



GREAT YARMOUTH BOROUGH COUNCIL

Scrutiny Committee

Date: Tuesday, 27 February 2024

Time: 18:30

Venue: Council Chamber

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

- 3 MINUTES 3 - 17**
- The Committee is asked to confirm the minutes of the meeting held on 12 December 2023 (these minutes were previously noted but not confirmed as amendments to the minutes were requested by Councillor Capewell).
- 4 WORK PROGRAMME 18 - 23**
- The Committee is asked to consider and note the updated Work Programme February 2024.
- 5 ENVIRONMENTAL PROTECTION ACT 1990 AND BONFIRES 24 - 38**
- Report attached.
- 6 HOUSING ALLOCATIONS POLICY AND SCHEME UPDATE 39 - 45**
- Report attached.
- 7 COUNCILLOR CALL FOR ACTION**
- The Committee is asked to consider a Councillor Call for Action from Councillors Waters-Bunn, Robinson-Payne & Wainwright as follows :-
- We have significant concerns regarding the Haven Bridge building in Cobholm. The Scaffolding company are making significant claims of the building being unsafe and that there is a risk to life.
- This has been an ongoing issue for nearly 2 years come March' 24. There has been no progress what so ever. There are several businesses being affected by this road closure which NCC has now advised is closed until much later this year.
- Many residents are being affected by the closed road and lack of access to their homes.



Scrutiny Committee

Minutes

Tuesday, 12 December 2023 at 18:30

PRESENT:-

Councillor Williamson (in the Chair); Councillors Freeman, Galer, Hammond, Jeal, Mogford, Murray-Smith, Robinson-Payne, Thompson, Wainwright, Waters-Bunn & Williamson.

Councillor Lawn attended as a substitute for Councillor Grant.

Councillor Capewell attended as a substitute for Councillor Cordiner-Achenbach.

Councillor Flaxman-Taylor, Cabinet Member for Housing, Health & Communities attended as an observer.

Mrs P Boyce (Executive Director - People), Mrs K Sly (Finance Director), Ms C Whatling (Monitoring Officer), Ms K Price (Head of Health Integration & Communities), Mrs M Lee (Head of Customer Services), Mr J Wedon (Information Governance Lead & Data Protection Officer), Mrs N Turner (Head of Housing Assets), Mr M Brett (IT Support) & Mrs C Webb (Democratic Services Officer).

Mr J Dunning (Unison Representative).

01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cordiner-Achenbach & Grant.

Councillor Capewell attended as a substitute for Councillor Cordiner-Achenbach.

Councillor Lawn attended as a substitute for Councillor Grant.

02 DECLARATIONS OF INTEREST

There were no declarations of interest declared at the meeting.

03 MINUTES

The minutes of the meeting held on 28 November 2023 were confirmed.

04 MATTERS ARISING

There were no matters arising from the above minutes which were not covered elsewhere on the agenda.

05 WORK PROGRAMME

The Committee considered the Work Programme.

RESOLVED:-

That the Committee approve the Work Programme.

06 CONSIDERATION OF ITEMS REQUESTED TO BE ADDED TO THE WORK PROGRAMME

The Chair reported that a request had been received from Councillor Rundle requesting that an item on Coastal Erosion at Hemsby be added to the Work Programme.

The Chair suggested that as this would be a large topic to scrutinise, that a Task & Finish Group be set up to carry out the initial work and to report back to the full committee.

The Chair requested that Terms of Reference be created with in consultation with the Monitoring Officer.

RESOLVED:-

(i) That Coastal Erosion at Hemsby, based around the queries set out in Councillor Rundle's request, be added to the Work Programme,

(ii) That a Task & Finish Group be set up comprising of five members; Councillors Freeman, Galer, Hammond, Thompson & Wainwright; and

(iii) That Terms of Reference be created based around the queries set out in Councillors Rundle's request.

07 23-185 - QUARTER 2 PERFORMANCE REPORT 2023-24

The Committee received and considered the report from the Information Governance Lead & Data Protection Officer.

The Information Governance Lead & Data Protection Officer reported that the report presented an update on performance for the second quarter of 2023/24 (July to September) where progress was assessed against targets which were set at the start of the financial year. The report also provided an update on the position of key projects that were linked to the corporate priorities from 'The Plan 2020-2025'. A summary of progress for the suite of key projects and individual highlight reports for each of these key projects were presented in Appendix 1 of the report. The key performance indicators, were highlighted in Appendix 2, and gave a comprehensive overview of how the authority was performing as a whole, and covered most Council functions.

Councillor Wainwright referred to PR06 page 46 of the agenda report, and that this had been highlighted at Audit & Risk Committee on the previous day. Councillor Wainwright asked what date this information had been submitted and would the return of the two staff members who had been on long term sick ensure that the Q3 target would be met. The Information Governance Lead & Data Protection Officer reported that the data was supplied in October for the period 01/01/23 to 30/09/23 and confirmed that the return of the staff would rectify the position in Q3.

The Head of Customer Services advised that this data related to the Customer Services Contact Centre and not the Out of Hours Call Centre at Wherry Way. Councillor Wainwright asked where the KPI's relating to the Wherry Way Call Centre could be located. The Executive Director - People explained that these KPI's could be found on the Corporate Risk Register and that this was the data which had been reported to the Audit & Risk Committee.

RESOLVED:-

That the Committee note the contents of the report which was approved by Cabinet on the 4 December 2023.

08 23-051 - COUNCIL TAX SUPPORT SCHEME 2024-25

The Committee received and considered the report from the Head of Customer Services.

The Head of Customer Services reported that as part of the consultation process, the report detailing the proposed options was considered by Scrutiny Committee on the 24 October 2023. The Committee had recognised that the Council was facing ongoing financial challenges in the years ahead, however, there was concern that any changes to the existing scheme would affect vulnerable families who were already struggling with the cost of living. There were some assurances that should a change go ahead a hardship fund would be available to protect the most vulnerable, however, there was a preference to retain the current scheme.

The Head of Customer Services informed the Committee that the impact of any change had been considered by undertaking an Equality Impact Assessment on the recommended option. The equality impact assessment provided Members with more information on how a change to the Council Tax Support Scheme would affect individuals/households already in receipt of Council Tax Support or those that could be eligible, in particular, those with protected characteristics. The document explained why the Council was considering a change to the scheme and included mitigation that could be in place to protect those most vulnerable to any change.

