealing with ASB and noise nuisance, managing services with a reduction in the number of CPOs (a reduction of 20% is currently out to consultation), retaining students in Nottingham after they graduate, protecting Job Fairs (through seeking external sponsorship funding) and protecting the Jobs Hub which has been unable to secure funding for the future to date.
- n) Further challenges include the impact of economic shocks (unemployment rates, furlough, sector disruption as a result of Covid), reaching disadvantaged groups remotely (digital exclusion, health, disability, over 50s, cultural barriers) and a landscape of saturated provision (limited referral opportunities, duplication of services, employer confusion). However, partnership working, the introduction of Kickstart and securing investment from industry for IT equipment and connectivity all provide opportunities.

In response to questions from the Committee and in the subsequent discussion the following points were made:

- o) There is a PSPO for the city centre and one for each neighbourhood. Where hotspot areas are identified, resources are focused to tackle issues.
- p) Residents are encouraged to call 101 when they need support. The direct number to PCOs is only shared in cases of repeat offences to avoid blocking the number for the more serious issues.
- q) The portfolio is challenging as it is wide, doesn't always present coherently and overlaps with other portfolios. This is mitigated to some extent by good partnership working and regular joint meetings with other portfolio holders. Portfolios are currently being reviewed, which may impact on the remit in the future.
- r) Employment Task Force meetings to bring together partners, working through hubs and linking clear pathways from school to apprenticeships, employment and university, particularly for disadvantaged groups, are all ways that have been and continue to be developed to manage the proliferation of different organisations, funded in multiple ways in the field of training and employment.
- s) While campaigning for more Police officers, reducing the number of CPOs is necessary in the current financial climate. Moving from an area to a ward structure for the work of CPOs and a clear definition of what they do and what the Police do will be a way of managing the impact of this reduction. CPOS we will have to move to a more reactive response-based enforcement model. It was acknowledged that losing the proactive work may potentially impact on the willingness of people to report ASB.
- t) The Council is currently looking at an action plan, with clear milestones and measurable outcomes with the two universities, which can be shared with the Committee at a later date if required. Work continues to regularly contact local businesses and a range of organisations to explore placement opportunities – currently 111 employers are willing to take students on placement.
- u) The voice of hate crime victims has been heard through their input into the Hate Crime Strategy. Work has now begun to deliver the strategy out into the community and work is ongoing to build trust and confidence to report hate crime.
- v) While the number of furloughs has reduced, the unemployment figures have increased. This data is currently being explored to identify the reasons for this and how best to support citizens to enter employment that is available. The Employment Task Force meetings with partners will be one way of responding to this. DWP had agreed to set up a number of mentoring and listening circles across the city for those who have been unemployed long-term to discuss the hurdles and barriers.

54 Work Programme

The Committee considered its work programme for the remaining meetings in 2020/21 and agreed the following:

3 March:

- Scrutiny of the Portfolio Holder for Housing, Planning and Heritage – Councillor Linda Woodings
- Section 106 Contributions

7 April

- Scrutiny of the Portfolio Holder for Leisure, Culture and IT – Councillor Dave Trimble
- Covid-19 Pandemic – Update on the Impact on Nottingham City Council and the Council's Response
- Update on the Action Plans in response to the Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy and the Non-Statutory Review

The Committee agreed to hold an informal work programming session to bring back a proposed work programme for 2021/22 to the formal Committee.

The Chair has raised the issue of clearing weeds with Councillor Rebecca Langton, Portfolio Holder for Communities, Highways and Strategic Transport, who is preparing a statement for the Committee on progress to date following delays caused by Covid 19.

**Overview and Scrutiny Committee
3 March 2021**

Scrutiny of the Portfolio Holder for Housing, Planning and Heritage

Report of the Head of Legal and Governance

1 Purpose

- 1.1 To hear from the Portfolio Holder Housing, Planning and Heritage on her main priorities and challenges for the 2020/21 municipal year, including Council Plan performance.

2 Action required

- 2.1 To use the information received at the meeting from Councillor Linda Woodings, Portfolio Holder for Housing, Planning and Heritage to inform questioning and identify potential areas for future scrutiny.

3 Background information

- 3.1 The key responsibilities for the Portfolio Holder for Housing, Planning and Heritage are:

Planning

Planning Policy and Development Management

Housing

Physical neighbourhood transformation and regeneration

Estate Management – Council and private Estates

Private Housing and Private Rented Sector

Performance of Nottingham City Homes and Housing Associations

Student Housing

Housing with care and support.

Strategic and Retained Housing functions

Regeneration Land and Property

Temporary Accommodation commissioning

Houses in Multiple Occupation

Heritage

Homelessness and Housing Aid

Policy and Operational

- 3.2 On 11 November 2019 the Council Plan was approved by full Council, and guides the Council's services and approach to support the delivery of its key priorities for the city until May 2023.

- 3.3 It includes five key objectives:

- Build or buy 1,000 Council or social homes for rent

- Create 15,000 new jobs for Nottingham people
- Build a new Central Library, making it the best children's library in the UK
- Cut crime, and reduce anti-social behaviour by a quarter
- Ensure Nottingham is the cleanest big city in England and keep neighbourhoods as clean as the city centre.

- 3.4 In addition, a total of 185 pledges are included under five key headings:
- Nottingham People – support for children, young people, students, families, older people, education and health
 - Living in Nottingham – making Nottingham clean and green, improving transport, housing and providing opportunities
 - Growing Nottingham – developing neighbourhoods and the city centre, creating jobs and training opportunities and supporting businesses and inward investment
 - Respect for Nottingham – tackling crime and anti-social behaviour and supporting strong local communities
 - Serving Nottingham better – improving council services and promoting equality.
- 3.5 Councillor Linda Woodings will attend the meeting to discuss her main priorities and challenges for the 2020/21 municipal year, and performance against key elements of the Council Plan that she is responsible for. The focus will be on the following areas:
- Council/ Social Homes
 - Homelessness

4 List of attached information

4.1 None.

5 Background papers, other than published works or those disclosing exempt or confidential information

5.1 None.

6 Published documents referred to in compiling this report

6.1 Council Plan 2019-23.

7 Wards affected

7.1 All.

8 Contact information

8.1 Kim Pocock
Scrutiny Officer
0115 8764321
kim.pocock@nottinghamcity.gov.uk

Overview and Scrutiny Committee - March 3rd 2021

Current and forthcoming challenges within the portfolio of Planning, Housing and Heritage

Summary

This paper informs Overview and Scrutiny Committee of some key housing and planning issues within the portfolio of Planning, Housing and Heritage. It focuses specifically on two of the broad challenges which lie on the immediate horizon: Firstly, the legislative landscape for new housing delivery, safety, and regulation; and secondly, (and not unrelated) the implications of the current review of Council-owned companies for Nottingham City Homes and the management of the Council's housing stock.

1. Forthcoming housing and planning legislation and its implications

This can be divided into three key areas: Planning; Building Safety and Quality; and the Social Housing White Paper.

(a) Planning

- Planning White Paper – Local Plans are changed to focus on 3 categories of land ‘Zoning’ system– “growth areas” that are “suitable for substantial development”; “renewal areas” that are “suitable for development”; and “protected areas”. In “growth areas”, outline approval would be automatically granted for forms and types of development specified in the plan. There will be new but unspecified arrangements for strategic planning, with the Duty to Co-operate between Local Authorities being abolished.

Under a proposed new “fast-track for beauty”, proposals for high-quality developments that reflect local character and preferences would benefit from “automatic permission”. New development would be expected to create a “net gain” to areas’ appearance.

A new ‘single infrastructure levy’ will replace the existing developer contributions system of section 106 agreements and the community infrastructure levy. The government says the new levy will be a nationally-set, flat rate charge and would be based on the final value (or likely sales value) of a development. This means collection would be at the end of developments rather than the start. There is uncertainty about how councils would fund public realm changes associated with new developments.

New penalties for councils that fail to determine an application within the statutory time limits eg “the automatic refund of the planning fee for the application”. Where applications are refused and the decision is overturned at appeal, the paper proposes that “applicants will be entitled to an automatic rebate of their planning application fee”.

- A new “Standard Methodology” for calculating the level of general housing need which has to be provided through Local Plans has been introduced following a backlash against the methodology, which was subject to consultation, from rural borough councils. This has increased City housing provision targets by 35% - this figure has only met 3 times in last 20 years, and will be extremely challenging to deliver. The White Paper proposes that these targets become binding on councils.
- New permitted development rights are proposed, which would allow unrestricted change of use from shops, other town centre uses and light industrial buildings (Use Class “E”) to residential (Use Class “C3”). This would limit the council’s ability to influence place-making.
- The government is consulting on a “Right to Regenerate”, which will enable the public to require councils and public sector to sell unused land and assets. Proposals allow for the public and organisations to have first right of refusal to purchase underused land in England, unless there are compelling reason not to do so.

(b) Building Safety and Quality

- Building Safety Bill: This Bill is currently going through Parliament. It seeks to bring ownership and accountability for ‘high risk’ (i.e. tall – over 18m) buildings over their entire lifespan, from planning and design stage, through construction and during usage. The key provisions within the Bill are the appointments for each building of an ‘Accountable Person’ and a ‘Building Safety Manager’. The Building Safety Manager will have responsibility for the regular, day to day safety management of each tall building and the preparation of a safety case for the building, whilst the Accountable Person (usually the owner) will ultimately be responsible for ensuring that a building remains safe. This will be overseen by a new national Building Safety Regulator located within the Health and Safety Executive.

It is envisaged that as far as the Council’s high rise blocks are concerned, the role of Accountable Person will sit within the City Council, whilst the Building Safety Managers will be employed by Nottingham City Homes. NCH has in fact already appointed Building Safety Managers with responsibilities for specific high rise blocks.

- Fire Safety Bill: Also making its passage through Parliament, this legislation updates the existing Fire Safety Order. It places new duties on building owners to manage the risk of fire, specifically that windows, balconies and front doors of flats within blocks meet certain standards, that regular fire safety checks are carried out, and that residents are supplied with fire safety information. These requirements, particularly the need to upgrade front doors in flats will necessitate additional capital expenditure within the Housing Revenue Account.
- New arrangements for meeting the cost of removing flammable cladding from tall buildings. NB none of the Council’s high rise residential blocks have cladding which falls within this category.

It should be noted that nearly all of the legislative proposals for building safety are about tall buildings and cladding. There remain concerns about all multi-occupied residential buildings, particularly lack of or poor fire compartmentalisation. The Council has therefore set up a Joint Audit Inspection Team to work with the Fire and Rescue Service to inspect buildings with more than 11 dwellings.

The Council housing stock has already received a high level of attention and investment in terms of fire safety: the installation of sprinklers to all NCH’s managed high rise blocks will be completed this spring, along with associated fire safety works. The Council has invested a total of £8m in these works. All 279 blocks of flats managed by NCH have a current fire risk assessment.

Overall, building safety will feature prominently in the new regulatory and inspection regime introduced by the Social Housing White Paper (see below), and the work being undertaken by NCH in preparation for this will stand the Council in good stead.

There are significant resource issues arising from the new regulatory system. The national early adopters group of social housing providers estimated that the ongoing costs of implementing the new regulatory system could be as much as £90,000 per building in scope per year.

