



Havering

L O N D O N B O R O U G H

TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB- COMMITTEE AGENDA

7.30 pm	Tuesday 3 September 2019	Committee Room 3B - Town Hall
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Members 9: Quorum 4

COUNCILLORS:

Conservative Group (4)

Ray Best (Chairman)
Robby Misir (Vice-Chair)
Timothy Ryan
Carol Smith

Residents' Group (2)

Paul Middleton
Gerry O'Sullivan

Upminster & Cranham Residents' Group (1)

Christopher Wilkins

Independent Residents' Group (1)

Tony Durdin

Labour Group (1)

Keith Darvill

**For information about the meeting please contact:
Taiwo Adeoye - 01708 433079
taiwo.adeoye@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns to the public.

The sub-committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations. These are considered by the Overview

and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research or undertaking site visits. Once the topic group has finished its work it will send a report to the Sub-Committee that created it and will often suggest recommendations for the Overview and Scrutiny Board to pass to the Council's Executive.

Terms of Reference

The areas scrutinised by the Committee are:

- Regulatory Services
- Planning and Building Control
- Town Centre Strategy
- Licensing
- Leisure, arts, culture
- Housing Retained Services
- Community Safety
- Social and economic regeneration
- Parks
- Social inclusion
- Councillor call for Action

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

2 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting of 11 July 2019 and to authorise the Chairman to sign them.

5 PERFORMANCE REPORT UPDATE - QUARTER ONE (Pages 7 - 32)

Report attached

6 UPDATE - ADOPTION OF THE SEX ESTABLISHMENT LICENSING POLICY AND ADOPTION OF SCHEDULE 3 OF THE LOCAL GOVERNMENT ACT 1982 (Pages 33 - 40)

Report attached

7 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

Andrew Beesley
Head of Democratic Services

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**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB- COMMITTEE
Committee Room 3B - Town Hall
11 July 2019 (7.30 - 8.45 pm)**

Present:

Councillors Ray Best (Chairman), Robby Misir (Vice-Chair), Keith Darvill, Paul Middleton, Gerry O'Sullivan, Christopher Wilkins, Timothy Ryan and Carol Smith.

Councillor Tony Durdin was absent.

23 DECLARATION OF INTERESTS

There were no disclosures of interest.

24 MINUTES

The minutes of the meeting of the Sub-Committee held on 26 February 2019 were agreed as a correct record and signed by the Chairman.

25 PERFORMANCE REPORT UPDATE - QUARTER FOUR

Members received a presentation that outlined the six corporate performance indicators for Quarter four that were reported to the Sub-Committee.

It was noted that three indicators were off target; and one was on target.

The Sub-Committee noted that two of the reported indicators were demand rather than performance indicators, therefore were not given a RAG status.

The report informed Member of the new Corporate Standards for Complaints Data which was introduced following some poor quality investigations at Stage 1 of the process and the nature of Stage 2 complaints had become far more complex.

- A review of the Council's Complaint Policy and Procedure was carried out and as a result there had been a change in timescales for both Stage 1 and Stage 2 complaints from the start of Quarter 3

- Following a call-in of the Executive Decision, and a subsequent meeting of the Overview and Scrutiny Board, the following changes were implemented:
 - Stage 1 complaints to be completed in 10 working days (amended from 15 working days)
 - Stage 2 complaints to be completed in 25 working days (amended from 20 working days)
 - Stage 3 complaints to be completed in 30 working days (amended from a calendar month)

The report outlined the following areas for improvement within Housing Repairs:

- 84.37% of repairs were completed within the target timescale in Quarter 4 against a target of 95%. The main repairs contractor Breyer's performance was 84.03%. The Sub-Committee noted that the main reason for Breyer performance being below target was due to a backlog of overdue orders they had allowed to accumulate. While clearing the backlog, it had not been possible for Breyer to achieve target, because all backlog jobs would be late and as such would inevitably impact on the overall KPI.

The repairs contractor was now working to a revised improvement plan designed to reduce the backlog, which was less complicated, more focused on outcomes and detailed the measures being taken to increase the contractor's resources to achieve target.

The new plan was reviewed more frequently at fortnightly meetings and attended by Breyer Operational Directors and Havering's Property Services Manager, together with operational managers from both organisations.

It was stated that the backlog was reducing month on month and had been reduced by approximately 35% in March 2019. As of the first week in April there were only 8 jobs above the target set.

The Sub-Committee was informed that with the backlog reducing, orders going forward would have an impact on repairs completed on time. Breyer were currently reporting figures for April 2019 of 93% on time and for May 96% on time. These figures had yet to be confirmed, but the reduction in overdue orders would result in improved performance. As part of the plan, Breyer have appointed new operatives to assist in clearing the backlog and this is clearly having an effect. There was concern raised previously around Breyer's ability to retain the additional staff but this had not occurred and monitoring of resources and regular communication with Breyer has proved to be effective.

