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21 June 2016

S U M M O N S

MEETING: Community Board
DATE: 29 June 2016
TIME: 6pm
PLACE: Council Chamber, Town Hall, Gosport
Democratic Services contact: Vicki Stone

LINDA EDWARDS
BOROUGH SOLICITOR

MEMBERS OF THE BOARD

The Mayor (Councillor Mrs Hook) (ex-officio)
Chairman of the Policy and Organisation Board (Councillor Hook) (ex-officio)

Councillor Burgess (Chairman)
Councillor Murphy (Vice Chairman)

Councillor Mrs Batty
Councillor Bateman
Councillor Earle
Councillor Mrs Huggins
Councillor Hylands
Councillor Mrs Jones

Councillor Miss Kelly
Councillor Mrs Morgan
Councillor Ronayne
Councillor Scard
Councillor Mrs Wright
Councillor Wright

FIRE PRECAUTIONS

(To be read by the Chairman if members of the public are present)

In the event of the fire alarm sounding, please leave the room immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

IMPORTANT NOTICE:

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

NOTE:

- i. Councillors are requested to note that, if any Councillor who is not a Member of the Board wishes to speak at the Board meeting, then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off or switched to silent for the duration of the meeting.
- iii. This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

AGENDA

1. APOLOGIES FOR NON-ATTENDANCE

2. DECLARATIONS OF INTEREST

All Members are required to disclose, at this point in the meeting or as soon as possible thereafter, any disclosable pecuniary interest or personal interest in any item(s) being considered at this meeting.

3. MINUTES OF THE MEETINGS OF THE COMMUNITY BOARD
HELD ON 7 MARCH 2016 AND 19 MAY 2016

4. DEPUTATIONS – STANDING ORDER 3.5

(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Monday 27 June 2016. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Monday, 27 June 2016).

6. HOUSING SERVICE REVIEW - UPDATE AND NEXT STEPS
To inform the Community Board of the direction of travel for the Housing Service in light of the shared management option being implemented with Portsmouth City Council and to provide the Community Board with the next steps and timescales.

PART II
Chief Executive

7. FIXED PENALTIES
To specify the fixed penalties payable in pursuance of fixed penalty notices issued for offences contrary to Sections 48 and 67 of the Anti-social Behaviour, Crime and Policing Act 2014 and Section 33(1) (a) of the Environmental Protection Act 1990.

PART II
Borough Solicitor
and Deputy Chief
Executive

8. ANY OTHER ITEMS
-which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.

AGENDA ITEM NO. 06

Board/Committee:	COMMUNITY BOARD
Date of Meeting:	29 TH JUNE 2016
Title:	HOUSING SERVICE REVIEW - UPDATE AND NEXT STEPS
Author:	CHIEF EXECUTIVE
Status:	FOR NOTING

Purpose

To inform the Community Board of the direction of travel for the Housing Service in light of the shared management option being implemented with Portsmouth City Council and to provide the Community Board with the next steps and timescales.

Recommendation

The community board note the direction of travel and the next steps and related timescales understanding that further updates will come to the Board as and when necessary.

1 Background

- 1.1 Gosport Borough Council (GBC) has undertaken an extensive service review of the Housing Service utilising an interim Housing Service Manager, Stuart Palmer to create a proposal for change.
- 1.2 The Housing Services Review - 'Final Proposal' included actions to address the key areas of concern arising from a wide ranging consultation exercise. A new structure was proposed with some posts being remodelled and contracting out options to be considered for areas such as the estate warden function.
- 1.3 The review reached the first stages of implementation with a range of staff placed formally 'at risk' due to their existing posts being deleted in the re-structure. Some staff expressed an interest in pursuing redundancy and a small number were approved with others due to be considered as part of the implementation of the review.
- 1.4 A co-location of the town hall based housing teams is almost complete and has already made a significant impact in closer working practices within the service.
- 1.5 The review referred to the 'value in exploring shared service arrangements on Housing Management and/or other housing functions with a willing and suitable neighbouring authority.'
- 1.6 In April 2016, as the shared management discussions developed, GBC asked Portsmouth City Council (PCC) to provide management

support to cover a key role, the Head of Operations following the departure of the postholder. PCC were also asked to assess whether the outcomes of the review were harmonious with a shared management arrangement for the Housing Service.