- In terms of the quality of new homes, the government has published and consulted upon the ‘Future Homes Standard’. The new standard for energy efficiency in new homes to achieve government targets to reduce carbon emissions from new development, enforced via the Building Regulations. The Future Homes Standard should ensure that all new homes

built from 2025 will produce 75-80% less carbon emissions than homes delivered under current regulations. This has implications for the Council as a Planning authority, a Building Control provider, and as a developer of new homes.

(c) Social Housing White Paper

This landmark document is the Government's direct response to the tragedy at Grenfell Tower in 2017. It seeks to rebalance the relationship between social landlords and tenants by creating a charter of principles which should be guaranteed as a social tenant. These are:

1. To be safe in your home.
2. To know how your landlord is performing, including on repairs, complaints and safety, and how it spends its money.
3. To have your complaints dealt with promptly and fairly, with access to a strong Ombudsman.
4. To be treated with respect, backed by a strong consumer regulator and improved consumer standards for tenants. There will be regular inspections of landlords.
5. To have your voice heard by your landlord.
6. To have a good quality home and neighbourhood to live in, with your landlord keeping your home in good repair. This will pave the way for a new Decent Homes Standard, which may well contain standards linked to carbon-free heating systems – a significant cost.
7. To be supported to take your first step to home ownership

There have been a number of commentaries and briefings on the Social Housing White Paper. A useful analysis produced by the Housing Quality Network appears as Appendix One to this paper. For the purposes of this report, there are some key points to emphasise from the Council's perspective:

- Although the Council's social homes are managed and maintained by Nottingham City Homes, it is the landlord, i.e. the Council, which is ultimately responsible for meeting the requirements of the White Paper. It is the Council which will be inspected and assessed, albeit that inspectors will be examining services delivered by NCH.
- The Council therefore needs to work closely with NCH in order to meet the requirements and be proactive in its approach. It cannot be passive and just assume that NCH will 'take care of everything'.
- Because of the level of management, maintenance and tenant involvement currently delivered by NCH, currently reflected in high tenant satisfaction ratings and, as noted above, the work already carried out on building safety, the Council will start from a good position when the White paper is implemented. NCH has framed its new 3-year Corporate Plan as a charter for NCC tenants and leaseholders based on the White Paper. What this means in terms of planned delivery is set out at greater length in Appendix Two.
- The governance structures to oversee NCH delivery and compliance will need to be robust in order to ensure that the Council is meeting its responsibilities.

This leads helpfully into the second key theme of this paper.

2. Current Governance arrangements for Nottingham City Homes and implications of NCC companies review

A review of all of the Council's companies is one of the main themes of the three-year Recovery and Improvement Plan which was published in January 2021. Nottingham City Homes is one of the companies which will be reviewed early on in the delivery of the plan. The aim of the review is to ask the fundamental question of whether the service is best placed back inside the Council, or should

continue to be delivered by an arms-length company. It will also consider issues of efficiency and value for money, and removing possible duplication.

Clearly, it is not appropriate to comment on the ongoing review in this paper; however, the context and terms of reference for the review are important in relation to the external challenges set out in the first part of the paper.

Although the review may lead to changes, the current governance framework for NCH – both in terms of its internal organisation and its relationship with the Council is well developed. It has also been strengthened in the last year and a half by a new management agreement between the two parties together along with a restructuring of NCH's company governance. It is to be hoped therefore that what is in place gives a sound platform for the Council, in partnership with NCH, to meet the requirements of the White Paper, and to support an excellent housing service to the Council's tenants.

Governance of the Council's relationship with NCH

The Council and NCH entered into a new 30-year Partnership (management) Agreement in September last year. The agreement sets out the requirements of the service, decision-making processes, the responsibilities of each party, and principles and ethos for working together.

At the centre of the relationship is the NCC-NCH Partnership Forum, which comprises:

- Portfolio Holder for Planning, Housing and Heritage (Chair)
- Chair of NCH
- CEO of NCH
- Corporate Director for Development and Growth
- NCC Head of Finance
- Other supporting NCC officers: Head of Regeneration and Housing Delivery, Housing Strategy and Partnerships Manager.

The Forum meets approx. four times per annum and will discuss any strategic issues relating to the service, high level budgetary matters, strategic plans, and performance. Aside from these meetings, the Portfolio Holder meets regularly with the CEO and chair of NCH and other senior managers as required.

Regular dialogue occurs at officer level via two other key meetings: The Housing Revenue Account Capital Programme Group and, to oversee the house building programme, the Building a Better Nottingham steering group, which is chaired by the Portfolio Holder.

At a Council level, the Portfolio Holder attends the Companies Governance Executive Sub Committee, which brings oversight across the Council's companies to ensure alignment with the Council's strategic objectives. NCH company financial reporting is submitted monthly to the CGESC, as well as to the Council's Corporate Leadership Team.

NCH Governance Structure

NCH has developed a group of subsidiary bodies in recent years (its Registered Provider and market-rent arm) to deliver a wider range of housing and housing services, as well as providing the core housing management to the Council's stock. To support this, a new governance structure was put in place in Autumn 2019. It comprises:

- Group Board – the main strategic governance body for the group. There are two City Councillors on this board- Cllrs Langton and Power.
- ALMO committee board – to specifically oversee the delivery and performance of the core housing service. The Council has two members on this board; Cllrs Radford & Power.
- RP Board – To oversee the activities and be the decision making body of the registered provider subsidiary
- NCH Enterprise Ltd Board- as with RP Board, activity of the market rent and commercial arm
- Audit, Risk and Compliance Committee- oversight of financial and regulatory matters for the Group. Cllr Radford is a member of this board.
- Governance and Selection Committee – to deal with strategic personnel and cross-group governance issues. This committee is chaired by Cllr Langton.

The effectiveness of the revised board structure is being assessed as part of the review of company governance arrangements.

NCH adheres to the standards set out in the National Housing Federation Code of Governance. The NHF published a new Code of Governance in November 2020. NCH completed a self-assessment against the new Code of Governance and, whilst largely compliant, has developed action plans for improvement which also incorporates recommendations from an external review of risk management, findings from the NCC Public Interest Report and expectations set out in the Social Housing White Paper.

Progress against the action plans is being monitored via:

Governance Action plan	- oversight by Governance & Selection Committee (Chaired by Cllr Langton)
Risk Management Action plan	- oversight by Audit, Risk and Compliance Committee (ARCC Committee member Cllr Radford)

Overall conclusion: Assurance provided to the Council

The above governance framework, together with more informal engagement mechanisms, offers the Council a high level of assurance that NCH is fulfilling the Council's landlord obligations, as well as delivering a high quality service to its tenants. There exist numerous opportunities for challenge, and there is validation via internal audit (shortly to be delivered independently rather than NCC), service reviews, and performance/value for money benchmarking.

The Social Housing White Paper will bring a far more rigorous level of regulation and scrutiny to local authority landlords than we have been used to. As the implementation of the White Paper unfolds, and in the light of the Council's review of companies, it may be necessary to adapt the existing governance structures; however, through working closely together the Council and NCH have already created a strong governance base to build upon.

Matt Gregory
Head of Planning Strategy and Building Control

Graham de Max
Housing Strategy and Partnerships Manager

22 February 2021

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The Social Housing White Paper – Summary and actions

NOVEMBER 2020

Alistair McIntosh and Colin Wiles

About the author

Colin Wiles has nearly 40 years' experience working for local authorities in London and Cambridge. He has worked for two local authorities and three housing associations.

Colin has worked as an independent housing consultant since 2010, providing services to dozens of local authority, housing association and charity clients. He is a former housing association board member and a past chair of the CIH regional committee in the East. He has written extensively on housing and related matters for Inside Housing, 24 Housing, the Guardian Housing Network and On London. He is a co-founder of SHOUT, the Campaign for Social Housing.

Chief Executive’s blog: The Charter for Social Housing Residents

So, we finally have the Grenfell White Paper. It comes as the Grenfell Inquiry shouts out to the rest of the world about how shambolic parts of our sector are. Personally, I’ve never felt so troubled.

Can this White Paper solve all the problems, or will the forces of darkness slow it down as it goes through parliament? Time will tell. Just so we can all get a grip on what we need to do, I’ve extracted the main jobs that come out of it.

Too much, too little, too late, or about right? What do you think?

Chapter one: To be safe in your home

Actions

- Identify and train up your nominated person responsible for complying with health and safety for residents
- Get quotes for smoke and carbon monoxide alarms for all homes and fit these
- Ensure up to date survey data on electrics across all your homes and act on it
- Develop a programme of consulting residents on health and safety
- Meet the requirements of emerging legislation on building safety and fire safety.

Chapter two: To know how your landlord is performing

Actions

- Identify and prime a senior person to be in charge of meeting the consumer standards
- Monitor how the RSH plans to gather satisfaction – the banking regulator appoints a contractor to run the surveys on their behalf (so you may well not be graded on a survey commissioned by yourself as the landlord)
- Nevertheless you ought to be checking how you are doing by way of surveys, focus groups and social media comments across the RSH’s draft satisfaction measures, which cover keeping homes in good repair, maintaining building safety, effective handling of complaints, respectful and helpful engagement, and responsible neighbourhood management
- Improve services in the light of what residents are saying
- Benchmark your CEO’s salary
- Benchmark your management costs
- Associations need to get ready for an access to information regime akin to the Freedom of Information Act 2000
- Work out how you will give residents a “clear breakdown” of what you spend money on via an app.

Chapter three: To have your complaints dealt with promptly and fairly

Actions

- Comply with the Housing Ombudsman’s complaint handling code (self-assessment due 31 December 2020)

- Improve the speed and effectiveness of complaints handling to be more responsive to residents and avoid being named and shamed by the Housing Ombudsman with follow up action from the new arm of the RSH
- Track and implement good practice on complaints.

Chapter four: To be treated with respect, backed by a strong consumer regulator for tenants

Actions

- Self-inspect your services against the consumer standards (you can see how to do [this via this link to HQN's guide](#) – we will update it to take account of the end of the “serious detriment” test)
- Set up a protocol for advising the RSH of breaches of the consumer standard
- Advise boards that the level of fines imposed by the RSH may be increased.

Chapter five: To have your voice heard by your landlord

Actions

- Get better at listening to residents and giving them useful and timely information
- Show how residents influence your decisions, e.g. via surveys, focus groups, scrutiny panels, and board membership
- Improve staff training to get ready for new qualifications.

Chapter six: To have a good quality home and neighbourhood to live in

Actions

- Plan to finance and deliver the de-carbonisation of your homes
- Train staff so they are equipped to work with people with mental health needs
- Allow domestic pets where possible – no blanket bans
- Clarify which agency does what on ASB to improve effectiveness of responses
- Work out what role you will play when a Community Trigger sets up a multi-agency case review on ASB in an area
- Ensure new developments are integrated with other tenures to avoid stigmatisation and improve access to green spaces
- Make sure your allocation policies remove barriers to homeless people and are easier to navigate for vulnerable people
- Get ready for a regulatory standard on tackling domestic abuse

- Improve access to your homes for the armed forces and veterans.

Chapter seven: To be supported to take your first step to ownership

Actions

- Local authorities to assess viability of building more homes
- Assess viability of using new finance streams for supported housing
- Assess viability of new shared ownership model (10% stake and 10-year repair-free period)
- Assess viability of right to shared ownership on new grant funded homes
- Improve transparency of billing and VfM to leaseholders.

Final thoughts

Your main job is to work with your residents to build more homes in a better sector. Let’s do it. If you have any good ideas about taking the White Paper forwards, I’d be pleased to hear from you.