The Head of Customer Services reported that in recognition of the Council's financial position, it was recommended that a change to the existing scheme was made to reduce the overall cost to the Council. However, it was also important that a hardship fund would be available to help mitigate the impact of the change on vulnerable households. It was proposed that the maximum award of Council Tax Support for working age was amended to 80% of the Council Tax Liability, however, Members may wish to consider the other options consulted on.

The Head of Customer Services reported that this change would affect all working age recipients with no protections in place for certain groups except for Care Leavers. The Equality Impact Assessment recognised the impact of this change on individuals and households, however, also concluded that working age households on low income eligible for Council Tax Support were likely to be similarly impacted to those with additional disability financial support to help with day to day living. It was recommended that a hardship scheme was put in place in the sum of £200,000 to help support individuals and households who might be in more financial difficulty. The scheme would only be eligible to working age recipients of Council Tax Support with an eligibility criteria prioritising the most vulnerable groups.

Councillor Waters-Bunn asked for confirmation that the Hardship Fund would be ongoing year on year for the amount of £200k and whether this level of funding would be sufficient.

The Head of Customer Services reported that the Council was seeking to make the Hardship Fund recurring but a decision would need to be taken by the Council on an annual basis.

Councillor Wainwright reported that he understood that a Memorandum of Understanding would be signed by the Council and the County Council to ensure that the Hardship Fund would be on a recurring basis before Council was asked to make a decision on the matter. The Executive Director - Resources confirmed that the intention of the Council was to seek a long term settlement.

The Chair asked if the amount would be inclusive of any rise in Council Tax. The Executive Director - Resources confirmed that this was correct.

Councillor Jeal reported that he strongly supported the views of the Chair & Councillor Wainwright in this matter.

RESOLVED:-

- (i) That the Committee note the recommendations to Council; and
- (ii) That further consideration be given to the £200k Hardship Fund to ensure that a Memorandum of Understanding was secured with Norfolk County Council providing for the fund to be established on an ongoing yearly basis and to rise in line with the Council Tax increase.

09 23-155 -SAVINGS 2024-25 - MEDIUM TERM FINANCIAL STRATEGY

The Committee received and considered the report from the Executive Director - Resources.

The Executive Director - Resources reported that Cabinet had received the updated Medium Term Financial strategy for the period 2024 to 2027 in November 2023 which included the latest forecast financial position. Prior to this, work had already commenced on the 2024/25 period and the identification of savings and additional income against the target of £2million to be delivered for the 2024/25 budget to mitigate the forecast funding gap. This report provided an update on this work, identified work that was ongoing to deliver savings and income for the 2024/25 and future years and made recommendations for proposals that would assist in reducing the forecast funding gap and be used to deliver the budget for 2024/25.

Councillor Wainwright reported that he was disappointed that the Council was considering cutting the funding of £58,675 for the lifeguard provision across the Borough (Great Yarmouth, Hemsby and Gorleston) and that consideration should be given to it being funded by another service provider for example GYTABIA (Visit GY), which would be a much better use of resources than funding firework displays during the peak weeks of the summer season. If one death resulted as a lack of lifeguard provision it would have a resounding effect on our tourism economy.

Councillor Waters-Bunn asked for clarification as to what were the vacant posts/structural changes referred to in the report and why were these posts vacant. The Executive Director - Resources reported that these posts had been unable to be recruited to or will have become vacant due to such reasons as retirement.

Councillor Waters-Bunn asked if there were any planned structural changes to the organisation. The Executive Director - Resources reported that these might be undertaken as part of the need to identify savings within teams but that HR & Unison were fully involved in the process.

Councillor Robinson-Payne highlighted the need to talk to staff at the earliest opportunity if their job was at risk and that, in her opinion, some managers did not treat their staff correctly during this process. The Executive Director - Resources reported that a consultation process formed part of any restructure.

The Chair asked which Cabinet Portfolio Member was responsible for this. The Executive Director - Resources reported that Cabinet did hold responsibility for an operational decision. The Chair reported that this was of concern to him as, in his view, this formed part of the effective running of the Council's business model.

RESOLVED:-

(i) That Scrutiny Committee note the recommendation to Council; and

(ii) That Scrutiny Committee would recommend to Council that Cabinet/Council withdraw the proposed saving of £58,675 for the lifeguard provision across the Borough (Great Yarmouth, Hemsby and Gorleston) and that consideration be given to this being funded by another service provider for example GYTABIA (Visit GY).

10 22-161 - CONTROL CENTRE AND COMMUNITY ALARM SERVICES EMERGENCY CONTRACT DECISION

The Committee considered the report from the Head of Health Integration & Communities.

The Chair informed the Committee that this item had been referred to Scrutiny Committee by the Leader of the Council.

The report to Cabinet had highlighted that the Council currently operated an in-house Alarm Receiving Centre (ARC) which took calls from sheltered housing resident alarms, dispersed community alarms and provided the Councils' Out of Hours call response service. After charges to residents and tenants for paid-for alarm services, the cost of the ARC was approximately £200,000 in subsidies from the Council's budgets. With the national switching of phonelines from analogue to digital, which was already underway and was due for completion by 2025, the current software and hardware used by the in-house service would require significant investment to maintain this service going forwards. In addition, there was a current service risk associated with the digitalisation of phone lines which required prompt action to resolve, and additional issues related to this were emerging weekly together with difficulties

caused by recent IT changes.

This, combined with significant risk to the service from a lack of resilience in the staffing capacity, which increased in likelihood in November 2023 when the Options Appraisal work began and staff were informed and with limited ability to draw on shift cover from our existing partnership arrangement meant the Council had a significant risk that this service could become undeliverable at short notice, which would put the lives of those relying on the alarm monitoring service at risk.

The Chair reiterated that this item had been referred to Scrutiny Committee by the Leader of the Cabinet. Neither the Leader of the Labour Group nor the Chair of Scrutiny had any knowledge that this work had been taking place culminating in the report this evening.