- 1.7 The significant work, momentum and expectations created by the review are recognised but there is a need to balance that against the imperative to take time to fully realise the potential of the shared management options and quickly move to a place of stability. It was therefore felt that there would be longer term gain for both the service and the staff by placing the implementation of the Housing Service Review recommendations on hold temporarily

2 Report

- 2.1 The opportunity for PCC senior housing staff to spend time with the Gosport housing service reinforced the view that the 'fit' between Gosport & Portsmouth Housing services is excellent with far more in common than not and the potential to realise efficiencies beyond that envisaged in the housing service review is clear.
- 2.2 Wider benefits of shared arrangements include:
 - Shared purpose and values
 - o Clear vision, strategy and customer purpose
 - Close working relationships
 - o Sharing knowledge, expertise and skills
 - o Opportunity for peer to peer review
 - Joint training and development opportunities
 - Stronger housing voice within the region
 - Resilience in meeting changing demands and external change.
- 2.3 Critical to the 'fit' is a shared view that housing services need to be delivered locally. PCC maintains a decentralised structure, providing localised housing services via seven 'area housing offices.' The key driver within the service is a focus on 'customer demand' ensuring the service evolves to dynamically meet the changing needs of its customers and external influences.
- 2.4 Staff have been informed that the shared management option with PCC is being implemented. GBC's communications include clear and key messages:
 - GBC remains an independent council
 - The review raised the possibility of a shared service
 - This is about a 'shared management service' not a merger
 - There will continue to be a housing service in Gosport providing services for Gosport tenants and leaseholders.

- 2.5 Full Council approved on 8th June a recommendation that the posts of Housing Service Manager and Head of Operations are shared with Portsmouth City Council from the 13th June 2016 and as per the wider shared management proposal a shared management arrangement is taken forward for the Housing Service.
- 2.6 PCC have committed to providing both posts as of the 13th June on a full time basis to ensure effective transition and, the capacity is immediately available to cover the vacant posts and develop the shared management proposal.
- 2.7 James Hill will cover the Housing Service Manager work and will shape the shared management proposal for the Housing Service. Julie Smith will cover the Head of Operational Service work.
- 2.8 Following Full Council approval the implementation of the housing service review has been suspended to provide the necessary time to implement the shared management arrangements for the housing service.
- 2.9 The posts 'at risk' status have been withdrawn; individual letters have been sent to those concerned. Requests for redundancy will be placed on hold with the option to reconsider them as part of any future amendments to the staffing structure.

Timescale

- 2.10 Work on implementing shared management across Housing Services will follow broadly the sequence below:

From 13th June - July

- Stuart Palmer, Interim Housing Service Manager left GBC on the 9th June 2016
- From the 13th June, James Hill has provided full time cover for the Housing Service Manager post and Julie Smith provided full time cover for the Head of Operations work.
- The service will move to a 'business as usual' setting with a key focus on stabilising the service to create the time and space to focus on the next stages of the shared management proposals.
- Completing the actions to suspend the Housing Service Review

- 2.11 From July – September 2016

- The primary focus will be on the movement towards a shared management arrangement with Portsmouth City Council
- Explore the potential for shared arrangements between the Housing Services of both Councils, for example sharing knowledge, experience, training and good practice

- Commence service specific reviews exploring the shared management opportunity, utilising the feedback from the current review. Priority areas will include
 - o Moving Housing Management towards a Neighbourhood Management model including reviewing the arrangement for the management of communal space
 - o Understanding the potential for a shared management arrangement for Housing Options including the potential to utilise PCC housing development capability
 - o Understanding the potential for a shared management arrangement and scope for improvement in the Repairs and Maintenance of the Housing stock and Corporate assets including the potential to utilise PCC capability to support land disposal, acquisition etc.
 - o Exploring the opportunity to share management, good practice and knowledge in the management of 'Older Persons accommodation / sheltered housing'