1 Introduction

The Social Housing White Paper was finally published on 17 November, 27 months after the Social Housing Green Paper (“A new deal for social housing”) and exactly 41 months and three days after the catastrophic fire at Grenfell Tower.

Green papers are consultation documents. White papers are statements of policy intent that will require legislation. The Charter for Social Housing Residents aims to set out a new vision for the way that social housing residents are treated. It is a comprehensive and valuable document.

This briefing summarises the key proposals in the charter and provides some analysis and commentary.

2 Background

The fire at Grenfell Tower prompted some fundamental soul-searching about social housing. There was a widespread feeling, since confirmed by the Hackitt Review and the ongoing public inquiry, that residents had not been listened to and that this had contributed to the fire.

In her introduction to the Green Paper, the then Prime Minister said:

“...many people living in England’s four million social homes feel ignored and stigmatised, too often treated with a lack of respect by landlords who appear remote, unaccountable and uninterested in meeting their needs...It’s a situation the residents of Grenfell Tower have spoken about in powerful terms, not just in the wake of last year’s tragedy but also in the months and years before – only for their voices too often to go unheard.”

She promised that the government’s proposals would empower social housing residents, “*by giving them greater control over their lives and homes*”.

The Green Paper set out five key principles:

- A safe and decent home which is fundamental to a sense of security and our ability to get on in life
- Improving and speeding up how complaints are resolved
- Empowering residents and ensuring their voices are heard so that landlords are held to account
- Tackling stigma and celebrating thriving communities, challenging the stereotypes that exist about residents and their communities
- Building the social homes that we need and ensuring that those homes can act as a springboard to home ownership.

There were 928 responses to the Green Paper – 432 individuals and 496 organisations. The government has summarised the responses [here](#).

3 A Charter for Social Housing Residents – summary, analysis and commentary

In his introduction to the White Paper, the Prime Minister (Boris Johnson) describes his experience as a cub reporter visiting a family living in a damp flat in Wolverhampton who had been ignored by their landlord. He writes:

“And while that scene unfolded more than 30 years ago, the culture and attitude that allowed it to happen – the idea that social tenants are less worthy of respect or can be ignored when their views are inconvenient – remains all too prevalent today...We’re levelling up this country, making it fairer for everyone – and that includes making sure social housing tenants are treated with the respect they deserve, so that nobody should ever again feel as hopeless as the man I met all those years ago.”

In his introduction, Robert Jenrick comments on his experiences of consultation sessions with residents during the Green Paper process. *“Time and again, former residents would return to two themes: firstly, that they didn’t feel listened to when they raised concerns and complaints and could only wonder what might have been avoided if their voices had been heard. And secondly, a broader sense that they had not been treated with the dignity and respect they deserved.”*

These ministerial comments are fundamental to understanding the main thrust of the White Paper – treating residents with respect, listening to their concerns and putting in place a fairer and safer system for all those living in social housing.

The Charter *“sets out what every social housing resident should be able to expect”* in seven themes (rather than the five themes of the Green Paper):

- 1 To be safe in your home.** We will work with industry and landlords to ensure every home is safe and secure.
- 2 To know how your landlord is performing,** including on repairs, complaints and safety, and how it spends its money, so you can hold it to account.
- 3 To have your complaints dealt with promptly and fairly,** with access to a strong ombudsman who will give you swift and fair redress when needed.
- 4 To be treated with respect,** backed by a strong consumer regulator and improved consumer standards for tenants.
- 5 To have your voice heard by your landlord,** for example through regular meetings, scrutiny panels or being on its board. The government will provide access to help, if you want it, for you to learn new skills to ensure your landlord listens.
- 6 To have a good quality home and neighbourhood to live in,** with your landlord keeping your home in good repair.
- 7 To be supported to take your first step to ownership,** so it is a ladder to other opportunities, should your circumstances allow.

“Residents” refers to all those who occupy social housing, including tenants, leaseholders and shared owners. Those who rent are referred to as “tenants”.

4 Summary of proposals theme by theme

4.1 To be safe in your home

Safety is at the heart of the charter. It proposes that the consumer standards will be strengthened to include safety, and landlords will be required to identify a nominated person to comply with all health and safety requirements. This mirrors the proposals in the Building Safety Bill to have a named Accountable Person responsible for higher-risk buildings.

The Regulator of Social Housing (RSH) will also be expected to prepare a Memorandum of Understanding with the Health and Safety Executive so that information on safety can be shared with the new Building Safety Regulator. (See our briefing on the new Building Safety Bill [here](#).)

The RSH will launch a consultation on mandatory smoke and carbon monoxide alarms in social housing.

4.2 To know how your landlord is performing

If residents want to hold their landlords to account, they need good information on performance, and how and why decisions are being made. The charter proposes a more proactive approach to the consumer standards so that residents can have more faith in how their landlord is responding to their needs.

Tenant satisfaction measures: The RSH will put in place a set of tenant satisfaction measures for all landlords on “*things that matter to tenants*”. These will reflect the themes in the Green Paper, around properties being in good repair, building safety, engagement and neighbourhood management, and will include measures on anti-social behaviour. The aim is that these measures will provide tenants with greater transparency about their landlord’s performance and inform the regulator about how the landlord is complying with the consumer standards under a proactive consumer regulation regime (See 4.4 below).

This will require an annual statement for residents as a minimum (this already happens, although the quality is variable) and the wider use of technology, such as apps, so that residents can access up to the minute data.

The satisfaction measures will cover issues such as compliance with the Decent Homes standard, safety, overall satisfaction with repairs, complaints, being respectful and helpful, satisfaction with the upkeep of communal areas etc. Data will be submitted relative to the size of the landlord, so landlords with a greater proportion of complaints or issues relative to their size can be identified. See Appendix A for the full list of data that will likely be required.

Financial reporting: Landlords will also be required to publish information about staff salaries.

- Chief executive’s salary relative to the size of the organisation
- Executives’ salary relative to the size of the organisation
- Management costs relative to the size of the landlord.

This reflects growing concerns about excessive executive pay. Providers already provide salary information in their annual accounts but there will presumably be a requirement to publish this information in a more understandable and digestible format – for example, by stating how much each tenant is paying per week towards the CEO’s salary.

Landlords will also be required to provide clearer information on how their funds are being spent. More work will be carried out with the sector on how best to do this.

New access to information scheme: The White Paper proposes a new “Freedom of Information” right for housing association residents. Good landlords are already open and transparent, but others less so. The new scheme will require all registered providers to provide information to residents upon request, or with the support of others such as councillors, MPs, solicitors, advocates, or local journalists.

This is a big change and the government will have to tread carefully as the Freedom of Information Act only applies to public bodies. There is a danger that this requirement will push providers closer towards being classed as “public bodies” rather than “private non-financial corporations”. The government had to rush through legislation in 2017 to re-define housing associations as private and not public bodies. This followed a decision by the [ONS](#) that the level of regulation and government control required English housing associations to be defined as public rather than private bodies.

Leadership on the consumer standards: Regardless of their size, landlords will be required to identify a “responsible person” who will ensure compliance with the consumer standards. They will drive performance and culture within the organisation. In smaller landlords this could be the chief executive. Again, this reflects the proposals in the Building Safety Bill for accountable persons to be identified in respect of higher-risk buildings, and the proposal elsewhere in the White Paper that a responsible person should lead on safety.

4.3 To have complaints dealt with promptly and fairly

The White Paper proposes to strengthen the role of the Housing Ombudsman, with stronger powers to set timescales for information being provided by landlords and ensure quicker response times for dealing with complaints.

The democratic filter, which prevented residents going direct to the Housing Ombudsman, will end. Residents will be enabled to contact the Housing Ombudsman directly without delay.

Various additional measures are proposed, including:

- Landlords will be required to comply with the Housing Ombudsman’s Complaint Handling Code, and make sure that they have good processes in place to respond swiftly and effectively to complaints
- The government will run an awareness campaign so social housing residents know their rights, are confident in navigating their routes to complain, and are aware of how to escalate to get redress where needed
- The relationship between the RSH and the Housing Ombudsman will be strengthened and formalised by requiring both bodies to co-operate with each other in holding landlords to account
- The Housing Ombudsman will become a statutory consultee for any changes to the regulatory standards.

These are all sensible proposals. The end of the democratic filter is to be particularly welcomed.

4.4 To be treated with respect, backed by a strong consumer regulator for tenants

This is a key theme in the White Paper, with a focus on a stronger role for the RSH in regulating the consumer standards. Co-regulation should continue – a partnership between boards and the RSH – but the consumer standards will be regulated more proactively. At present, economic regulation is proactive and consumer regulation reactive. Our previous briefings on this topic have highlighted the fact that around 250 staff regulate the economic standards and only two regulate the consumer standards. As a result, only around 1% of

referrals result in a serious detriment judgement. Many residents have felt that the consumer standards are not enforced effectively, because the RSH has been under-resourced.

The charter proposes “a similar level of regulatory oversight of both the consumer and economic standards”. The approach to consumer regulation will “proactive, proportionate, outcome focused and risk-based”.

This means that staffing in the RSH will need to increase significantly in order properly to regulate the consumer standards. To achieve this, an entirely new function will be created with “senior leadership and staff with the right expertise in consumer regulation, customer service and tenant engagement to effectively deliver the new proactive consumer regulation regime”.

In addition, the government will legislate to remove the ‘serious detriment test’ as soon as parliamentary time allows, so that the RSH can take a more proactive approach.

This more proactive approach will involve:

- Regular desktop reviews to identify the providers at greatest risk of failing the standards
- Routine inspections to obtain assurance from landlords that they are complying with the consumer standards. This will be based on a risk profile to ensure that those landlords at greatest risk of failing, or where failure might have the greatest impact on tenants, are subject to greater oversight
- The RSH will aim to inspect those landlords with over 1,000 homes every four years. It may carry out inspections at more frequent intervals where a routine inspection finds a breach or significant risk of a breach of its standards
- The RSH will publish its findings and be open and transparent about the actions it has taken. Landlords who fail the standards will have a Performance Improvement Plan imposed upon them
- The RSH will also be empowered to carry out repairs in an emergency where there is a clear systemic failure by the landlord. (This is an interesting proposal that could be widely taken up by some disaffected tenants.)
- The RSH will be empowered to produce a Code of Practice on the consumer standards – to mirror the current Code for the Governance and Financial Viability standard
- Removing the current cap on fines that can be levied (fines do not currently apply to local authorities and the White Paper does not specify whether this will change)
- Ensuring a level playing field so that all landlords, whether housing associations, local authorities, ALMOS or TMOs, are subject to the same regulatory regime.

Landlords should also have policies in place on tackling domestic abuse and it is likely that the consumer standards will be updated to include this requirement.

This section of the charter also includes proposals to broaden the skills mix and diversity of board members, and ensure that more board members have consumer regulation

experience. Disappointingly, this is the only part of the White Paper that refers to the need to improve the quality and calibre of board members.

Legislation is also proposed to require the RSH to set up an advisory committee to provide independent and unbiased advice to the RSH on discharging its functions. This committee will not be a decision-making body, but the RSH will be expected to seek its views on specific regulatory issues. This mirrors the proposals in the Building Safety Bill for an independent committee to advise the new building safety regulator.