The Chair asked why this issue had not been raised through the Housing and Neighbourhoods Committee in 2022 following the audit committee ratings report. This had been reported to ELT twice in March 2023 and on 22nd November 2023, and following the meeting, officers were instructed to contact the Chair of Scrutiny, who was offered a briefing between 22 and 27 November 2023, and again by email on 29 November 2023.

The Chair informed the Committee that this issue had been looked into since March and should have been reported through normal channels and not via emergency powers. The Monitoring Officer informed the Committee that ELT had treated this item as a matter of urgency as it posed a risk to life.

The Chair informed the Committee that he had taken the decision to not receive the officer's presentation slides this evening and asked that the Committee refer to them for information purposes only.

The Chair asked the following question:-

In regard to paragraph 2.10.5 Operational emergency (a) Subject to any legal limitations, the Head of Paid Service, the s151 Officer or an Executive Director, having consulted the Monitoring Officer (or their nominated deputy), may approve an exemption to any part of these Contract Standing Orders that is necessary because of an Operational Emergency creating immediate risk to life, persons or property within the Borough or causing serious disruption to Council services (including any emergency or disruption under the Civil Contingencies Act 2004). An Operational Emergency is a situation that is the result of an unforeseen event over which the Council has no control. This procedure must not be used when a requirement has become late due to lack of planning on the part of the council.

(i) What are the risks and consequences of the council facing legal action due to using the operational emergency clause and bypassing the proper procurement rules and how will the council mitigate these risks.

The Chair asked the following questions in regard to the Equality Impact Assessment:-

(i) Has the council carried out an assessment. If yes, the committee wishes to have sight and if no why not.

The Chair asked if an Equality Impact Assessment (EIA) had been undertaken. The Strategic Director - People reported that an EIA had been undertaken which was in the process of being checked by NCC and would be circulated in due course. The Chair reported that he would expect a Cabinet Member to receive an EIA as part of the report and not as an afterthought. The Strategic Director - People reiterated that an EIA would be shared with Members at the point of a decision being taken and to date, no decision had been taken. Members asked a number of questions relating to risks and consequences of the Council facing legal action due to using the operational emergency clause, the known digital switchover timeline, and the Council's apparent failure to act in a timely and responsible manner regarding the PSTN switchover and recruitment of staff and evidence to support the Council's claim that it had been difficult to recruit and retain staff for the in-house service. Questions were also asked regarding what due diligence had been undertaken regarding the proposed outsourced provider including how the Council will ensure the transparency, accountability, and tax compliance of CareLine365 and its affiliates when it is indirectly owned by a company in Jersey.

(ii) In regard to Community Alarms and other users of service, has any consultation taken place with all users. If not why not.

Councillor Jeal asked the following questions in regard to the Digital Switch-Over:-

(i) Why did the council fail to act in a timely and responsible manner regarding the PSTN switchover, which was announced by BT as early as 2017 and reconfirmed in 2021.

(ii) Why did the council not commence the digital switchover well before the current year of 2023, to ensure a smooth and efficient transition of the Service.

(iii) How do the council explain this serious lapse of judgement and accountability when clearly enough time has been given from BT and third parties about this change.

Councillor Jeal reported that this issue should have been managed by senior officers and that it was unacceptable that it had been allowed to reach crisis point.

Councillor Thompson asked when the risk relating to the staffing levels had increased and then returned to normal. The Head of Service reported that this had been on the 16 November 2023 but that the same risks and issues still remained.

Councillor Thompson reported that it was imperative that the services for our elderly and vulnerable residents were kept in-house and this would also retain jobs in the borough. Councillor Thompson urged the Committee not to rush their decision.

The Chair asked if a consultation process had been undertaken with the service users. The Head of Service advised that no consultation had taken place because of the stage of the process, this will be a positive opt in for customers of community alarms and we need to be clear on what the offer is. A letter to sheltered residents had been sent to advise them of the proposal, but no formal consultation was required as there will not be a material change in the service by outsourcing.

Councillor Wainwright asked the following questions:-

(i) In the Cabinet papers 1.3 on page 177 it states that in house staffing is made up of 13 posts. Please confirm number of vacant posts today.

The Head of Service reported that this time last year there were 2 vacancies and as of October 2023, there were 5 vacancies, leaving 8 staff to cover the two services.

(ii) When did the council first come aware of the low levels of staff for the in- house ARC service.

The Head of Service reported that this was in July 2022 when Careline 365 was brought in as resilience to cover some shifts.

(iii) What evidence or data is the council using to support your claim that it is difficult to recruit and retain staff for the service.

(iv) I am unable to see any roles advertised externally for in house ARC service on the council website currently, when was the last time the job adverts were placed on council websites for these roles.

Specifically, Councillor Capewell asked had the Council tried other approaches to recruit staff such as recruitment fairs or agencies. The Executive Director explained that information would be provided to members on staff turnover and recruitment and that there had been occasions when recruitment had been undertaken but failed to secure new staff.

The Head of Service reported that she would check this data and email Members following the meeting. In June 2023, 3 candidates had been interviewed for a vacant role, one candidate was offered the position but did not take the job offer up.

(v) I am led to believe that critical roles such as the "Control Centre Operator" have not been advertised since March 2023, and the "Relief" role has not been advertised at all in 2023.

The Strategic Director - People confirmed that the last recruitment drive took place in March 2023.

(vi) When was the last time the job adverts were placed on online job boards such as LinkedIn, Indeed, Jobsite, for these roles.

The Strategic Director - People confirmed that the council places its vacancies on these websites, it places each council job on its own website and these external companies lift the vacancies off it and place on their own websites and social media channels as a matter of course.

(vii) When was the last time the job adverts were placed via the job centre for these roles.

(viii) When was the last time the job adverts were placed on social media for these roles.

The Strategic Director People reported that this was March 2023.

(ix) If it has been a long time or the council have not used some of these methods which are free, why is the council not using these methods to try and recruit staff, when the council states the service is currently at risk.

(x) Has the council tried other approaches to recruit staff such as recruitment fairs or agencies.

(xi) Councillor Capewell asked if the council looked at offering apprenticeships for these roles.

The Head of Service reported that this was an excellent idea but staffing levels were too low to be able to set aside time to train new starters which usually takes 8 to 12 weeks.