Although Breyer had not met the KPI of "repairs completed within target" they consistently achieved the "Right First Time" target and continued to do so.

As previously advised, the interim Director of Housing had also set up and maintained regular strategic review meetings with the Managing Director of Breyer to ensure performance was highlighted as a key priority and to gain assurance that improvement would be delivered.

During brief discussions, Members suggested that future performance reports include a breakdown of what each category entailed.

A Member requested that in future the complaint figures provided should include a breakdown that determined the number of complaints at stage 2 and stage 3.

The Sub-Committee was informed that the current Housing Repair Contractor, Breyer, was appointed in 2014 and that the contract was recently renewed for another three years.

The Sub-Committee noted the performance report..

26 HOUSING REPAIRS TOPIC GROUP - UPDATE

The Sub-Committee received a briefing on the current status of Housing Repairs as part of the ongoing scrutiny review from the previous year.

It was reported that there were the service maintained over 10,000 properties across the borough by using a term contractor, Breyer, and several small local contractors on an Ad Hoc basis.

It was noted that there were issues with the contractor performance around completed jobs within agreed timescales.

The report informed that in November 2018 the number of overdue jobs rose to 756. This had an impact on the main KPI, jobs completed within time, which dipped to 84% against a target of 95%. This had a direct effect on the number of complaints received.

The Sub-Committee noted the following improvements that had been made and other ongoing plans to give residents a quality repairs service:

- (i) The service focused on reducing the number of overdue jobs.

This was achieved by:

- A skill gap analysis which identified areas where Breyer were short on labour.
- Using an issues log, poor practice was identified within the contact center where orders were being raised with incorrect trade codes and priorities.

- Breyer changed a supervisor who was able to work with the team in a more effective manner which assisted in increasing productivity.
- Breyer worked with the contact center to increase the percentage of routine orders being issued, this was still a slight issue as it currently sat at 44% against a target of 70%.
- Breyer employed 5 temporary staff members to assist in the reduction of the back log.
- The introduction of a daily monitoring sheet which tracked all key data to act as an early warning indicator
- Reduction of “Fixed Appointments” allowing the OneServe scheduling system to operate more effectively.
- All of the above increased productivity to produce an out turn of 3.5 jobs per day per operative.

The service also focused on continued improvement:

- A new Repairs Manager was appointed and had immediately set about improving the client, contractor relationship, productivity and the service as a whole delivered to residents.
- Weekly meetings were being held around robust contract management.
- Breyer to reinstate Handyman service.
- Breyer to launch property MOT service targeting vulnerable residents.
- A more focused approach was being adopted by Havering surveyors.
- Officers and contractors were being held accountable for their actions, or lack of.
- A monthly reconciliation meeting would be held to establish a truer “jobs completed in target” figure.
- From 1st July Breyer would take back agreed out of scope works.
- From 1st July Breyer would start to take more voids.
- A tender exercise would be conducted to ensure VFM and due diligence for contractors picking up out of scope works and voids.
- The improvement action plan would continue and be updated to reflect the new ways of working.
- The call centre would be issuing agreed out of scope works directly to “back up” contractors instead of raising pre inspections to surveyors.
- Surveyors would be doing more back end monitoring of the contract i.e. cost scrutiny and quality assurance through a program of post inspections.
- Surveyors duty day was to be reinstated.

The Sub-Committee agreed that the Topic Group work should continue. Members requested that case study of jobs raised and how it was implemented be presented at the next meeting.

The Sub-Committee noted the report.

Chairman

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TOWNS AND COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE 3 SEPTEMBER 2019

Subject Heading:	Quarter 1 performance report
SLT Lead:	Jane West, Chief Operating Officer
Report Author and contact details:	Lucy Scamans, Performance and Business Intelligence Officer x4027
Policy context:	The report sets out Quarter 1 performance relevant to the Towns and Communities Overview and Scrutiny Sub-Committee
Financial summary:	There are no immediate financial implications. Adverse performance against some Performance Indicators may have financial implications for the Council. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by Cabinet at the start of the year.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input checked="" type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

1. This report supplements the presentation attached as **Appendix 1**, which sets out the Council's performance against indicators within the remit of the Towns and Communities Overview and Scrutiny Sub-Committee for Quarter 1 (April 2019- June 2019).

RECOMMENDATION

That Member of the Towns and Communities Overview and Scrutiny Sub-Committee note the contents of the report and presentation and make any recommendations as appropriate.