4.5 To have your voice heard by your landlord

The charter puts a duty on the RSH to require landlords to show how they have sought out and considered ways to improve tenant engagement. There will be a new opportunities and empowerment programme open to all social housing residents, to support their effective engagement with landlords. The programme will deliver a range of learning and support activities, as well as providing information. Whether this will involve setting up a new national tenants' body remains to be seen.

The charter also proposes a review of professional training and development to consider the appropriate qualifications and standards for social housing staff.

4.6 To have a good quality home and neighbourhood to live in

This section acknowledges the importance of safe and vibrant communal areas and green spaces for mental health and wellbeing, something that has been brought into sharp focus by the pandemic.

The key headline in the charter is the proposal to review the Decent Homes standard, which was first put in place in 2001. It will be reviewed to see if it should be updated to reflect changes such as climate change and changes in energy sources. Other measures in this section include:

- To review professional training to see how well housing staff are equipped to work with people with mental health needs
- To clarify the roles of agencies involved in tackling anti-social behaviour and signpost tenants to those agencies who can give them the most appropriate help
- To review the way that homes are allocated so that housing is allocated in the fairest way possible and achieves the best outcomes for local places and communities.

Pets are mentioned in this section. The charter recognises that pets are important to mental health and well-being and that landlords should adopt fair and reasonable policies with regard to pets. Blanket bans without good reason are unlikely to be tolerated.

There is also a recommendation that landlords should do everything they can to integrate social housing into the wider community, so that tenants are not made to feel like second class citizens – for example, by denying them access to communal facilities or by making them use “poor doors”.

4.7 To be supported to take your first step to ownership

Having spent 63 pages extolling the virtues of social housing and the need for better regulation it seems the government could not resist the chance to point out that most people want to own their own home. This section describes the steps that have been taken to increase the supply of affordable housing and then outlines the various schemes that will allow tenants to take their first step on the ownership ladder. A full evaluation of the Midlands Right to Buy pilot will be published.

5 Conclusions and moving forward

Most good landlords will have nothing to fear from these proposals. Indeed, most will already be doing much of what is proposed in this White Paper, or be in a position to implement the proposed changes fairly quickly. For others, if the measures are implemented in full, there will be no hiding place. The charter will provide a much greater voice to residents and give them powers to obtain information, and to seek redress for poor service.

Overall, the White Paper is a valuable document and potentially a positive step forward for social housing residents.

Your board or governing body should provide effective leadership on these proposals and ensure that you are in a position to implement them as soon as the relevant legislation comes through. That means putting in place a comprehensive action plan.

Our Chief Executive, Alistair McIntosh, has provided a useful checklist of the key actions that you should be thinking about. You can find this at Appendix B.

Appendix A

Draft tenant satisfaction measures

Properties to be in good repair

- Compliance with the Decent Homes standard
- Completing repairs right first time
- Overall tenant satisfaction with repairs.

Safety

- Compliance with all safety standards on gas, electrics, fire, asbestos water and lifts
- Overall satisfaction with the health and safety in homes.

Handling complaints

- Number of complaints relative to size of landlord
- % resolved on time
- Overall satisfaction with complaint handling.

Respectful and helpful engagement

- Number of complaints relating to fairness and respect relative to size of landlord
- Tenant satisfaction that their landlord listens to views and takes notice and overall satisfaction with landlord’s engagement with tenants.

Responsible neighbourhood engagement

- % areas meeting the required standard
- Number of complaints relative to the size of the landlord
- Overall satisfaction that areas are clean and safe
- Tenant satisfaction with landlord contribution to the neighbourhood
- Number of ASB complaints relative to the landlord size and overall satisfaction with ASB handling.

Overall satisfaction

- Overall tenant satisfaction with services.

Appendix B

A checklist of actions that you should be taking now:

Chapter one: To be safe in your home

Actions

- Identify and train up your nominated person responsible for complying with health and safety for residents
- Get quotes for smoke and carbon monoxide alarms for all homes and fit these
- Ensure up to date survey data on electrics across all your homes and act on it
- Develop a programme of consulting residents on health and safety
- Meet the requirements of emerging legislation on building safety and fire safety.

Chapter two: To know how your landlord is performing

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- Identify and prime a senior person to be in charge of meeting the consumer standards
- Monitor how the RSH plans to gather satisfaction – the banking regulator appoints a contractor to run the surveys on their behalf (so you may well not be graded on a survey commissioned by yourself as the landlord)
- Nevertheless you ought to be checking how you are doing by way of surveys, focus groups and social media comments across the RSH’s draft satisfaction measures, which cover keeping homes in good repair, maintaining building safety, effective handling of complaints, respectful and helpful engagement, and responsible neighbourhood management
- Improve services in the light of what residents are saying
- Benchmark your CEO’s salary
- Benchmark your management costs
- Associations need to get ready for an access to information regime akin to the Freedom of Information Act 2000
- Work out how you will give residents a “clear breakdown” of what you spend money on via an app.

Chapter three: To have your complaints dealt with promptly and fairly

Actions

- Comply with the Housing Ombudsman’s complaint handling code (self-assessment due 31 December 2020)

- Improve the speed and effectiveness of complaints handling to be more responsive to residents and avoid being named and shamed by the Housing Ombudsman with follow up action from the new arm of the RSH
- Track and implement good practice on complaints.

Chapter four: To be treated with respect, backed by a strong consumer regulator for tenants

Actions

- Self-inspect your services against the consumer standards (you can see how to do [this via this link to HQN's guide](#) – we will update it to take account of the end of the “serious detriment” test)
- Set up a protocol for advising the RSH of breaches of the consumer standard
- Advise boards that the level of fines imposed by the RSH may be increased.

Chapter five: To have your voice heard by your landlord

Actions

- Get better at listening to residents and giving them useful and timely information
- Show how residents influence your decisions, eg, via surveys, focus groups, scrutiny panels, and board membership
- Improve staff training to get ready for new qualifications.

Chapter six: To have a good quality home and neighbourhood to live in

Actions

- Plan to finance and deliver the de-carbonisation of your homes
- Train staff so they are equipped to work with people with mental health needs
- Allow domestic pets where possible – no blanket bans
- Clarify which agency does what on ASB to improve effectiveness of responses
- Work out what role you will play when a Community Trigger sets up a multi-agency case review on ASB in an area
- Ensure new developments are integrated with other tenures to avoid stigmatisation and improve access to green spaces
- Make sure your allocation policies remove barriers to homeless people and are easier to navigate for vulnerable people
- Get ready for a regulatory standard on tackling domestic abuse
- Improve access to your homes for the armed forces and veterans.

Chapter seven: To be supported to take your first step to ownership

Actions

- Local authorities to assess viability of building more homes
- Assess viability of using new finance streams for supported housing
- Assess viability of new shared ownership model (10% stake and 10-year repair-free period)
- Assess viability of right to shared ownership on new grant funded homes
- Improve transparency of billing and VfM to leaseholders.

Final thoughts

Your main job is to work with your residents to build more homes in a better sector. Let's do it. If you have any good ideas about taking the White Paper forwards, I'd be pleased to hear from you.

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Rockingham House, St Maurice's Road, York, YO31 7JA

Tel: +44 (0)1904 557150

Email: hqn@hqnetwork.co.uk

Visit: hqnetwork.co.uk

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Appendix Two

Nottingham City Homes Tenants' Charter

We are committed to listening to and working with our residents to manage and maintain our homes and estates. We want to deliver ever-improving services by listening to what our residents tell us, acting on their priorities and engaging them in the services we deliver.

To best achieve this we are introducing our new Tenants' Charter, which includes the following commitments:

To be safe in your home

Safety is our top priority. Following the Grenfell fire, we worked with Nottingham City Council and Nottingham Fire and Rescue Service to implement enhanced fire safety measures in all our high rises.

The Government's Social Housing White Paper has prioritised resident safety. New legislation will require the Regulator of Social Housing to carry out inspections and consider safety within its new regulatory role of the consumer standards. Landlords will also have to nominate and make tenants aware of who is responsible for managing health and safety and who has responsibility for making sure that the Consumer Standards are being met. It will require the sharing of information between the Regulator and the Building Safety Regulator and the Housing Ombudsman. New building safety and fire safety legislation that will come into force during the life of this Plan.

NCH is preparing to meet this challenge. Almost 100% of the homes we manage have hard-wired smoke alarms. Where appropriate, properties have carbon monoxide alarms, and we will roll out more as required. Electrical safety regulations are also likely to change; we are already implementing a five-year domestic electrical testing programme.

We will continue to actively involve residents in building safety programmes, and our Board will have full oversight of building safety management, scrutinising the work that we do to make sure of compliance and best practice.

Our commitment is that we will:

- fully comply with the building safety and fire safety legislation outlined in the Social Housing White Paper
- seek to meet obligations in advance of statutory requirements where possible and promote a culture of safety at all times
- produce Building Safety Cases and Resident Engagement Plans for all high-risk buildings, as well as Personal Emergency Evacuation Plans for residents who may not be able to evacuate safely without assistance
- engage and influence the Government's electrical safety consultation while achieving 100% compliance with our existing policy
- engage with the domestic smoke and carbon monoxide alarms consultation, completing hard wired smoke alarms in all our homes
- roll out our building safety approach to include multi-occupational buildings under 18 metres on a risk-based basis
- keep all fire risk assessments for multi-occupancy blocks up to date and publicly available including the introduction of intrusive surveys
- maintain 100% gas safety certification
- maintain building safety policies and procedures rigorously

- monitor and report on compliance with fire, gas, water, electric, asbestos and lifts, with periodic external audit
- prioritise any customer contact or complaints which may have a building safety implication.

To have a good quality home and neighbourhood to live in

Investing in our homes and the property we are responsible for

We know our residents place a high priority on their homes being well-maintained. We plan to deliver a major £112m programme of capital improvements to existing tenants homes, based on tenants' priorities. This will be backed up by improvements in our responsive repairs and maintenance services which support our residents to live in homes they can take pride in.

The homes we manage meet the Nottingham Decent Homes Plus Standard, which is higher than the Government's Decent Homes Standard. Our detailed 30-year Asset Management Strategy¹ gives us the confidence to make sound investment decisions about the homes we are responsible for. Maintaining the Decent Homes Plus Standard is a key objective, and we will deliver it through one of the largest capital investment programmes in the sector.

Having taken on responsibility for retail and other non-residential premises held within the city council's Housing Revenue Account, we will seek to improve the condition and standards of these properties during the life of this Plan. We have made sure Fire Risk Assessments are up to date and will complete Building Safety Cases for these properties. We will complete full stock condition surveys for both the buildings and surrounding facilities such as car parking areas, lighting and open space, agreeing any investment required with the City Council as appropriate. Where premises are unable to remain viable retail premises, we will work with the City Council to consider alternative uses such as the conversion to for use as residential dwellings.

Our commitment is that we will:

- maintain all homes at the Nottingham Decent Homes Plus standard
- over the next three years we will deliver:
 - 3,000 new Grade A energy efficient boilers
 - 1,500 central heating upgrades
 - 1,400 new kitchens
 - 1,600 new bathrooms
 - 4,700 new Secure by Design doors
 - 1,900 sets of windows
 - 900 new roofs
- make sure our tenants have a voice in the Government's review of the national Decent Homes Standard, which is likely to include measures to improve energy efficiency and improved communal and open spaces
- plan for the financial impact of 'Decent Homes 2' and urge the Government to make sure that adequate funding is available to resource such changes
- bring surveying in-house and enhance the way we use technology to plan and deliver our property investment, including using digital techniques and centralising digital information on all our properties. This will help us:
 - eliminate unnecessary pre-works surveys
 - respond to information requests quickly

¹ Nottingham City Council & Nottingham City Homes. Housing Revenue Account Business Plan 2012-2042. www.nottinghamcityhomes.org.uk/about-us/corporate-documents/

- make more informed decisions
- get repairs right first time
- manage compliance and building safety management
- use predictive analytics to help minimise responsive repairs by anticipating issues ahead of problems.
- develop our use of the Internet of Things, using smart technology to support improvements such as self-test boilers and emergency lighting, damp and humidity sensors, and self-regulating heating systems.