(xii) Are you aware that latest ONS data shows Great Yarmouth has a high unemployment rate of 6.4%, which is much higher than the average in East of England of 3.5% therefore recruiting staff should be easier.

The Strategic Director - People reported that our residents had a choice as to where they contracted their alarms. Whilst our alarm system was the most expensive, the council has a good client base and the council has a duty to protect those clients. This is a competitive market and the cost of TSA accreditation was also high.

(xiii) How do you explain the discrepancy between your claims that it is difficult to recruit and retain staff for the service and the latest ONS unemployment statistics for Great Yarmouth.

(xiv) How will you ensure the safety and satisfaction of the service users and the staff.

The Strategic Director - People reported that there was two years until the service needed to go digital in 2025. The analogue system had failed this summer but the staff had been able to patch the system up which did mean the council was carrying a severe level of risk and this had been reported to Audit & Risk Committee and more recently, Cabinet as a risk, given the service provides for vulnerable residents.

(xv) How will you consider the welfare and dignity of the vulnerable and elderly residents who rely on the current service for their safety and independence.

The Head of Service reported that Sheltered Housing Tenants paid £1.90 a week for their monitoring service, non Sheltered Housing tenants paid £17.58 a month and Careline 365 charged £11.99 a month for the same service.

Councillor Murray-Smith reported that he had heard the concerns of Members and felt that this was a catastrophic failure of risk management and had been presented to Members as a *fait accompli* - do this or someone will die which was unacceptable.

The Strategic Director - People disagreed that there had been such a failure to manage risk. She reported that this had been added to the Operational Risk Register in April 2022 and closely monitored since then via the Corporate Risk Register which had then been reported to the Audit & Risk Committee whereby the risk had dropped from high to medium when the council had secured the services of Careline 365 as risk mitigation. Then rising levels of staff vacancies and sickness levels has since raised the risk to very high once more and it was then reported to Cabinet. Officers had been managing the risk, there had been no catastrophic failure.

Councillor Hammond asked if the current staff would be TUPE'd across to the new service provider, thus securing their employment. The Head of Service reported that the jobs would go across to the new service provider and would be TUPE'd across and the council would fully support the staff during this transition period.

Councillor Hammond asked how many shifts had Careline 365 covered for the Council. The Head of Service reported that Careline 365 had covered pre-prepared shifts to cover periods such as annual leave which involved a handful of their staff who were trained on our system. This involved lone working on all shifts. This amounted to 18% of our shifts in the last 12 months - 218 out of 1195 available.

Councillor Waters-Bunn asked the following questions regarding risk:-

(i) Risk 5.2 States missing alarm calls could lead to the council being held responsible for negligence in the case of a tenant or resident's death should the alarm not connect due to the digital upgrade of telephone exchanges and phone lines which is a known risk.

(ii) BT has announced they are not be proactively switching customers who fall under any of the below criteria:

Customers with a healthcare pendant

Customers who are over 70

Customers who only use landlines

Customers with no mobile signal

Customers who have disclosed any additional needs

BT will delay switching these customers while it engages with stakeholder groups to share more about its new solutions, shape the ones it's building, and better understand the support available to help customers.

All other switches will be done in due course but with notification. BT customers are contacted at least four weeks in advance currently before making the switch, to ensure that they are ready to move to Digital Voice.

How did the council fail to take into account the measures I have mentioned and that BT has put in place to assist with the digital upgrade of telephone exchanges and phone lines when assessing this as a risk.

Councillor Capewell asked the following questions:-

(i) Risk 5.5 states Ongoing issues with our own IT services are already posing issues with our VPN regularly causing periods of non-coverage when external call monitoring is used which would not be required with a direct service, reducing risk significantly. When did the council first become aware of the VPN issues.

The Head of Service reported that this was in November 2023.

(ii) Has the council's IT provider raised the VPN issue as a "problem", this is IT terminology for known issues, and if so, what actions have been taken by the council's IT provider to resolve it. If not, why has the council not escalated this risk with its IT provider and demanded a solution.

The Head of Service reported that the council was not set up to deliver this service and was IT dependant which was a risk to the service.

(iii) How can the council justify using the IT issues as one of the pretexts to outsource the service, when the council has the responsibility and the ability to mitigate the risk by its own actions.

(iii) How will the council ensure that outsourcing the service will not worsen the IT issues and create more risks for the service especially when the staff being transferred over will be given access to work remotely as stated in cabinet meeting on 05/12/2023, and how does council know the IT system of Careline365 are in better state and whether their staff have similar problems when working remotely.

The Head of Service reported that the council would employ TSA who were experts in this field to sign-off the new contract.

(iv) How will the council ensure that the Provider meets the necessary standards of cybersecurity and information security management.
The Head of Service reiterated that the contract would adhere to TSA Accreditation.

(v) I am concerned that TSA only ask TSA accredited providers to be Cyber Essentials accredited, which is a self-assessment option that does not involve any independent verification of the technical controls.

(vi) As you may be aware, Cyber Essentials is a government-backed scheme that helps organisations defend themselves against the most common cyber threats and reduce their online vulnerability. However, Cyber Essentials is a basic verified self-assessment option, which means that the providers can certify themselves by answering a questionnaire. This may not be sufficient to ensure that the providers have implemented the controls effectively and consistently, and that they are meeting the minimum standards and expectations of the council and the service users.

Therefore, I would like to ask you whether the council is satisfied with the level of assurance that TSA accredited companies provides, and whether the council have considered the potential cybersecurity risks of TSA minimal requirement of relying on a Cyber Essentials self-assessment option.

The Strategic Director - People reported that an IMT Manager provides cyber security advice in this matter and that all necessary IT and Data protocols would be followed.

(vii) Given that the council has not imposed a requirement for the provider to put in place basic cyber security around its business and has bypassed conducting a full tender process, what other requirements and risks might the council overlook and assume to be covered by the TSA (TEC) accreditation of the supplier.

Councillor Freeman reported that any Call Centre had operational difficulties and Members needed to forget the past and move forwards. He asked for an assurance that no service user would be at risk over the Christmas period. The Head of Service reported that this issue kept her awake at night because of the level of risk involved and that she hoped for a resolution in a speedy manner. The Head of Service reported that staff had been asked to be on stand-by to further mitigate the risk over the Christmas period but officers could not, at this time, give Members that full reassurance.