2.12 Within six months (Early 2017)

- It is anticipated that a fully revised shared housing service management structure will be formed with implementation planned or underway in most areas
- A key principle will be to implement any changes at the earliest opportunity rather than attempt to review and change the full housing service in one go. This will facilitate a dynamic model of change and movement towards a continual development model
- The existing strategic documents, for example the Housing Service Plan, Allocations policy etc. need to be updated and refreshed in light of external influences such as Central Government legislative changes in the Housing and Planning Act, and changes arising from Welfare Reform. As the shared management changes embed and form, the key housing services strategies and related documents will be reviewed and revised as appropriate.
- There is an opportunity to use the 'voids process' which relates to how the service manages empty properties as the first customer journey mapping exercise. The voids systems/process is a perfect candidate because the work touches many of the current housing service teams and will help to start to reinforce a shift towards a focus on efficient work flows designed from an 'outside in' customer perspective.

3 Risk Assessment

- 3.1 The recommendations and report follow from the decision of the Council on 8th June to approve the shared management proposal for the Council as a whole.

- 3.2 The Housing Service Review estimated to achieve approximately £200k worth of savings largely through the deletion of posts. Further work would be required to achieve ongoing efficiencies. A key risk to the sustainability of the service remains the awaited detail on the impact of the sale of 'high value' voids and the administration of the Governments 'pay to stay' initiative.
- 3.3 The shared management proposal has the potential to achieve greater efficiencies than anticipated in the Housing Service review and with a combined approach to the shared 'housing issues' across both Councils, there will be ongoing benefit in a common stronger voice in response to the external approaches and greater resilience in a shared approach.

4 Conclusions

- 4.1 There is a strong appetite for positive change in the staff and a clear understanding that there is much scope for improvement. Clearly there is an understandable level of nervousness about the shared management proposal and what that now means for the service but recognition about the potential of the new arrangements.
- 4.2 The Council has much to feel proud of in the way the Housing Service have maintained the levels of service during the period of the current review and there are examples of good practice which the PCC Housing Service will be keen to learn from.
- 4.3 The Housing Service needed to be fully reviewed to ensure it was fit-for-purpose for the new environment in which it must now operate. The Council wishes to provide the best accommodation and Housing Services it can for our tenants and customers and the shared management service with PCC offers the best opportunity to achieve this.

Financial Services comments:	Paragraph 3.2 refers
Legal Services comments:	None
Crime and Disorder:	No impact
Equality and Diversity:	All Housing Services are covered by a Equality Impact Assessment
Service Improvement Plan implications:	The proposals will enable the targets within Service Plan to be met
Corporate Plan:	The proposals will enable the targets within the Corporate Plan to be met
Risk Assessment:	Section 3 refers
Background papers:	Nil
Appendices/Enclosures:	
Appendix 'A'	Nil
Appendix 'B'	Nil
Report author/ Lead Officer:	James Hill, Housing Services Manager

AGENDA ITEM NO. 07

Board/Committee:	COMMUNITY BOARD
Date of Meeting:	29 JUNE 2016
Title:	FIXED PENALTIES
Author:	BOROUGH SOLICITOR AND DEPUTY CHIEF EXECUTIVE
Status:	FOR DECISION

Purpose

To specify the fixed penalties payable in pursuance of fixed penalty notices issued for offences contrary to Sections 48 and 67 of the Anti-social Behaviour, Crime and Policing Act 2014 and Section 33(1) (a) of the Environmental Protection Act 1990.

Recommendation

That the Community Board approves the fixed penalties set out in Appendix 1.

1 Background

1.1 Part 4 of the Anti-social Behaviour Policing and Crime Act 2014 (the “ASB Act”) has introduced two new enforcement tools to deal with anti-social behaviour.

1.1.1 Community Protection Notice (the “CPN”) can be issued to a person responsible for anti-social behaviour such as littering and graffiti to remove it and / or cease or desist from such activity. It is a criminal offence pursuant to Section 48 of the ASB Act for a person to without reasonable excuse, contravene a requirement or prohibition of a CPN.