Commitment to delivering an excellent repairs service

Our residents have a right to expect a high quality repairs and maintenance service, and we are pleased to have very high levels of customers reporting that they are satisfied with their last repair. NCH carries out over 130,600 responsive repairs a year on average (almost 360 a day), and we have a 24/7 Emergency Repairs Service to respond to situations where there is immediate risk of serious injury or significant harm. We always aim to carry out repairs right first time, completing the repair at the first visit.

We provide a variety of options for reporting repairs, these are by phone, email, online, post or in person, and for many residents, repairs staff are the face of NCH.

Our commitment is that we will:

- always focus on Right First Time in the way we carry out repairs
- enhance the use of our Repair Finder diagnostic tool to support Right First Time objective
- merge planned and responsive repairs services so that we can respond more promptly to guttering, fencing and general repairs
- develop Housing Online so that customers can choose appointment times that are convenient to them
- introduce live tracking, so that customers can report, track and cancel repairs
- improve customer contact, keeping customers informed of progress
- utilise picture and video reporting from within a tenant's home to better support the diagnosis of problems
- develop the potential for repairs staff to help residents by:
 - providing guidance and coaching on repairs tenants are responsible for
 - advising on energy efficiency.
- continue to maintain 100% gas safety & achieve 100% compliance on electrical safety
- skill our workforce to install and maintain alternative energy sourced heating systems as natural gas is phased out.

Commitment to creating safe neighbourhoods

We will deliver our Neighbourhood Management Strategy so that by working in partnership with the Council, the Police and other agencies we will have a positive impact on individuals and communities across Nottingham.

Tackling crime and anti-social behavior (ASB) is a high priority for residents. Crime and ASB undermine the quality of life for individuals, families and communities, and we are committed to taking a victim-centered approach that incorporates advice, victim care and support throughout. By using our customer insight and crime and ASB data, we can identify local issues, feed into neighbourhood plans with partners, and help to deliver preventative interventions. Strengthened engagement with the voluntary sector is a crucial way of engaging with many hard-to-reach groups in the community to get a representative understanding of local crime and ASB concerns, allowing us to work in partnership to address these.

Residents have told us they value tolerant and supportive neighbourhoods where people get along with each other. We will support that with a zero tolerance approach to hate crime.

We also have an important role to play in supporting the victims of domestic abuse. The Domestic Abuse Bill will place new legal requirements on landlords to work with local councils to provide support, including accommodation, for victims of domestic abuse and their children. We have signed the Chartered Institute of Housing's Domestic Abuse - Make a Stand pledge, demonstrating our commitment to improving accessibility and safety for tenants experiencing domestic abuse.

We are committed to a zero Modern Slavery approach, which includes an expectation that the suppliers of goods and services we use have a similarly robust approach. Our work in neighbourhoods where people live also means that we may have opportunities to detect evidence of modern slavery in its varied forms through the work that we do. In such cases we will work with appropriate partners to tackle the issue.

Our commitment is that we will:

- continue to have a strong working relationship with the Police and Nottingham City Council so that our estates continue to be safe places to live
- continue to take the toughest possible stance against drug offences and serious and violent crime, including knife crime, on our estates
- seek to have meaningful engagement with perpetrators to prevent repeat incidents of ASB and re-offending
- focus on tackling the root causes of crime and ASB, exploring the options to develop and deliver behavioral change through the Tenant Academy
- strengthen partnership working by exploring further opportunities to work with the voluntary sector, the Probation Service, Community Rehabilitation and the Prison Service
- work with partners to tackle hate crime, encourage reporting, and provide an enhanced level of support for those affected
- improve support for tenants experiencing domestic abuse – support will be from trained staff that work in partnership to provide a rounded service
- hold perpetrators to account, using the full spectrum of our powers when needed
- work with partners to protect people from serious harm, exploitation and modern slavery
- Strengthen provision and seek external accreditation to make sure our domestic violence service is of the highest possible standard.

Commitment to updating homes we manage for older people

We manage 68 independent living communities for older people across the city. Our Grander Designs programme aims to modernise and improve the communal areas of independent living schemes to make sure they are older person friendly. Improvements support HAPPI (Housing our Ageing Population Panel for Innovation) principles, increase kerb appeal and encourage social interaction and activity amongst our older tenants. The programme is very popular with residents: "It's so lovely – like living in a hotel!" and "Wouldn't be embarrassed to meet royalty here".

Our commitment is that we will:

- complete the Grander Designs programme by autumn 2021, including the communal areas of the three remaining independent living communities yet to receive their Grander Designs makeover.
- implement a rolling programme to maintain the quality of the shared facilities at all the independent living communities that we manage on behalf of older people
- make sure these communal areas are well used and inviting spaces with a varied offer of activities for our residents to participate in.

Commitment to providing warm, energy efficient homes, reducing carbon and tackling fuel poverty

Nottingham has an ambition to become a Carbon Neutral City by 2028. We fully support this ambition, and we are able to make a major contribution.

Housing creates significant carbon emissions. For some years we have been blazing a trail in greener social housing, delivering cavity and external wall insulation, solar panels and sustainable technology to help heat homes using minimal energy.

Fuel poverty is a significant issue for many of our residents. Reducing energy use by providing property improvements that support lower heating use means lower energy bills and more money in residents' pockets. We're committed to tackling fuel poverty so that:

- staying warm and well is affordable for our residents
- no-one has to choose between heating and eating
- fuel bills don't cause other bills, such as rent, to go unpaid
- physical and mental health problems are not caused or made worse by cold homes
- children are warm enough to stay healthy and meet their potential
- homes are less susceptible to damp and mould.

The Government intends homes to be low to zero carbon by 2050. Nottingham would like to get there sooner. We will aim for all the homes we manage to have an Energy Performance Certificate (EPC) rating above C by 2030. By 2050, they will be expected to have at least an EPC of B, and possibly A. Energy efficiency projects over the life of this Plan will test the most efficient way of achieving these targets, helping us to target investment effectively. Where we can deliver new homes, our ambition is to seek to meet the highest energy efficiency standards that can be achieved within the context of the resources available to us and the scope of the Future Homes Standard.

Our commitment is that we will:

- refresh our EPC survey information
- undertake a full refurbishment of Colwick Woods Court
- work towards ensuring that all the homes we manage can achieve an EPC Band C rating by 2030
- work with the council to establish a route map for the decarbonisation of heating in the homes we manage, to help achieve carbon neutral targets by 2028
- develop our Carbon Neutral Homes Standard through delivery of pilot projects (deep whole house retrofit pilot projects and heat pump pilot)
- support residents to heat their homes affordably, while decarbonising their heating
- develop proposals for a planned approach to phasing out the installation of replacement gas boilers in our existing homes in future years
- continue to test and develop business models and financial options to fund energy works, including grant funding to support retrofit work
- tackle condensation, damp and mould by fitting better extractor fans and tumble dryer vents when properties change tenancy
- continue to distribute hygrometers to help manage humidity in the homes we manage.

Commitment to investing in our neighbourhoods and estates

We work closely with partners, especially Nottingham City Council's Streetscene service, to maintain the streets, footpaths and landscaping on our estates and around our blocks. We believe that

residents should be able to take pride in where they live, and we know that residents value smart and clean estate environments.

During the coronavirus pandemic, it became very clear how important green spaces are, and how much people value them. Many of our estates have green space designed in to provide room for exercise, fresh air, natural sunlight and play space. Green spaces also contribute towards sustainability by supporting wildlife and biodiversity.

Our Five Star estate inspection programme helps us measure the standards we seek to achieve and our volunteer tenants estates inspectors help is measure standards. These standards have been set and agreed with tenants and cover issues like cleanliness, grounds maintenance, neighbourhood character, levels of satisfaction and quality of soft and hard landscaping.

Working with ward Councillors, our Decent Neighbourhoods programme is at the heart of improving the safety, attractiveness and design of estates. Over the next three years, we will foster cohesive, attractive and thriving estates that people can enjoy and take pride in.

We know that the lack of parking is a significant problem for residents in some areas and we will work with Nottingham City Council to identify solutions to improve parking options.

Our management of tenancies will include making sure that tenants are aware of their responsibilities to maintain their gardens, and we will continue to help people maintain their gardens through our Garden Assistance Scheme if they can't do it themselves.

Our commitment is that we will:

- support the council's objective of making every neighbourhood clean and attractive by working with a range of partners, our communities and local Councillors to enhance open spaces on our estates
- work with the city council to complete the mapping of Housing Revenue Account land in order to clarify the management, maintenance and funding responsibilities associated with these spaces
- produce an updated and revised edition of our neighbourhood design guide
- roll out a planned programme of estate improvements, bringing together budgets to co-ordinate works in a cost effective and efficient way, while having a greater impact with the funding available
- support tenants' groups to draw down external funding for community led neighbourhood improvement projects
- complete more of our estate improvement programme in-house
- improve the consistency and quality of our branding and signage in blocks and on estates
- work with our team of tenant Estate Inspectors to achieve our objective of more estates meeting our Five Star standard
- improve how we receive and manage customer enquiries so we can resolve issues as quickly as possible
- promote our garden tool loan scheme and gardening clubs to help people maintain their gardens
- achieve Green Flag status for appropriate open spaces on our estates
- improve the design of communal areas and open spaces, removing redundant features where necessary, so that they better support the health and wellbeing of the local community
- Subject to funding availability, look into offering hard standings and other car parking solutions, and begin to roll out the infrastructure needed to charge electric cars.
- promote and improve viable garage sites to increase revenue while continuing to seek new uses for old sites that are not fit for purpose, removing garages where there is no demand or where they attract anti-social behaviour

- maintain our communal lighting using low energy lighting solutions where appropriate
- work with the council to improve recycling opportunities in blocks of flats
- include natural habitats and biodiversity in improvement schemes, and support residents who want to create Pocket Parks and Community Gardens.

Commitment to identifying and supporting tenants when they most need help

The majority of our tenants are self-sufficient, content to live independently or supported by family and friends. However, we recognise that there are times where we all need a little extra help, and the coronavirus pandemic has made this all the more apparent.

Some of our residents live alone and we are conscious of the impact loneliness can have on peoples welfare. We will work to help support residents have meaningful social relationships, and many of our activities, events and opportunities to get involved help achieve this.

Some people who live in the homes we manage have periods of poor physical or mental health and may need additional support; others may have temporary or longer term support needs for different reasons.