Councillor Capewell asked what communication had been undertaken with existing staff in the service. Specifically, how were employees notified about the decision to TIPE to an external provider, namely CareLine365. The Head of Service explained that face-to-face staff meetings had been undertaken and continue to be ongoing. However, at the point an emergency decision was to be taken, owing to the short time between the recommendation to implement the decision, the business case being prepared, and the papers published, staff were notified of the accelerated timeline via email. This was followed up by a team meeting and one-to-one meetings shortly after.

Councillor Waters-Bunn asked why staff had left the service as securing a job in the Council was an excellent outcome and she was baffled why these posts had been unable to be filled. The Head of Service reported that this was for a number of reasons, the last one being through retirement.

Councillor Robinson-Payne asked the following questions:-

(i) How are you going to evaluate the quality and reliability of Careline365 in such a small timeframe.

(ii) Are you aware that the company has received many negative reviews from its

customers and staff on Trustpilot and Glassdoor, indicating that the service is not dependable and that the work environment is toxic.

(iii) How do you plan to conduct due diligence and risk assessment on Careline365 in such a small timeframe.

(iv) Are you aware that the company is indirectly owned by a company registered in Jersey, a well-known tax haven and therefore the actual owners of the company are now unknown.

(v) How are you going to ensure the transparency, accountability, and tax compliance of Careline365 and its affiliates when it is indirectly owned by a company in Jersey.

(vi) How does the council justify its decision to use a company that is indirectly owned and registered in Jersey, a well-known tax haven and How does the council ensure that this decision is in line with its legal and ethical obligations, and the public interest.

The Chair asked a final question:-

(i) Given the evidence and answers to questions that have been presented today, on what grounds do you justify the invocation of section 42.10.5 "Operational emergency" of the council's constitution. As It seems to me that this risk is a result of inadequate planning by the council, rather than an unforeseen circumstance and therefore would not be valid reason to use section 42.10.5. of the council's constitution

The Chair asked Jonathan Dunning from Unison to give an overview to the committee. JD reported that the call centre offered a personalised service and most sheltered housing tenants felt comfortable and reassured using it. Some tenants were in sheltered accommodation and were vulnerable and would call and ask the team to do things for them like pass on repairs requests or requests to speak with the tenancy support officers. There was comfort in knowing that this service was part of the council for sheltered tenants and other customers alike.

JD reported that staff were struggling with the process and were concerned what had triggered the process to become an urgent item posing a risk to life. He urged the committee to adhere to the proposed 14 month consultation period whereby a business case would be produced and staff would be part of a full consultation process. The financial aspects of the report were also concerning as it was felt that certain information was being withheld by the Council.

JD informed the Committee that a relief staff member had informed him that they had worked 18 shifts in the last few months but was being given only 2 shifts in January 2024. The Council had had no dialogue with Unison as to how they might recruit to these hard to fill posts. The new service was proposed to go live on 1 April 2024 which was a very tight timescale. JD urged the Council to cost and evaluate the existing service and asked for additional time to ensure the proper processes were undertaken by Cabinet & Council.

Councillor Robinson-Payne thanked Jonathan for his advice which, in her mind, was common sense.

Councillor Robinson-Payne asked whether a company which was registered in Jersey would operate within the parameters of legality and ethically expected by our Council. The Strategic Director - People reported that Careline 365 was a Norfolk-based company and was part of the Appello Group, which could offer local based jobs with staff working remotely from Great Yarmouth as and when required post initial training. This would avoid a 14 month procurement process which would carry high risks for the safety of our residents which relied on the service. The Council could not wait any longer and was recommending a fast track solution which did not cut any corners and the Council was using nplaw and procurement advisors to ensure this. The Council did not have a policy precluding it from using the services of offshore companies. She assured the Committee that full financial and legal due diligence would be undertaken should a direct award situation be the way forward.

Councillor Robinson-Payne reported that the Council had got rid of the Warden Service and out-sourced the CPE's to Kings Lynn and was now proposing to outsource the community alarm service whilst bringing other services back in-house because they did not offer VFM.

The Chair summarised the discussions and recommended the following recommendations to Cabinet:-

(i) Taking time to develop a full Business Case, undertaking a procurement process and any relevant consultations during the proposed 14 month consultation period; and

(ii) Addressing any immediate risk by undertaking a recruitment campaign and increasing the number of shifts given to relief staff.

RESOLVED:-

That Scrutiny Committee request that Cabinet consider:-

(i) Taking time to develop a full Business Case, undertaking a procurement process and any relevant consultations during the proposed 14 month consultation period; and

(ii) Addressing any immediate risk by undertaking a recruitment campaign and increasing the number of shifts given to relief staff.

The meeting ended at: TBC

Scrutiny Committee Annual Work Programme 2023/2024

Date	Topic	Responsible Officer / Portfolio Holder	Aims, Objectives and Desired Outcomes	Method of delivery (i.e Committee Meeting or workshop)	Timescale
Standing items					
19 Sept 2023	Quarterly performance data	Cabinet Member, Information governance Leader	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes • To include an exceptions report of those that are not meeting the required target. 	Committee	Quarterly Review
12 Dec 2023	Quarterly performance data	Cabinet Member, Information governance Leader	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes 	Committee	Quarterly Review
19 March 2024	Quarterly performance data	Cabinet Member, Information governance Leader	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes 	Committee	Quarterly Review
23 April 2024	Scrutiny Annual Report	Chair of Scrutiny, Scrutiny Committee	<ul style="list-style-type: none"> • Production of the Scrutiny Committee Annual Report to Council 	Committee	Annual
June 2024	Annual performance report	Cabinet Member, Information governance Leader	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes 	Committee	Annual Review
19 Sept 2023	1/4ly Financial Report	Executive Director, Resources	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes. 	Committee	Quarterly Review