REPORT DETAIL

1. The report and attached presentation provide an overview of the Council's performance against the performance indicators selected for monitoring by the Towns and Communities Overview and Scrutiny Sub-Committee. The presentation highlights areas of strong performance and potential areas for improvement.
2. The report and presentation identify where the Council is performing well (**Green**) and not so well (**Amber** and **Red**). The RAG ratings for the 2019/20 reports are as follows:
 - **Red** = more than the 'target tolerance' off the quarterly target
 - **Amber** = within the 'target tolerance' of the quarterly target
 - **Green** = on or better than the quarterly target
3. Where performance is off the quarterly target and the rating is '**Red**', 'Improvements required' are included in the presentation. This highlights what action the Council will take to address poor performance.
4. Also included in the presentation (where relevant) are Direction of Travel (DoT) columns, which compare:
 - Short-term direction of travel – with performance the previous quarter (Quarter 4 2018/19)
 - Long-term direction of travel – with performance during the same time the previous year (Quarter 1 2018/19)
5. A green arrow (↑) means performance is better and a red arrow (↓) means performance is worse. An amber arrow (→) means that performance has remained the same.
6. In total, eleven performance indicators have been included in the Quarter 1 2019/20 report and presentation. Of these, ten have been assigned a RAG status. Five are currently rated '**red**' (off track) and five are currently rated '**green**' (on track).

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications arising directly from this report which is for information only.

Adverse performance against some indicators may have financial implications for the Council, particularly where targets are explicitly linked with particular funding streams and/or levies from other bodies. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by the Cabinet at the start of the year.

Robust ongoing monitoring is undertaken as part of the established financial and service management processes. Should it not be possible to deliver targets within approved budgets this will be raised through the appropriate channels if required.

Legal implications and risks:

Whilst reporting on performance is not a statutory requirement, it is considered best practice to regularly review the Council's progress.

Human Resources implications and risks:

There are no HR implications or risks involving the Council or its workforce that can be identified from the recommendations made in this report.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

BACKGROUND PAPERS

None



Havering

LONDON BOROUGH

Quarter 1 Performance Report 2019/20

Towns and Communities O&S Sub-Committee

03 September 2019

About the Towns and Communities O&S Committee Performance Report

- Overview of the key performance indicators as selected by the Towns and Communities Overview and Scrutiny Sub-Committee
- The report identifies where the Council is performing well (**Green**), and not so well (**Amber** and **Red**).
- Where the RAG rating is '**Red**', '**Corrective Action**' is included. This highlights what action the Council will take to address poor performance.

OVERVIEW OF TOWNS AND COMMUNITIES INDICATORS

- 11 Performance Indicators are reported to the Towns and Communities Overview & Scrutiny Sub-Committee.
- Data is available for all of the indicators.
- Performance ratings are available for 10 of the 11 indicators. 5 are **Red** (off target) and 5 are **Green** (on target).

Quarter 1 Performance

Indicator and Description	Value	2019/20 Target	19/20 Q1 Performance		Short Term DOT against Q4 2018/19		Long Term DOT against Q1 2018/19
% of Housing services complaints answered within target time	Bigger is better	95%	93.79% Red	↑	31.19%	↑	17.57%
% of repairs right first time (Breyer Contractor only)	Bigger is better	95%	98.29% Green	↑	97.70%	↑	96.09%
% of all repairs completed within target Main Contractor(s) (cumulative)	Bigger is better	95%	88.69% Red	↑	84.37%	↓	91.30%
% HRA Gas servicing compliance (General needs & Sheltered)	Bigger is better	100%	99.98% Red	↑	99.75%	↑	98.64%
% of fire risk assessments completed of those due	Bigger is better	100%	100% Green	↔	100%	↔	100%
% of arrears over debit	Smaller is better	1.40%	2.96% Red*	-	NEW	-	NEW
Total current UC tenants arrears (General, sheltered, HMO & AST)	Smaller is better	Demand Pressure	£702K	-	NEW	-	NEW

*Provisional

Quarter 1 Performance

Indicator and Description	Value	2019/20 Target	19/20 Q1 Performance	Short Term DOT against Q4 2018/19		Long Term DOT against Q1 2018/19	
Average days re-let time of ALL HRA Voids	Smaller is better	14 days	15.34 Red	-	NEW	-	NEW
Major Planning Applications completed within Target	Bigger is better	65%	100% Green	↔	100%	↔	100%
Minor Planning Applications completed within Target	Bigger is better	65%	100% Green	↑	97%	↑	83%
Other Planning Applications completed within Target	Bigger is better	80%	100% Green	↑	99%	↑	86%