Our commitment is that we will:

- make sure our Housing Patch Managers and Independent Living Co-ordinators get to know new tenants at the earliest opportunity, starting at the sign up process
- improve access to and tenant awareness of how best to contact their Housing Patch Manager
- increase our focus on providing help and support when needed by making sure that we can identify changes in circumstances more readily through a programme of annual tenancy audits and regular tenancy visits
- make it easy for tenants to inform NCH about ongoing changes to their circumstances that may impact on their ability to manage a tenancy
- continue to embed our Eyes Wide Open approach so that we remain alert to residents who might need extra support at different times in their lives, and can encourage others to notify us if they have concerns
- refer to partner organisations best placed to help residents where it is appropriate to do so
- provide training to staff working with people with mental health needs, and make sure that mental health training is part of our staff learning and development programme
- help address social isolation and loneliness, for example through our work to engage and involve residents and forming constructive partnerships with voluntary sector organisations
- deliver adaptations to council housing to meet the specific needs of individual households.

To have a home you can afford

Alongside our ambition to build new homes that Nottingham people can afford, a core activity is the management and maintenance of homes at social and affordable rents. Re-letting these homes provides a supply of affordable homes for people on the waiting list. The work we do to make homes ready for re-letting, and the allocation of these homes via the Nottingham HomeLink Housing Register, is a vital part of making sure of a supply of homes that people can afford. Our work to help people sustain their tenancies and collect the rents tenants pay, is critical in helping people keep a roof over their head, as well as a vital part of making sure our business operates robustly.

We will develop our work in these areas to provide greater customer focus, improved tenant satisfaction and modernised ways of delivering these services.

Our commitment is that we will:

- improve how we work on empty properties between lettings, using a Northgate package to reduce the time homes are empty (void times)
- involve our customers in a review of our lettable standard
- manage budgets, meet our lettable standard and maximise capital works while properties are empty
- improve the data monitoring and reporting systems for void property and lettings management
- use technology to market homes more effectively - showing plans and videos of available properties
- deliver a fully digital tenancy sign up process online, which is more flexible and suited to customer needs, promoting 'Keys to Your Tenancy' so new tenants are well informed before sign-up
- streamline HomeLink applications, maximising applications online
- provide holistic housing options such as the Home Finder Agent role to offer wider advice to those seeking accommodation, supporting mutual exchanges and consider an accessibly located 'property shop'.

We will focus on rent collection and tenancy sustainment, helping to make sure that our approach helps prevent homelessness.

Our commitment is that we will:

- continue to improve 'Keys to Your Tenancy' our pre-tenancy offer, through e-learning and Rent Team assessment to make sure appropriate support is in place for people with increasing vulnerabilities
- maintain our multi-agency approach to providing support with partners like Housing Aid, local advice services, and our own teams that support training and employability skills
- transfer more rental payments to Direct Debit to deliver efficiencies and help prevent arrears
- continue to support tenants at the earliest sign that they may be struggling to pay their rent
- pursue an ethos of tenancy sustainment to help tenants pay back any rent arrears which have accrued, while pursuing a formal process for tenants who chose not to engage with us
- improve collection rates of former tenant arrears
- with Nottingham City Council we will carry out a comprehensive review of service charges to make sure transparency, fairness and accuracy in all recharges made
- introduce well designed account e-statements (or hard copies where needed)
- improve digital access with more communication through Housing Online, providing efficient, automated text and e-mail information and a better ability to interact with customers through web chat, providing a more instant and cost effective way of offering communication advice and support
- maintain our Advice Quality Standard accreditation for the Universal Credit and Tenancy Sustainment Teams
- consider and assess the costs and benefits of establishing our own in-house debt advice service in order to help the residents we serve.

To have your voice heard and to be treated with respect

We're already committed to putting our residents at the heart of everything we do. This golden thread runs through Nottingham City Homes, placing tenants in the driving seat. We have an involvement pool of willing tenants in place and a roadmap of involvement options.

We have reviewed the way we run NCH and have introduced a new ALMO Board, which consists of tenants, and is designed to give tenants a bigger say in how NCH operates. We will review and improve how our ALMO Board works to make sure this is making the improvements our tenants want to see. We're always listening to what residents tell us, whether through our surveys, the focus groups we run, or through consultations - like the one we did to help develop this Corporate Plan.

Our Tenant and Leaseholder Involvement Strategy supports engagement at all levels, with residents taking on roles from Street and Block Champions to Tenant Board Members. Residents are also actively involved in scrutinising our services through our Customer Excellence Panel and our ACE Inspector programme.

The work of community volunteers in our neighbourhoods cannot be underestimated. It is through the tireless work of volunteers that communities thrive and become great places to live. This has never been more so apparent than during the coronavirus pandemic, which has really shone a light on the strong sense of community that exists in many of our neighbourhoods and communities.

We will positively promote our neighbourhoods, supporting people who live on our estates and the valuable contributions they make, challenging conventions and negative stereotypes about social housing, addressing the stigma that residents told the government some people associate with social housing. NCH and our residents know that there is much to be proud of, and we are proud to say it.

We also maintain close relationships with organisations like the National Federation of ALMOs (NFA), Tenant Participation Advisory Service (TPAS) and other national networks to help make sure tenants voices are heard at national level.

It's crucial that we connect with the different groups of people whose lives we affect in ways that suit them. Timely, appropriate, easy to read and effective marketing and communications are key to making these connections. We strive to make sure that all communications with and to residents, staff and stakeholders supports our reputational and cultural aims, and contributes to the perception of NCH being a good landlord, employer, contractor and partner. We have a range of different communications channels to reach our audiences, and we aim to reach people through their preferred way of receiving information and to provide simple, convenient ways for people to contact us, improving digital functionality so that tenants can move away from making telephone calls when they need to contact us.

Our commitment is that we will:

- implement a company-wide programme of enhanced customer care training, and consideration of Customer Service Excellence accreditation
- improve our processes to keep customers informed about progress of their service requests
- continue to support residents be involved in our governance structure, making it easier to actively participate, increasing the numbers and the diversity of those involved, providing tailored training to assist tenant Board and Customer Excellence Panel (CEP) members to hold us to account
- review our Board structure to make sure it is giving tenants a strong voice in our Governance processes
- promote and celebrate the great work positive impact and changes made through resident involvement helping us shape and design services that best meet the needs of residents
- develop a new Young Community Champion programme in recognition of the positive impact that young people have in their neighbourhoods
- expand on our Young Inspectors programme to make sure that young people's views on the areas that they live in are heard and acted on

- continue to support and inspire residents to get involved in our Tenant and Resident Groups, community groups and as Street and Block Champions, increasing the number of actively involved tenants to make sure all areas have strong representation
- provide funding for community activities through our Make a Difference funding
- continue to support the annual Tenant and Leaseholder Awards and Garden Competition, recognising and thanking residents for their contribution to thriving neighbourhoods and communities
- launch a new, tenant-led charity to support residents and the communities they live in, and recruit tenant trustees for the charity
- equip Street and Block Champions and ACE Inspectors with the HouseMark App to make reporting matters easier and increase the speed of our response
- introduce opportunities for tenants around the city to meet the leaders of Nottingham City Homes in person
- support residents to engage with local and national decision-makers in government so that they can make their voices heard
- make sure tenants' voices are heard in the review being carried out in the Nottingham City Council Recovery and Improvement Plan
- develop a 'return on tenant investment' statement as part of our Tenants' Charter
- publish our residents' newsletter (NCH News) to inform people, and promote ways in which they can speak to us. We will provide this in different formats, as well as using digital and social media to have a dialogue with residents and listen to their views
- use social media to reach more residents and allow them to communicate with us
- challenge stigma about social housing wherever we encounter it, and through the positive promotion of the contributions so many residents make.

To know how we are performing

We have regularly published performance information, but there will be new requirements for all social landlords to report a set of tenant satisfaction measures, to enable scrutiny of the landlord by tenants, and to provide a clear breakdown of how income is being spent.

We are committed to delivering high levels of quality and customer service. To support our day to day activity we have a quality management system which focusses on developing and reviewing the way we operate, with the aim of ensuring that customer requirements are met. This involves a review of all of our processes over a three year period to make sure they are fit for purpose, and to undertake regular checks to confirm we do what we say we will do. We are in the process of determining whether to adopt the Cabinet Office's Customer Service Excellence Standard during the lifetime of this plan.

Our existing performance information covers much of what is required by the White Paper. We will develop this further to add additional clarity to the material we publish, making sure that the Group's subsidiary performance can easily be available. We will continue to use the Housing Quality Network self-assessment and toolkit for complaints review, and roll this out more widely. We respond to Freedom of Information requests as required.

Our commitment is that we will:

- publish what we have delivered, and annually review delivery against the Plan, reporting progress against the delivery of our commitments, and clarifying reasons behind items should they not be on track for delivery
- publish the relevant information in a clear and easy to access way, including all relevant compliance data

- engage with the Regulator of Social Housing's process to develop the required tenant satisfaction measures
- complete our Performance Management Framework review and implement
- review and implement new measures - definitions and data accuracy are key to this
- make sure all reporting differentiates between different parts of the NCH Group - NCH, NCH RP, NCHEL
- review the implications of access to information, particularly new requirements that will apply to NCH RP
- consult with tenants on what financial information is important to them and consider how best to present this information
- be accountable and we will appoint the 'Responsible Persons' roles, required for both NCH and Nottingham City Council's landlord function, roles to make sure compliance with the Consumer Standard, Health and Safety requirements and for fire safety risks in multi occupied buildings.

To have your complaints dealt with promptly and fairly

Our complaints process is an important part of the service we offer to residents.

We want customers to be satisfied with the services we provide and to deliver continuously improving services. So if something is wrong, we want to hear about it so that we can put it right and make sure it doesn't happen again. We use complaints data to improve customer satisfaction, drive service improvement and inform changes in delivering and shaping services. We learn from the complaints we receive to improve the services we provide.

Our Customer Excellence Panel, comprised of tenants, has reviewed the way we handle complaints and made a number of recommendations. We are implementing the changes recommended.

We have completed a self-assessment against the new Complaint Handling Code published by the Housing Ombudsman Service and aim to act quickly and decisively to resolve complaints. Our complaints processes are supported by our Complaints Panel which allows complaints to be considered by other residents as part of our involvement and scrutiny process.

We use customer relationship management (CRM) techniques to provide insight into customers' preferences, supported by regular surveys and feedback processes for residents to let us know their views. We do not operate a one size fits all approach, and customer insight is a vital tool in understanding the diversity of our residents and the services they would like.

Our commitment is that we will:

- deliver on the action plan resulting from the Complaint Handling Code self-assessment
- revise our Complaints Policy and Procedure in line with White Paper recommendations and new regulatory requirements
- empower staff to make sure complaints are resolved at the point of contact as far as possible
- review our reporting of complaints, and the speed and effectiveness of complaints handling.
- involve staff in further training about complaints processes
- make sure that residents know how they can complain if they want to
- engage with the proposed national awareness-raising campaign about resident complaints
- continue to engage with the Housing Ombudsman Service to make use of learning from their work across the sector and adopt best practice.

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**Overview and Scrutiny Committee
3 March 2021**

Section 106 Agreements

Report of the Head of Legal and Governance

1 Purpose

- 1.1 To receive information from Planning and Regeneration colleagues on the Section 106 (S106) process and to hear about work being undertaken to make the process more efficient, open and transparent.

2 Action required

- 2.1 To use the information received at the meeting to inform questioning and identify areas for recommendation(s) and/ or future scrutiny.

3 Background information

- 3.1 S106 of the Town and Country Planning Act 1990 enables the Council to enter agreements which mitigate the impacts of development proposals.
- 3.2 S106 is complex and the Committee has requested a clear explanation of the process to enable it to understand how it works, how it benefits citizens and the city and where improvements might be made.
- 3.3 Colleagues have provided a report to the Committee, which will be supported by a presentation on the day of the Committee meeting.