	including Exemptions		<ul style="list-style-type: none"> To outline those areas not currently on target or likely to be achieved 		
12 Dec 2023	1/4ly Financial Report including Exemptions	Executive Director, Resources, Cabinet Member	<ul style="list-style-type: none"> Identification of any causes for concern and note successes. To outline those areas not currently on target or likely to be achieved 	Committee	Quarterly Review
19 Mar 2024	1/4ly Financial Report including Exemptions	Executive Director, Resources, Cabinet Member	<ul style="list-style-type: none"> Identification of any causes for concern and note successes. To outline those areas not currently on target or likely to be achieved 	Committee	Quarterly Review
19 Mar 2024	Annual Action Plan	Cabinet Member, Chief Executive Officer, and Information governance Leader	<ul style="list-style-type: none"> Any item or issue from the Annual Action Plan which may require further investigation/scrutiny by the Scrutiny Committee. 	Committee	When required
Confirmed Scrutiny Committee items					
Thursday 20 June 2023					
20 June 2023	2023/24 Annual Work-Programme Workshop session	Scrutiny committee, & ELT	<ul style="list-style-type: none"> To enable the scrutiny committee to ensure that the work of the committee is relevant and achievable 	Workshop session Location : Town Hall	Re-set annually and revised periodically
Thursday 19 September 2023					
19 September 2023	Housing Investment Plan and Sheltered Housing Asset Review	Director of Housing Assets Cabinet Member	<ul style="list-style-type: none"> Update presentation on the Housing Investment Plan Update presentation on the Sheltered Housing Asset Review 	Committee	TBC

19 Sept 2023	Quarterly performance data	Cabinet Member, Information governance Leader	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes • To include an exceptions report of those that are not meeting the required target. 	Committee	Quarterly Review
19 Sept 2023	1/4ly Financial Report including Exemptions	Executive Director, Resources	<ul style="list-style-type: none"> • Identification of any causes for concern and note successes. • To outline those areas not currently on target or likely to be achieved 	Committee	Quarterly Review
Thursday 24 October 2023					
24 Oct 2023	Council Tax Support Scheme – Consultation on Options for 24/24 Scheme	Head of Customer Services Cabinet Member	<ul style="list-style-type: none"> • outline the options under consultation in relation to next year's Council Tax Support Scheme • Scrutiny Committee are provided with the opportunity to feed into the consultation. 	Committee	
24 Oct 2023	Presentation from CityFibre	CityFibre representative Neil Medle Cabinet Member	<ul style="list-style-type: none"> • To provide Members with an update by way of a presentation on the £15m Full Fibre investment & roll-out in Great Yarmouth over the next 3 years 	Committee	
Thursday 28 November 2023					
28 Nov 2023	Review of Planning / Development Management	Cabinet Member, Executive Director Place, Head of Planning and Growth	<ol style="list-style-type: none"> 1. All current data sets regarding numbers of applications. (This would include number of days to a decision; total numbers; etc) 2. Current work /changes/improvements being made to provide a more efficient and timely service. 3. Outcomes/performance targets New improved service. 	Committee	TBC
Thursday 12 December 2023					

12 Dec 2023	Quarterly performance data	Cabinet Member, Information governance Leader	Identification of any causes for concern and note successes	Committee	Quarterly Review
12 Dec 2023	1/4ly Financial Report including Exemptions	Executive Director, Resources, Cabinet Member	<ul style="list-style-type: none"> Identification of any causes for concern and note successes. <p>To outline those areas not currently on target or likely to be achieved</p>	Committee	Quarterly Review
Thursday 13 February 2024					
13 February 2024	PRE-SCRUTINY Consideration of the draft budget report	Cabinet Member, Chief Executive Officer, Executive Director, Resources	To comment on the draft budget and make suggestions to cabinet regarding the proposed budget's ability to deliver the priorities of the council.	At committee	Annual
Thursday 29 February 2024					
29 February 2024	Social Housing Applications	Cabinet Member, Executive Director, People, Head of Strategic Housing	<ul style="list-style-type: none"> Review of implementation, capacity, uptake, numbers waiting, criteria and its application in specific circumstance, satisfaction of customers etc. 	Committee	TBC
29 February 2024	1990 Environment Act	Cabinet Member, Executive Director Place, Head of Environment and Sustainability	<p>How the act controls issues which impact on local residents. Disposal of waste, burning of waste, bonfires etc.</p> <p>Does GYBC require a policy re particular issues in line with other LAs.</p>	Committee	TBC
Thursday 19 March 2024					
19 March 2024	Quarterly performance data	Cabinet Member, Information governance Leader	Identification of any causes for concern and note successes	Committee	Quarterly Review
19 Mar 2024	1/4ly Financial Report including Exemptions	Executive Director, Resources, Cabinet Member	<ul style="list-style-type: none"> Identification of any causes for concern and note successes. 	Committee	Quarterly Review

			To outline those areas not currently on target or likely to be achieved		
19 Mar 2024	Annual Action Plan	Cabinet Member, ELT representative, Information governance Leader	<ul style="list-style-type: none"> Any item or issue from the Annual Action Plan which may require further investigation/scrutiny by the Scrutiny Committee. 	Committee	When required
Thursday 23 April 2024					
23 April 2024	Scrutiny Annual Report	Chair of Scrutiny, Scrutiny Committee	<ul style="list-style-type: none"> Production of the Scrutiny Committee Annual Report to Council 	Committee	Annual
Future Committee's – Dates to be confirmed					
May 2024	Social Landlord Function	Executive Director, Property and Housing Assets Head of Housing Assets	Overview of the Council social landlord function including repairs & maintenance services.	Committee	
July / September 2024	Community Centres and Communal Rooms	Executive Director, People Head of Housing Assets	Review of implementation, capacity, uptake, numbers waiting, criteria and its application in specific circumstance, satisfaction of customers etc.	Committee	
July / September 2024	Delivery of Affordable Homes in the Borough	Executive Director, People Head of Housing Assets	Overview of what the Housing Strategy requires including investments along the housing pathway.	Committee	
July / September 2024	Retrofits on Council Homes	Executive Director, People Head of Housing Assets	<ul style="list-style-type: none"> Overview of Social Housing Decarbonisation Fund. 	Committee	

Training					
8 June 2023 6pm	Overview training offered to all Members followed by more in depth detailed Scrutiny Committee training for Scrutiny Committee Members	All Members		External training provider Location : Town Hall	6pm – 7pm – Scrutiny overview for All Members 7pm – 7.15pm – Break 7.15pm – 8.30pm Scrutiny for Cttee Members
Work Programme items to be added					
TBC	Play Parks	Executive Director, Place		Committee	
TBC	City Fibre	Cabinet Member, ELT, Head of Capital Projects and Growth	Monitoring of delivery / roll-out of the City Fibre project 2023-2026	Committee	

Report Title : Environmental Protection Act 1990 and bonfires

Report to: SCRUTINY

Date of meeting : 27th February 2024

Responsible Officer: James Wilson – Head of Environment and Sustainability.