Quarter 1 Complaints

About Complaints Data

- A breakdown of Stage 1 complaints data by service from April 2019 to end of June 2019 is provided below:

	No. of Stage 1 complaints received	% of Stage 1 complaints closed in timescale
Housing Demand	20	95%
late Delivery or Slow Service	13	92.31%
Not Keeping Our Promises	3	100%
Quality or Reliability of Service	1	100%
Staff Complaint	3	100%
Property & Land	91	98%
late Delivery or Slow Service	64	97%
Not Keeping Our Promises	18	100%
Quality or Reliability of Service	8	100%
Staff Complaint	1	100%
Tenancy Sustainment	34	82%
late Delivery or Slow Service	27	85%
Not Keeping Our Promises	1	0%
Quality or Reliability of Service	1	100%
Staff Complaint	5	80%
TOTAL	145	93.79%

Performance (Complaints Stage 1)

- In Quarter 1 of 2019/20, the total number of Stage 1 complaints closed within timescale (10 days) was 136 out of 145 (93.79%).
- This is a significant improvement compared to the same time last year where 122 out of 148 (82.43%) Stage 1 complaints were closed within timescales (15 days).
- 19 out of 20 (95%) of Stage 1 complaints relating to Housing Demand service were closed within the timescale of 10 days.
- 89 out of 91 (97.8%) of Stage 1 complaints relating to Property & Land service were closed within the timescale of 10 days.
- 28 out of 34 (82.4%) of Stage 1 complaints relating to Tenancy Sustainment service were closed within the timescale of 10 days.

Quarter 1 Complaints

Improvements Required (Complaints Stage 1) -

- Complaints have significantly improved when compared to this time last year.
- A new process has been put into place to deal with Housing complaints to bring about improvements to each of the service areas in Housing Services:

Since 5 November 2018, Complaints Officers have been allocated to each of the service areas and are being managed and directed by the Service Managers for: Property and Land, Tenancy Sustainment and Housing Demand. One officer remains in the Neighbourhoods Complaints Team and is responsible for the allocation of complaints and FOIs, as well as Members and MP Enquiries.
- The service Complaints Officer is responsible for:
 - Acknowledging the complaint;
 - Collating the information, preparing and getting it approved by the Service Manager to meet the deadlines.
 - Closing the complaint on the system;
 - Ensuring that any complaints that are received outside of the normal process from residents, members or MPs are properly logged;
 - Ensuring that any actions or promises made in the complaint response are followed through and delivered;
 - Producing weekly reports on the performance of the service area.
- The most pressing issue is for each service area to reduce the current backlog of complaints before ensuring that the performance improves to meet the new corporate standards for response.

Quarter 1 Repairs

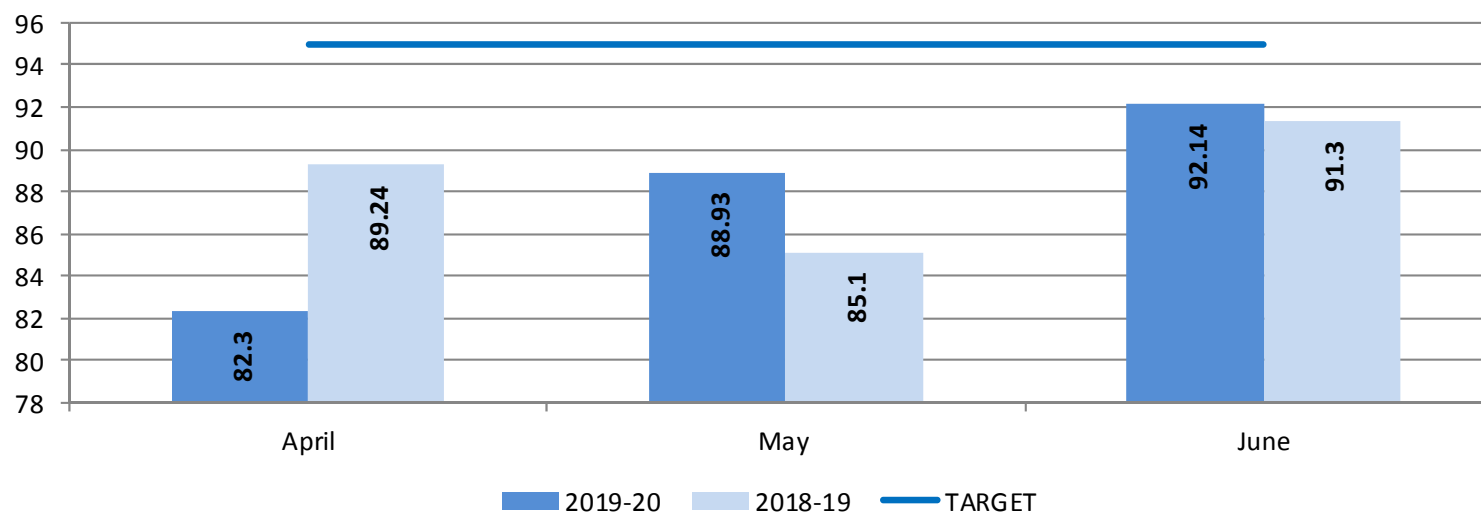
Improvements Required – Repairs (1)