4 List of attached information

- 4.1 None.

5 Background papers, other than published works or those disclosing exempt or confidential information

- 5.1 None.

6 Published documents referred to in compiling this report

- 6.1 None.

7 Wards affected

- 7.1 All.

8 Contact information

- 8.1 Kim Pocock
Scrutiny Officer
0115 8764321
kim.pocock@nottinghamcity.gov.uk

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Overview and Scrutiny Committee

3 March 2021

S106 Agreements

Report of the Director of Planning and Regeneration

1 Purpose

- 1.1 To provide an overview of the S106 process including an understanding on how S106 obligations are negotiated from new developments and to explain the process for oversight and management of our existing S106 obligations (collection, allocation and spend). The report also sets out some of the work that is being undertaken to make the process more efficient, open and transparent.

2 Action required

- 2.1 Note the content of the report, the procedures in place to monitor and administer S106 agreements and proposed improvements that are being investigated.

3 Background information

- 3.1 The use of S106 planning obligations is governed by legislation, national and local policy and government/ministerial advice. An overview is provided below.
- 3.2 Planning obligations are entered into under Section 106 of the Town and Country Planning Act 1990 (as amended) to mitigate the impacts of a development proposal and are legally enforceable documents. The use of planning obligations has evolved considerably since it was first introduced under s52 of the Town and Country Planning Act 1971.
- 3.3 Section 106 outlines what planning obligations might be used for. A planning obligation may impose requirements;
 - a) restricting the development or use of the land in any specified way;
 - b) requiring specified operations or activities to be carried out in, on, under or over the land;
 - c) requiring the land to be used in any specified way; or
 - d) requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.
- 3.4 Planning obligations should not be used where a planning condition is appropriate and obligations are used for three specific purposes. To;
 1. prescribe the nature of development eg requiring a given portion of housing is affordable,
 2. compensate for loss or damage created by a development eg loss of open space, or

3. mitigate a development's impact eg through increased public transport provision.
- 3.5 The obligations may be provided by the developer "in kind" – by building or directly providing the matters necessary to fulfil the obligation, nearly always on site. Alternatively, planning obligations can be met in the form of financial payments, or a combination of both. Agreements are registered as a local land charge against the site as a whole and although agreements are signed by the developer, they stay with the land if it is sold.
- 3.6 Agreements are drafted with various & varying "trigger" points relating to the development; when these are reached, the developer is liable to pay the agreed contribution to the Council. Under the terms of the agreement, it is the developer's duty to notify the Council when trigger points are reached and payment to the Council becomes due. Agreements may have several trigger points, based on different criteria (often based on a percentage of properties completed/ occupied) which can be difficult to monitor accurately. Funds received are then available to spend on the specific areas contained in the agreement as the Council's obligations. It should be noted that planning permissions may take several years to reach completion or may cease or be amended or superseded; consequently, not all agreements are realised in full.
- 3.7 The current legislation (CIL Regulations 2010) sets mandatory legal tests for S106 which must be met. These tests are well understood by the development community. The effect of these has been to restrict the scope for all contributions from developments. For any planning application where a S106 is required, the officer report sets out whether the CIL tests have been met. They are whether the obligation sought is;
 - a) necessary to make the development acceptable in planning terms
 - b) directly related to the development
 - c) fairly and reasonably related in scale and kind to the development.
- 3.8 Previously, the number of S106s completed since April 2010 that could be pooled together towards any specific infrastructure project had been limited to a maximum of five. However, since 1 September 2019, this is no longer the case.
- 3.9 The National Planning Policy Framework states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. Where there are particular circumstances that justify the need for a viability assessment, it is for the applicant to demonstrate this. The NPPF states that the weight to be given to a viability assessment is a matter for the decision maker.

Planning Process - Negotiation Approach

- 3.10 Our current planning policy basis results in S106 obligations as set out in Nottingham's local plan documents including the adopted Local Plan part 2 (2020) and Supplementary Planning Documents (SPDs) primarily covering the following;

- Affordable housing,
- Education,
- Open Space/Parks,
- Employment and Training, and
- Improved infrastructure needed to serve the development

- 3.11 Planning Officers negotiate for the full S106 obligation that is required either by adopted policy or to mitigate adverse impacts of a development. Where a developer does not propose to provide the mitigation themselves or pay the full S106 obligations these have been and remain subject to a viability assessment that is then subjected to robust independent scrutiny for arbitration. Previously the Valuation Office (VOA) provided this service (since July 2015) however the VOA recently indicated that they were overwhelmed with work and they were taking longer to process assessments. In 2019 HEB Property Consultants were used as a replacement and more recently CP Viability have been providing this service to ensure a consistency of approach and understanding of Nottingham specific issues.
- 3.12 In many cases this process requires negotiation by Planning Officers who seek to balance the viable delivery of positive development and investment in the city with the level of S106 obligations.
- 3.13 Where Officers propose approving a development without requiring a full S106 contribution (and therefore not meeting adopted policy) the application is always referred to Planning Committee for decision.
- 3.14 The use of CP Viability (or alternative) to provide independent scrutiny of S106 viability assessments is felt to provide the necessary robust, up to date and Nottingham specific evidence to support Planning negotiations around S106 obligations.
- 3.15 Likewise it remains appropriate that applications where a less than policy compliant obligation is proposed by a developer be determined by the Planning Committee. Committee reports carry a section referring to S106 implications and viability.
- 3.16 The viability of development will remain an evolving picture within a Nottingham context, especially in light of the pandemic. This picture will be kept under continuous review and advice to planning committee will provide the evidence needed to make sound decisions.
- 3.17 The process for determining the type and amount of S106 contributions will always be determined on a case by case basis taking into account a number of factors including the size and type of development, its location and the resultant impact the development will have and the mitigation that is required to address these impacts. Set out below, in summary is how each main type of contribution is determined;

Infrastructure	Determination
Affordable Housing	Approved Supplementary Planning Document sets out formula for on site or off site contributions (or combination of the two) with contributions received available to be used city wide. Contributions updated annually. Managed by Head of Housing and Regeneration (Mark Lowe) via portfolio holder for Planning, Housing and Heritage/ Building a Better Nottingham: Housing Delivery – Steering Group
Open Space	Approved Supplementary Planning Document sets out formula for on site or off site contributions (or combination of the two). Contributions updated annually. Open space investment plans set out priorities for investment on a Ward by ward basis which are agreed at Area Committee. At the planning application / S106 negotiation stage, discussion between Planning / Public Realm teams agree provisional allocation to a site/project idea by Public Realm. Once notification of receipt of S106 payment by Finance suggestion of funding allocation discussed at Area Committee / with Councilors and then endorsed. Delegated Decision signed by Portfolio Holder for Leisure, Culture and IT to approve allocation.
Education	Determined by need arising specific to the development and provision available in relevant part of city. Location of spend identified at time of planning application. Managed by spending dept.
Employment & Training	Determined by policy and coordinated by Jobs Hub.
Improved infrastructure	Determined on a case by case basis and spent on improvements required on the network. Most often in proximity to the development. Managed by Traffic/Transport teams via PfH.
Other contributions	Determined on a case by case basis.

Monitoring and management of S106 obligations

- 3.18 The monitoring of Section 106 agreements can be complex and time consuming due to the length of time that may elapse between the granting of permission and start on site (indeed, many developments may never take place). Trigger points (eg commencement, completion or occupation of development) have to be reached before contributions are due and although developers should inform the Council when these triggers are reached, this is not always the case. Therefore, agreements require monitoring on a regular basis to determine whether any triggers for payment have been reached.
- 3.19 In 2019 an internal audit review was undertaken to look at the management of S106 agreements with a scope to cover the processes including the negotiation process, monitoring, collection and utilisation of monies due. This provided a number of detailed suggested improvements to the authorisation of agreements, monitoring, reporting and guidance set out in an Action Plan.

3.20 It is acknowledged that the availability of monitoring information and the level of colleague capacity to manage the completed S106 planning obligations requires review. A process map is attached at appendix 1 to provide clarity on the roles and responsibilities for the ongoing monitoring and collection of S106 contributions.

3.21 Set out below are a number of work streams that are being undertaken to improve processes associated with S106 including the monitoring and administration of these agreements.

Improvement process of S106 – Key work streams

- **Legacy backlog of S106 Agreements**

3.22 In 2017 Major Projects Commercial Management Team were commissioned to carry out checking of legacy S106 agreements to see if triggers points had been met for old S106 agreements in order to recover any outstanding obligations. As part of this work, 100+ cases have been investigated and so far approx. £5million worth of S106 payments have been received. Further work is being explored including possible committee approval to accept lower contributions in a few specific cases.

- **Improvements to S106 Administration Monitoring**

3.23 A number of areas have been investigated for improvement and this has been enabled by the adaption of two planning posts who now have a formal S106 role (part time) as part of their overall duties. A cross council officer group has been established which has enabled better communication and inter-departmental relationships between planning, legal, finance and all the S106 spending departments.

3.24 It is now recognised that there is a need to ensure a fit for purpose and simple system is in place for oversight and management of all planning obligations going forward. This work has identified the need for an automated product to minimise officer time on administration/monitoring and both an in-house solution utilising the existing planning Uniform software as well as an off the shelf add on product to Uniform (Exacom, used by over 100 local authorities) is being investigated.

3.25 It should be noted, however, that any system will only work so long as there is dedicated staff resource to keep it up to date (including adding and updating contribution trigger data), and to act on system reminders to investigate development progress and request payments.

3.26 Currently there is a separate S106 database operated by Finance which is used for the monitoring of developments and collection and spend of contributions in the absence of a monitoring system. In an ideal world the chosen solution would end the need for this duplication of records and staff resource and would enable more detailed reporting.

- **Reviewing Monitoring Charges**

3.27 The current monitoring and administration charge for S106 was established by the Council in 2008. This allowed for top slicing of contributions by 3% to a total of £4,000 subject to the maximum cost increasing in line with the Retail Price Index each year on 1 April (although the top-slice did not begin to be taken until the beginning of 2019). Following a review, this indexing is now incorporated into all new S106 templates. In addition, bench marking with other Councils is being investigated to provide evidence to potentially increase the administration and monitoring charge and having this as a standalone charge rather than top slicing (up to 5%) which is how many Councils calculate their charges. There is also the potential of securing this charge on the signing of a S106 so that monitoring and administration can be carried out as soon as the agreement is signed.

- **S106 Estimator**

3.28 A new tool is being trialled that can provide a summary of the likely financial or on site contributions for;

- Affordable Housing
- Open Space
- Education; and
- Employment & Training

3.29 It is hoped that this will provide a more transparent and consistent approach to calculating S106 contributions for applicants, residents, councillors and officers. It is designed to be a working tool that can be adapted to changing policy and guidance. Although there will be incidences where additional contributions will be required (for example Public Transport, flooding, etc) these will be negotiated on a case by case basis and are therefore not formula based in the same way so cannot be included in the estimator.

3.30 The estimator has had internal testing with the S106 spending department and planning colleagues and some soft market testing with a few key developers and will shortly go on the Council web site. The latest version of the tool is available using the following link [S106 Estimator](#).

- **Infrastructure Funding Statement (IFS)**

3.31 This is a new national requirement set out in the Community Infrastructure Levy (CIL) Regulations that requires all local planning authorities to publish an annual Infrastructure Funding Statement. It is the government's view that IFSs will give communities better insight into how developer contributions are supporting new development and local infrastructure.