EXECUTIVE SUMMARY / INTRODUCTION

This report details how the Environmental Protection Act 1990 and other legislation can be used to tackle bonfire. It highlights to members the existing and new guidance and details

RECOMMENDATIONS :

Note the contents of this report.

Provide feedback on the proposed amendments to the bonfire guidance which are based upon the newly released government guidance.

1. Introduction

The issues of burning waste and bonfires causes both pollution to our atmosphere and nuisance to local residents. The Council receives numerous complaints every year about the burning of both commercial and domestic waste.

There are a various sections of different legislation at our disposal to tackle burning of waste and bonfires depending on the issues they are causing, these are covered in the section below.

The government recently issued updated guidance on outdoor burning and this report details how the Council will update its guidance based on these updates.

2. Legislation details.

The Council has the following legislation at it's disposal in order to control the outdoor burning of waste and other materials:

Environmental Protection Act 1990

Section 33 (c) treat, keep or dispose of controlled waste in a manner likely to cause pollution of the environment or harm to human health.

Allows the Council to investigate and prosecute both businesses and residents for burning waste household or other type of waste that would give rise to pollution including but not limited to:

- Plastics
- Paints
- Rubber
- Furniture
- Treated wood

The Council can only enforce once the incident has occurred, and enforcement would be used as a deterrent for future behaviour.

Section 79 (1) - Statutory Nuisance

(b) smoke emitted from premises so as to be prejudicial to health or a nuisance.

(c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance.

(d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance.

The above section highlights the wording in relation to statutory nuisance powers. Should the Council receive complaints that the fires are regular enough or there is a likelihood of reported fires to cause a nuisance, the Council can serve an abatement notice to prevent this behaviour from continuing.

Depending on if this is a business or residential property, the council can apply different sections of the act as listed above, as some are not relevant to both property types.

If the abatement notice is not complied with then the Council will prosecute for failure to comply with the abatement notice.

Under section 79 the Council has a duty to investigate and if we witness a nuisance, we are obliged to serve notice within 7 days.

Clean Air Act 1993

Section 2 – Prohibition of dark smoke from industrial or trade premises.

This legislation allows for the Council to investigate, serve a notice and prosecute for emitting dark smoke from an industrial or trade premises.

3. Current Guidance

The Council has had guidance on its website for several years, attached in Appendix 1. The guidance is focussed on domestic bonfires, outlining when a bonfire is permissible and advice on how to minimise impact on others.

Its also covers the following:

- Methods for disposal of garden waste.
- How to report an issue with bonfires

This guidance does not cover the burning of general waste or burning waste on commercial premises, we will update the guidance to include this based on the recent release of new guidance from government on reducing air pollution from outdoor burning (Appendix 2).

The Council has an enforcement policy detailing the way in which it will enforce within it's legal powers. This policy includes the enforcement of the legislation detailed in this report. As a result of the range of tailored legislation available to the council to enforce and prosecute on burning, it is not recommended to create a further policy, which would only duplicate what is already available, and would not be legally enforceable.

No other Norfolk Council have a specific policy on burning, but all have guidance documents and links to government guidance on how to minimise nuisance and what can and can't be burned.

4. Financial Implications

None

5. Risk Implications

None

6. Legal Implications

None, the Councils is used to using these powers to tackle a wide range of offences.

7. Conclusion

The Council has published guidance on domestic burning for some time and has used its enforcement powers when necessary to tackle problem burning across the Borough. There is a need to update the guidance to ensure we cover all aspects including commercial burning as outlined above, to incorporate the latest guidance from central government.

To ensure members are aware of the laws around fires and to assist them in giving advice when contacted by a constituent, we will also produce a members information sheet on fires.

The team will also take the opportunity to correspond public campaigns at prudent times of the year, such as bonfire night, and spring garden clearances, to remind the public what is and isn't acceptable and provide advice.

8. Background Papers

Government new guidance on reducing pollution from outdoor burning.

<https://uk-air.defra.gov.uk/library/assets/documents/OutdoorBurning.pdf>

Great Yarmouth web site link for guidance on bonfires:

<https://www.great-yarmouth.gov.uk/article/2082/What-are-the-laws-around-bonfires>

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Consultations	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	
Existing Council Policies:	
Equality Issues/EQIA assessment:	

Guidance on Bonfires



Bonfires are an historic way of disposing of rubbish.

However, they can be a cause of pollution so are not the most environmentally friendly way of getting rid of rubbish.

Bonfires can also be very irritating to neighbours by preventing them from enjoying their property and land.

There are a number of alternatives to having a bonfire which Great Yarmouth Council would recommend.

This guidance aims to provide the reader with information on your rights as a person having a bonfire, what to do if you are affected by bonfires and other methods of dealing with garden waste

Am I allowed to have a bonfire?

If you are disposing of garden waste, there are no laws that specifically prohibit bonfires.

However, if a bonfire interferes with the enjoyment of a neighbour's property, e.g. fills their garden with smoke so they can't open their windows or use their garden, you may be responsible for a statutory nuisance under section 79/80 of the Environmental Protection Act 1990. The Council enforces this legislation which can result in an unlimited fine in the magistrates court for people who carry on causing a nuisance after being requested by the Council to stop.

Burning household waste will pollute the environment and may cause harm to human health. The burning of household waste is therefore prohibited under section 33 of the Environmental Protection Act 1990. The maximum penalties for this offence on conviction are a £50,000 fine and/or five years imprisonment.

So what should I do with my waste?

We would prefer that garden waste is either composted or recycled as this is kinder to the environment.