- 88.7% (6,171 out of 6,958) of repairs were completed within the target timescale in Quarter 1 against a target of 95%.
- The main repairs contractor, Breyer's, performance was 87.7% (4,830 out of 5,508).
- Continuous monitoring and regular meetings are still taking place with Breyer to ensure the trajectory remains upward.
- As predicted we can see further improvement from Breyer - repairs completed within target are up 10% since the start of the financial year.
- It should be noted that although Breyer have not met the cumulative KPI of repairs completed within target, their monthly performance has shown consistent improvement month on month and in June achieved 92.14 .
- Breyer have also consistently achieved over 95% for repairs “Right First Time” against a target of 85.
- Performance for Breyer continues to improve and we are confident that we will see further improvement in the Q2 2019-20 figures.

Improvements Required – Repairs (2)

The following graphs shows Breyer's in-month performance from the start of the year 2019-20 compared to the in-month performance for the same period in 2018-19.

Breyer Q1 Repairs on time in- month performance comparison 2019-20 & 2018-19



Improvements Required – Repairs (3)

- The backlog of overdue orders has been cleared and are now running at a manageable level. A new target of 50 has been set that will be challenging, but we will continue to seek continuous improvement in this area of the contract.
- Relationship issues that have existed are being resolved by a series of joint meetings and we are now working far more collaboratively with Breyer, which is assisting the management of the contract .
- There is currently a dispute concerning out of scope works. We have agreed a process to resolve the issue involving the independent partnering advisor and we are awaiting a decision that both parties have agreed to abide by. Resolving this action will assist us in improving the certainty of the contract.

Improvements Required – Repairs (4)

- The Repairs manager is meeting with Breyer directly every week to address issues and free any blockages.
- Breyer will resume working on jobs deemed out of scope from 1st July as the backlog has been cleared.
- We are reviewing the rigor of our contract management arrangements with both our Gas contractors and our Responsive Repairs contractor.
- As the number of overdue orders reduces, performance will inevitably improve and the challenge will be to maintain performance over a period of time.
- The additional resources appointed by Breyer have had an impact and are delivering the improvements promised.
- The Repairs Manager is in negotiations to launch the property MOT service, focusing on our most vulnerable residents.

Improvements Required – Repairs (5)

- The main gas contractor, K&T's, performance for repairs completed within target timescale in Quarter 1 is 92.5% (1,341 out of 1,450) against a target of 95%.
- The overall percentage for repairs completed within target for June reported by K&T is 98.04% against a target of 95%. This is the second month in a row that K&T Heating has exceeded the target.
- Overall percentage for completions on time using Havering's system shows 92.48%. This is below target and the Building Services Compliance Manager is working with K&T to identify the reason for the discrepancy between K&T and Havering's figures.

Improvements Required – Compliance Repairs

Performance Gas Servicing

HRA Gas safety Performance at the end of Quarter 1 of 2019-20 was 99.98%. This is 2 properties without a recent annual safety certificate. These properties required court action to gain access and were taken to court on 27th June 2019.

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Positive progress is being made with Keystone, our data management and monitoring tool. We are currently working with Civica and Keystone to develop a reporting tool for gas compliancy management via a project team. The project plan is currently being reviewed the anticipated go-live date is 1st August 2019.

PSL Gas safety Performance at the end of Quarter 1 was 100%.

Quarter 1 Arrears

About HRA Arrears over debit – New KPI Measure:

The calculation for this measure is the total arrears expressed as a percentage of the rent debit for HRA current tenants.

- Provisional Quarter 1 2019/20 performance was **2.96%**.
- The total sum of arrears was **£1,593,872** over an estimated 2019-20 debit of £54 million.
- The total number of HRA current tenants in arrears is **3356** out of 8587 total tenancies.

Improvement required - Arrears:

A big effect is Universal Credit (UC), so we are now promoting Standing Orders as a preferred method of payment with UC claimants. UC claimants are paid monthly in arrears. Their first payment might not be made until 8 weeks after their application. There is no set payment date generally, so 30 claimants could have 30 different payment dates.