1.1.2 A Public Space Protection Order (“PSPO”) can be issued to abate anti-social behaviour on land accessible by the public which impacts on the wider community such as dog control and street drinking. The PSPO may impose requirements or prohibitions applicable to every user of the land. It is an offence pursuant to Section 67 of the ASB Act for a person to, without reasonable contravene a requirement or prohibition of a PSPO.

1.1.3 The penalty on conviction for either offence is a fine not exceeding £2500.

1.2 It is a criminal offence under Section 33(1) (a) of the Environmental Protection Act 1990 (the “EP Act”) for a person to deposit waste on land without an environmental permit authorising the disposal. The penalty on conviction is a prison sentence not exceeding 2 years or an unlimited fine or both.

2 Report

- 2.1 A fixed penalty notice can be issued in respect of each offence referred to above as an alternative to prosecution. Decisions to issue a fixed penalty notice must be made in accordance with the Council's generic enforcement policy.
- 2.2 The Chief Executive has delegated authority to authorise Officers to serve fixed penalty notices.
- 2.3 The setting of fixed penalties is not delegated to officers and is within the terms of reference of the Community Board.
- 2.4 The amount suggested for fixed penalties is set out in Appendix 1. In relation to the ASB Act the legislation states that the fixed penalty must not exceed £100 and that the Council may specify a second amount which if paid within a specified period (of less than 14 days) will be the amount of the fixed penalty. This provision has been included in Appendix 1 to encourage people to pay the fixed penalty.
- 2.5 The EPA sets a range of £150 - £400 or where no amount is specified by the Council the fixed penalty would be £200. It is recommended that the sum of £200 is the amount specified for the fixed penalty. The Council may also treat the fixed penalty as paid if it sets a lesser amount to be paid within a specified time period. The EPA says that this lesser figure must not be less than £120 and has to be paid before the end of 10 days following the date of the notice. These provisions have been included in Appendix 1 to encourage people to pay the fixed penalty.
- 2.6 The Council's approach to the setting of fixed penalties has been to use the statutory amounts. The sums of £100 and £200 are proportionate to the offences; the maximum penalties on conviction and is commensurate with other fixed penalties set by the Council. There is no other information available to the Council to help assess what is an appropriate level of penalty.
- 2.7 Where a fixed penalty is not paid in accordance with the Act then the Council would still be able to prosecute.

3 Risk Assessment

- 3.1 At this time it is difficult to know what resources will be necessary to effectively enforce the Act and what fixed penalty receipts may be able to assist the Council in discharging their functions both under the Act.
- 3.2 If the Council does not effectively enforce requirements in notices served or orders made there is a risk to the Council's reputation as the Council's own surveys have consistently shown that the quality of the environment and concerns about anti-social behaviour are

important to the community.

Financial Services comments:	Contained in the report
Legal Services comments:	Contained in the report
Crime and Disorder:	Contained in the report
Equality and Diversity:	<p>Decisions to serve a fixed penalty notice are made in accordance with the Council's generic enforcement policy.</p> <p>The ability to issue fixed penalty notices means that cases can be disposed of swiftly but equally serve the public interest in the same way as a conviction. .</p>
Service Improvement Plan implications:	None
Corporate Plan:	The option to enforce by the issue of a fixed penalty notice should help the Council in achieving its strategic priorities in relation to people and places
Risk Assessment:	See section 3 of the Report
Background papers:	None
Report author/ Lead Officer:	Linda Edwards

The Community Board agree the following fixed penalties

Section 52 (8) and Section 68 (7) of the Anti-social Behaviour Policing and Crime Act 2014 (the ASB Act) £100, and the fixed penalty will be £50 if this is paid within 7 days of the date of the notice.

Section 33ZA of the Environmental Protection Act 1990 (the EPA) £200, and for the purposes of Section 33 ZA (10) of the EPA the fixed penalty will be treated as paid if the sum of £120 is paid within 10 days following the date of the notice.