3.32 The IFS should, as a minimum contain the following information;

- details of new planning obligations which were **agreed** upon during the reported year
- the amount of money which was **received** during the reported year

- the monies which have either been **allocated or expended** within the reported year
- the amount of monies **retained** at the end of the reported year; and
- the report also gives a **breakdown of any non-monetary obligations**.

3.33 This is Nottingham's first IFS and covers the reporting period of 1 April 2019 to 31 March 2020 and will be publically available on the Council web site at [Nottingham City's Infrastructure Funding Statement 2019-20.](#)

4 List of attached information

4.1 None

5 Background papers, other than published works or those disclosing exempt or confidential information

5.1 The following documents are specifically relevant;

- [Nottingham City Aligned Core Strategy - ACS \(2014\)](#) (Part 1 Local Plan)
- [Land and Planning Policies Document - LAPP \(2020\)](#) (Part 2 Local Plan).
- [Nottingham City Infrastructure Funding Statement 2019-20](#)

6 Published documents referred to in compiling this report

6.1 None additional to 5.1.

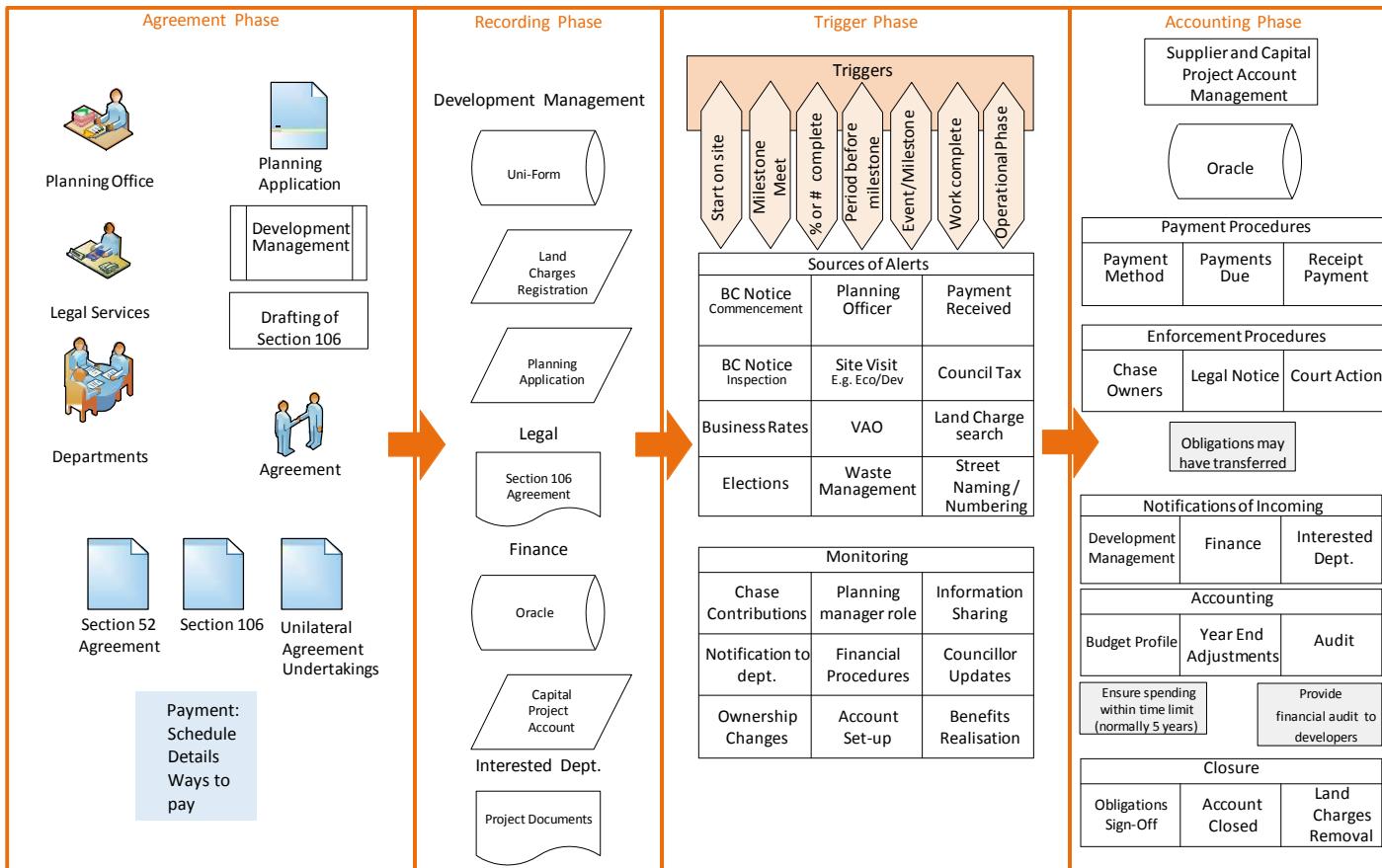
7 Wards affected

7.1 All

8 Contact information

8.1 Matthew Grant, Principal Policy Planner, matthew.grant@nottinghamcity.gov.uk
Rachel Mottram, Technical Support Manager,
rachel.mottram@nottinghacity.gov.uk

Section 106 Workflow



**Overview and Scrutiny Committee
3 March 2021**

Work Programme 2020/21

Report of the Head of Legal and Governance

1 Purpose

- 1.1 To consider the Committee's work programme for the remainder of 2020/21.

2 Action required

- 2.1 To discuss the attached work programme for the remainder of the municipal year, and make any necessary amendments.

3 Background information

- 3.1 The Committee is responsible for setting and managing its own work programme.
- 3.2 In setting the work programme, the Committee should aim for an outcome-focused work programme that has clear priorities and a clear link to its roles and responsibilities.
- 3.3 The work programme needs to be flexible so that issues which arise as the year progresses can be considered appropriately.
- 3.4 Where there are a number of potential items that could be scrutinised in a given year, consideration of what represents the highest priority or area of risk will assist with work programme planning.
- 3.5 Changes and/or additions to the work programme will need to take account of the resources available to the Committee.

4 List of attached information

- 4.1 Overview and Scrutiny Committee 2020/21 Work Programme.

5 Background papers, other than published works or those disclosing exempt or confidential information

- 5.1 None.

6 Published documents referred to in compiling this report

- 6.1 None.

7 Wards affected

7.1 All.

8 Contact information

8.1 Kim Pocock
Scrutiny Officer
0115 8764321
kim.pocock@nottinghamcity.gov.uk

Overview and Scrutiny Committee Work Programme 2020-21

Date	Items
5 August 2020	<p>Terms of Reference To note the terms of reference for the Committee</p> <p>Council Budget 2020-21 To scrutinise the Council's response to the in-year budget situation and the process being followed to develop an interim budget</p> <p>Draft 2020-21 Work Programme To look at the work programme for the 2020-21 municipal year</p>
9 September 2020	<p>Scrutiny of the Portfolio Holder for Energy, Environment and Democratic Services – Councillor Sally Longford To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Covid-19 Pandemic – The Impact on Nottingham City Council To consider information on how the Council has responded to the global pandemic – service changes, etc</p> <p>Citizen Satisfaction Survey Recommendation Update To consider a written update on the response to the recommendation received by the Committee in November 2019</p> <p>Work Programme To agree the work programme for the remainder of the municipal year</p>
7 October 2020	<p>Scrutiny of the Portfolio Holder for Communities, Highways and Strategic Transport – Councillor Rebecca Langton To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Scrutiny of the Portfolio Holder Health, HR and Equalities (HR and Equalities elements only) – Councillor Eunice Campbell-Clark To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Tackling inequalities To review the work the Council is undertaking to tackle inequalities within the community and its workforce</p>

Date	Items
	<p>Work Programme To agree the work programme for the remainder of the municipal year</p>
4 November 2020	<p>Scrutiny of the Leader/Portfolio Holder for Regeneration, Schools and Communications (Regeneration and Communications elements only) – Councillor David Mellen To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Crime and Drugs Partnership To consider information on the current work of the Crime and Drugs Partnership and performance against the Crime and Drugs Partnership Plan</p> <p>Universal Credit Implementation Update To consider an update on the impact of the roll out of Universal Credit in Nottingham</p> <p>Work Programme To agree the work programme for the remainder of the municipal year</p>
9 December 2020	<p>Scrutiny of the Portfolio Holder for Adult Care and Local Transport (Local Transport element only) – Councillor Adele Williams To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Highways England – Clifton Bridge To consider progress against the work programme for completing the repairs on Clifton Bridge, and details of measures in place to prevent any similar occurrences in the future</p> <p>Flooding To consider the work carried out and planned for the future to mitigate against flooding in the city</p> <p>Update on the Action Plan in response to the Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy Verbal update by the Chair of O&S</p> <p>Amendments to the Terms of Reference To be consulted on the proposed changes to the Committee's Terms of Reference</p>

Date	Items
	<p>Work Programme To agree the work programme for the remainder of the municipal year</p>
6 January 2021	<p>Scrutiny of the Portfolio Holder for Finance, Growth and the City Centre – Councillor Sam Webster To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Economy Building To consider information on the support available to businesses during the pandemic and plans for ongoing and future support</p> <p>Work Programme To agree the work programme for the remainder of the municipal year</p>
3 February 2021	<p>Scrutiny of the Portfolio Holder for Employment and Community Protection – Councillor Neghat Khan To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Electoral Registration To consider information on the new household enquiry process and the work that is being done to promote and encourage registration</p> <p>Update on the Action Plan in response to the Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy To consider an update on progress against the Action Plan</p> <p>Non-Statutory Review/ Recovery and Improvement Plan To consider an update on progress</p> <p>Work Programme To agree the work programme for the remainder of the municipal year</p>
3 March 2021	<p>Scrutiny of the Portfolio Holder for Housing, Planning and Heritage – Councillor Linda Woodings To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Section 106 Contributions To consider information on how the contributions are calculated and distributed</p>

Date	Items
	<p>Work Programme To agree the work programme for the remainder of the municipal year</p>
7 April 2021	<p>Scrutiny of the Portfolio Holder for Leisure, Culture and IT – Councillor Dave Trimble To consider information on priorities, budget pressures, challenges and performance against Council Plan priorities</p> <p>Covid-19 Pandemic – The Impact on Nottingham City Council and the Council's Response To consider information on how the Council has responded to the global pandemic – service changes, etc since the last report in September 2020.</p> <p>Update on the Action Plan in response to the Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy To consider an update on progress against the Action Plan</p> <p>Non-Statutory Review/ Recovery and Improvement Plan To consider an update on progress</p> <p>Work Programme To agree the work programme for the 2021-22 municipal year</p>

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Items to be scheduled:

Item	Focus
Employment Services in the City	To consider information on how services work together, the resources available and their effectiveness
Student Accommodation	To consider information on whether the number of developments meet demand and free up family housing
Planning Enforcement	To consider information on the effectiveness of the Planning Enforcement process
Heritage Panel	
Fire Prevention and Safety	To consider information from the Nottinghamshire Fire and Rescue Service on the

	work they do on fire prevention and safety
Crime and Disorder	Update on CDP Plan and/ or themed approach, ie looking in more detail at a specific issue over more than one meeting, eg, ASB (including domestic violence, neighbourhood disputes) and impact on community policing and protection

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