We attempted to secure payments by putting tenants on Alternative Payment Arrangements (APAs), so the payments could come directly to us from the DWP, but the DWP pays Havering once per month on the 22nd. This means that even if the DWP pays a tenant on the 1st of the month, we do not get the payment until the 22nd. Someone who is paid by the DWP on the 20th will not be in time for us to get the money on the 22nd of that month, so we will have to wait for the following month.

On 20 June when we went to Universal Credit Full Service there were 83 tenants on UC and that was over a two year period. In the last 11 months, we have had 888 new UC claimants.

About UC arrears –

The London Borough of Havering has implemented several measures following the introduction of the Universal Credit (UC) full service on 20th June 2018.

The Financial Inclusion and Welfare Benefits (FI&WB) Team in Havering are working with Citizens Advice to deliver Personal Budgeting Support (PBS) and Assisted Digital Support (ADS) to all residents in the borough affected by the new welfare reform. The team also assists residents to make new claims, give advice and guidance on the maintenance of their online journals, provide holistic budgeting and welfare support, and liaise with external partners to assist any other financial issues they might be facing.

UC arrears Improvements Required -

- The FI&WB Team will continue to assist all tenants with their Universal Credit queries. We will help maximise their income, and provide one to one welfare support where possible. We do our best to ensure tenants are not digitally or financially excluded. Universal Credit is very different to other legacy benefits, and so it is important to make sure residents are able to manage their money and take control of their finances.
- Income recovery techniques and practices were updated and implemented following the roll out of Universal Credit, with a more accommodating approach taken. This is due to tenants often having a long wait for their first payment whilst their claim is processed, who can have large deductions and also will need to alter their budgeting from weekly to monthly.
- Havering and DWP have a close working relationship, with Havering receiving notification of when a resident has claimed for UC, so that we can ensure that the correct support is provided if required. The Havering Housing Income team liaise with the DWP through their Housing forums as well as maintain a good relationship with their Rough Sleeping, Leaving Care and other vulnerable groups' team leaders.

Quarter 1 Re-let times

About average re-let times – New KPI Measure

The average working days re-let time of HRA (Housing Revenue Accounts) Voids is derived from two different counts of dates depending on the type of works being carried out over the reporting period. The types of works that voids undergo are major and minor.

HRA includes the following types of letting by the local authority, general needs and sheltered. The report will exclude Temporary accommodation (TA), hostel, TA for regeneration, Private Housing Solutions (PHS) and Houses of Multiple Occupancy (HMO).

The difference between the two types of repairs that a void can be classed under is that a Major void would have been identified as requiring the following repairs and a Minor would be any others works happening to a property that are not listed below:

- Structural repairs – e.g. floors, walls and roofs
- Site works - e.g. the replacement or substantial reconstruction of unstable boundary walls, footpaths etc.)
- Services installations – e.g. renewal of installations gas, electricity, water supplies; heating & ventilation; lifts.
- Consequential and other works - reinstatement or making good finishes and fittings.
- Any works that significantly improve the dwellings e.g. Examples of such works are kitchens, bathrooms, central heating systems, lifts, roofs, windows and structure.
- Asbestos removal
- Void repairs costing over £2500 and void repairs with a priority V4 (Void repair priority 4).

Quarter 1 Re-let times

Improvements Required – Re-let times

To improve on the current performance for minor voids and get the average days down to 14 days (10 days excluding weekends), the following action is being taken.

- We are currently in liaison with the responsive repairs team and working with our contractors in order to improve our minor turnaround times to meet this target. This is done through weekly meetings, and updates on current voids through monitoring sheets.
- Turnaround for lettings to be done within 7 days (5 days excluding weekends) for properties advertised through choice based lettings systems or direct offers outside the regeneration decant scheme. For properties let through regeneration decant these are to be let within 15 days (excluding weekends).
- This will be achieved through advertising of properties when they become void and pre-allocation of accepted properties at viewing, so that we can immediately sign up when they are ready to let. For regeneration, this involves early matching of properties before they become void to avoid delays; viewings may be done early in the void process to anticipate possible refusals and source alternative matches with minimal impact on void times.

Improvements Required – Planning Applications

- In accordance with the published government standards, speed of decision applies to all major and non-major development applications, with the threshold for designation set as follows:
 - Speed of Major Development (and County Matters) – 60% of decisions within timescale (13 or 16 weeks or such longer time agreed with the applicant)
 - Speed of Non-Major Development - 70% of decisions within timescale (8 weeks or such longer time agreed with the applicant)
- Based on the current performance, it is considered unlikely that the Council is at risk of designation due to speed of decision but the figure will continue to be monitored.
- Performance has improved in recent months, related to new systems being introduced for prioritising of officer work and supporting officers to avoid applications missing deadlines.

Any questions?



TOWNS AND COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE, 3 September 2018

Subject Heading:	Recommendation to adopt the Sex Establishment Licensing Policy and the adoption of Schedule 3 of the Local Government – Update
SLT Lead:	Sue Harper
Report Author and contact details:	Taiwo Adeoye, 01708 433079 taiwo.adeoye@onesource.co.uk
Policy context:	
Financial summary:	No impact of presenting of the overview itself which is for review only.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

The Sub-Committee will receive a presentation reviewing a Cabinet Report date 12 February 2014.

RECOMMENDATIONS

1. The Sub-Committee to note the overview.

REPORT DETAIL

The Sub-Committee will receive a presentation on the Sex Establishment Licensing Policy that was considered by Cabinet on 12 February 2014.

IMPLICATIONS AND RISKS

Financial implications and risks: None of this covering report.

Legal implications and risks: None of this covering report.

Human Resources implications and risks: None of this covering report.

Equalities implications and risks: None of this covering report.

BACKGROUND PAPERS

None.

CABINET

12 February 2014

Subject Heading:

Recommendation to adopt the Sex Establishment Licensing Policy and the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009 for approval by Cabinet.

Cabinet Member:

Councillor Starns

CMT Lead:

Cynthia Griffin

Report Author and contact details:

Trudi Penman

Divisional Manager, Licensing and Health and Safety,

Policy context:

Financial summary:

The proposed fees are based on cost recovery.

Is this a Key Decision?

No

When should this matter be reviewed?

March 2019

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	X
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity	<input type="checkbox"/>
in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	X
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report seeks the approval of the Cabinet following the recommendation of the Licensing Committee on the 18th December to (1) approve the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) and (2) the Council's Sex Establishment Licensing Policy.

RECOMMENDATIONS

The Cabinet notes the details of this report and approve:

1. The adoption of Schedule 3, Local Government (Miscellaneous Provisions) Act 1982 and
2. The Sex Establishment Licensing Policy.

REPORT DETAIL

- 1.0 The Policing and Crime Act 2009 (PCA09) created a new category of sex establishment, i.e. the "sexual entertainment venue". Section 2 of the Local Government (Miscellaneous Provisions) Act 1982 [LG(MPA)82] is amended by the PCA09 and provides for the adoption of the new provisions contained in schedule 3 of this Act. This allows the 'appropriate authorities' to control, by way of a licensing regime, sex establishments. PCA09 came into effect on 6th April 2010.
- 2.0 A 'Sex establishment' is:
 - a sex cinema
 - a sex shop
 - a sex encounter establishment (but only where the London Borough has so resolved)
 - a hostess bar (but only where the London Borough has so resolved)
 - a sexual entertainment venue.

3.0 A sexual entertainment venue is defined as follows:

LG(MPA) 82 Schedule 3

“2A “sexual entertainment venue” means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.

(2) In this paragraph “relevant entertainment” means—

- (a) any live performance; or
- (b) any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).”

LB Havering had resolved on 13th October 1982 to adopt the previous provisions of Schedule 3 which included regulation of sex encounter establishments and hostess bars. These will continue to apply.

A sex encounter establishment is a premise which provides performances wholly or mainly for the sexual stimulation of customers, services or entertainment involving the exposure of private parts and premises displaying images stimulating sexual activity, e.g. lap dancing club.

4.0 There is no requirement on a Local Authority to adopt the amendments to Schedule 3, but if Havering decides not to do so then the existing policy under the un-amended Schedule 3 will continue to apply. This means that adult entertainment including lap dancing may be licensed under the Licensing Act 2003 as a category of “music and dancing”. A premises licence under the Licensing Act 2003 has no expiry date compared to a licence under the LG(MP)A82 which is valid for one year. If a Local Authority considers that the legislation should be adopted then it should construct a policy to address such issues. Such a policy should:

- include the Local Authority’s approach to such matters
- guide and reassure the public and other public authorities
- ensure transparency
- ensure consistency
- guide and focus its committees
- relate grounds for a refusal of a licence
- define conditions
- define procedures

Sex Establishment Licensing Policy, Appendix 1 refers.

5.0 Once the new version of schedule 3 has been adopted the LG(MP)A82 will prohibit anyone from using any premises as a sex establishment unless they

have been granted a licence under that Act. It will no longer be possible to use a premises license under the Licensing Act 2003 for that purpose.

- 6.0 Schedule 3 LG(MP)A 82 provides an exclusion to the operation of this Act for premises licensed under the Licensing Act 2003 [LA03] for regulated entertainment or late night refreshment; however, in London, this exemption is removed and replaced by an amendment to the LA03 to the effect that relevant entertainment for the purposes of schedule 3 of LG(MP)A82 is not regulated entertainment for the purposes of LA03 Premises
- 7.0 The London Borough of Havering needs to pass a fresh resolution to adopt the amended LG(MP)A82 and specify the day on which the provisions are to come into force (this day can be no earlier than one month after the date of resolution). The Local Authority must then publish a notice in a local newspaper in two consecutive weeks stating that they have passed such a resolution and its general effect. The first notice must appear no later than 28 days before the date the provisions are to come into force.
- 8.0 The Local Authority has a duty to consult 'local people' in relation to whether the Local Authority should make such a resolution under Para 4 Schedule 3 Policing and Crime Act 2009 'Local people' has a wide geographical meaning in this instance and relates to persons who live or work in the area of the Local Authority. This consultation took place in 2011 where the consultation and proposals were published on the website as well as sending letters to the responsible authorities and other interested parties. Only 2 responses were received. One was a query and one was in favour of the adoption of schedule 3 but not the nil policy for each ward. See Appendix 2 for the consultation responses. Because of the lack of responses it is assumed that the proposal was non contentious so people did not feel moved to respond. There was a single response against the policy so it is not proposed to make any changes to the draft document. It is considered that, despite the fact that consultation took place in 2011, there have been no significant changes in the community of Havering that would lead to any changes in responses.

It is therefore proposed that the Council proceeds to adopt the amendments to schedule 3 of the Local Government and agree the Sex Establishment Licensing Policy.

REASONS AND OPTIONS

Reasons for the decision:

The LG(MP)A 82 is the most appropriate legislation to use to control sexual entertainment venues. It allows the Local Authority to make its own Policy and

regulations. The policy has a rebuttal presumption for applications based on ward profiles. The regulations control the application process conditions of premises. The licence is valid for one year and the applicant can apply to renew the licence. By re adopting Schedule 3 to include lap dancing premises it brings all sexual entertainment under the same legislation and procedures.

Other options considered:

Leave lap dancing under the Licensing Act 2003 as existing.. This option was not considered appropriate as the onus of the Licensing Act 2003 is to grant applications and the licence has no renewal date.

IMPLICATIONS AND RISKS

Financial implications and risks:

Currently, and without the adoption of schedule 3, should such an establishment be licensed, that license would be covered by the Licensing Act 2003, fees for which are set by government. At the moment, an average Licensing Act fee is c£250 application fee, plus an annual fee of c£180.

If Schedule 3 is adopted, then the Council can set sex establishment fees on a cost recovery basis. The licence would be valid for one year and the fee, which has been based on estimated costs, would be £2000 from April 2013 for a new licence.
Conway Mulcahy

Legal implications and risks:

The new version of Schedule 3 may be adopted by the Council following consultation. The guidance recommends that consultation should be undertaken with local people i.e. those who live and work in the area. Such consultation should be fair and meaningful. This means that it must be undertaken at a time before final decisions have been taken and any comments should be conscientiously taken into account before a final decision is made. Whilst the consultation took place some time ago it does appear to have been undertaken with local people as ward councillors were informed and are representative of those living locally and could have communicated specific details of the consultation to their constituents. The passage of time may introduce an element of vulnerability however, the risk is considered to be small. The decision maker must be satisfied that there has been sufficient information provided to ensure that all relevant people have been given an opportunity to make any representations they think are appropriate.

The other element of vulnerability is the adoption of a nil establishment policy. The impact of this is that if an application is made it will almost inevitably be rejected even though each case will need to be considered on its own facts. There will be no right of appeal against a decision to reject an application on the basis of the nil

policy. The only potential challenge to a specific decision on an application rejected because of the nil policy will be by way of judicial review. Therefore the decision maker must be satisfied that the nil policy has objective justification and is not based on moral objections. However the legislation specifically provides for a nil policy and therefore such a decision, if based on rational objective grounds, gives rise to a low risk. (Paragraph 12(4) LGMPA 1982)”

Stephen Doye Legal Manager

Human Resources implications and risks:

There are no direct human resources implications to this report. The Licensing regime will be implemented from existing resources.

Geraldine Minchin Strategic HR Business Partner

Equalities implications and risks:

While it is recognised that the policy may deter a small number of businesses opening up, the benefits of having it in place far outweighs the potential loss of such new businesses. It is envisaged that the policy will protect vulnerable adults and children, young people, women and girls, and will significantly minimise the risk of exploitation of those groups.

For further information, please refer to the Equality Analysis (Appendix 3).

Andreyana Ivanova Diversity Advisor

BACKGROUND PAPERS

None