Composting

Most garden and vegetable kitchen waste can be composted. Compost will produce a useful soil conditioner. Do not compost meat or other products of animal origin. Woody garden waste can be shredded before composting but please ensure if you are shredding that you do not cause a noise nuisance to your neighbours. Advice on composting is available from the following:

Domestic composting

- Royal Horticultural Society www.rhs.org.uk (the RHS is the leading garden organisation in the UK)
- Garden Organic www.gardenorganic.org.uk (Garden Organic is the working title of the Henry Doubleday Research Association)

Recycling

You can recycle waste and uncooked vegetable peelings in your brown bin if you subscribe to the service. You are able to place leaves, twigs, pruning waste, grass cuttings, weeds and plants, cut flowers, plant and hedge trimmings and small branches under 10cm in diameter and 60cm in length in the brown bin. Unfortunately you are **not** able to dispose of soil, turf, compost, sand, stones or ash in the brown bin.

Further information on recycling and the Council's Brown Bin service can be found on the Bonfires webpage.

If you are planning a bonfire

If you have considered all other methods of disposal and have decided that having a bonfire is the best way to get rid of your garden waste, the first thing you should do is inform your neighbours.

Simple information such as how much material you have to burn and how long the fire might last for can go a long way to keeping good relations with your neighbours. Also be sure to tell them that if the smoke is bothering them then they should come and speak to you first and let you know so that you can do something about it. Most importantly, if they do come to you with a problem – *do something about it!*

Do not light the bonfire if conditions are unfavourable – for example, if smoke is likely to blow onto your neighbours home or garden.

Local weather conditions will affect the impact the smoke has on your neighbours. Still conditions will prevent the smoke from dispersing while windy conditions will blow smoke into neighbouring properties and across roads causing annoyance and possibly danger.

Bonfires can be a fire hazard; fire can spread to fences or buildings and scorch trees and plants. Sealed cans or bottles in a fire may explode.

Bonfire guidelines

To reduce the possibility of causing a nuisance to your neighbours:.

- Do not have a fire if the wind is variable or if it is blowing directly towards neighbouring properties
- Burn dry material only
- Never burn household rubbish, rubber tyres, or anything containing plastic, foam or paint
- Never use old engine oil, methylated spirits or petrol to light a fire or to keep it going
- Avoid lighting a fire in unsuitable weather conditions - smoke lingers on still days and if it is windy, smoke may be blown into neighbouring properties or across roads
- Avoid burning at weekends and on bank holidays when people want to enjoy their homes and gardens
- Avoid burning when the air quality in your area is 'poor' or 'very poor'. (You can check this by phoning 0800 556677, or by checking at www.defra.gov.uk)
- Never leave a fire unattended or leave it to smoulder - douse it with water if necessary and make sure it is out and will not continue to smoke once you have left it.
- Allow any fire to burn down as much as possible before extinguishing it. Established fires tend to give off less smoke and throwing water over a large fire will eject ash into the air, increasing the chances of annoying your neighbour.

If you have problems with a bonfire

If you are affected by a problem of bonfire smoke you may consider one of the following options:

1. It is best to approach your neighbour first and explain the problem. You might find this awkward, but they may not be aware of the problem and it may make them more considerate when planning and lighting a bonfire.
2. If this approach fails, contact the Environmental Services team at the Council. The Council is legally obliged to investigate all complaints of nuisance in their area, which includes bonfire smoke.
3. Section 82 of the Environmental Protection Act 1990 allows you to take private action through the magistrate's court but you should seek legal advice before doing so. Also. The Council's Community Protection Team can advise you about private remedies for resolving your complaint to help you decide the best way forward.
4. Under the Highways Act 1980 anyone lighting a fire and allowing smoke to drift across a road faces a fine if it endangers traffic. If this is the case you should contact the police.

Further advice

If you would like further advice or would like to report a bonfire nuisance, please contact Environmental Services on

Telephone: 01493 846478

Email: health@great-yarmouth.gov.uk



Department
for Environment
Food and Rural Affairs

Reducing air pollution from outdoor burning





Outdoor burning

Before burning any materials outside, remember that doing so can cause air pollution. If you decide to burn outdoors, **you must not:**

Burn household waste, and other types of waste, if it will cause pollution or harm your health or that of others (Section 33 (c) of the Environmental Protection Act 1990). For example, plastics, paints, rubber, furniture, treated wood, kitchen units, and old decking are likely to produce hazardous smoke. Household waste should be disposed of or recycled via your local authority waste service.

Allow the smoke to drift across the road and become a danger to traffic (Section 161A of the Highways Act 1980).

Produce smoke that will interfere with others living nearby, preventing them from using or enjoying their homes or affecting their health (Section 79 of the Environmental Protection Act 1990).

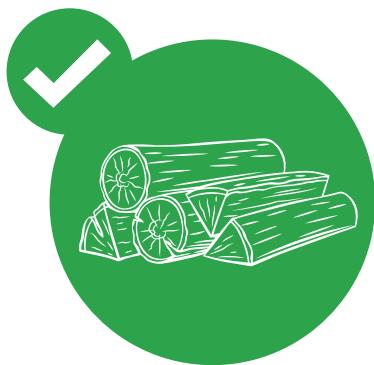


Did you know?

Air pollution is one of the greatest environmental threats to public health in the UK



Outdoor burning



If you decide to burn outdoors, **you should:**

Only burn dry materials, such as dry wood, or smokeless fuels as you would if you were burning indoors. Wet wood creates more air pollution than smokeless fuels or dried wood. Garden waste is also often wet and will create lots of smoke. Instead of burning garden waste, compost at home or use your local authority's garden waste collection service. Contact your local council to find out how to dispose of garden waste.



Be considerate of your neighbours - smoke may blow into their garden or into their house.



Use outdoor burning appliances in accordance with the manufacturer's instructions, and ensure they are not creating excessive smoke that might count as a nuisance. This includes appliances such as barbecues, pizza ovens, chimineas, and fire pits.



Did you know?

Annual mortality of human-made air pollution in the UK is roughly equivalent to between 29,000 and 43,000 deaths every year



Burning away from the home

Laws on burning away from the home may vary depending on the area. Ensure you are following local laws before having bonfires, barbecues, or engaging in any other outdoor burning activity in places other than your home.

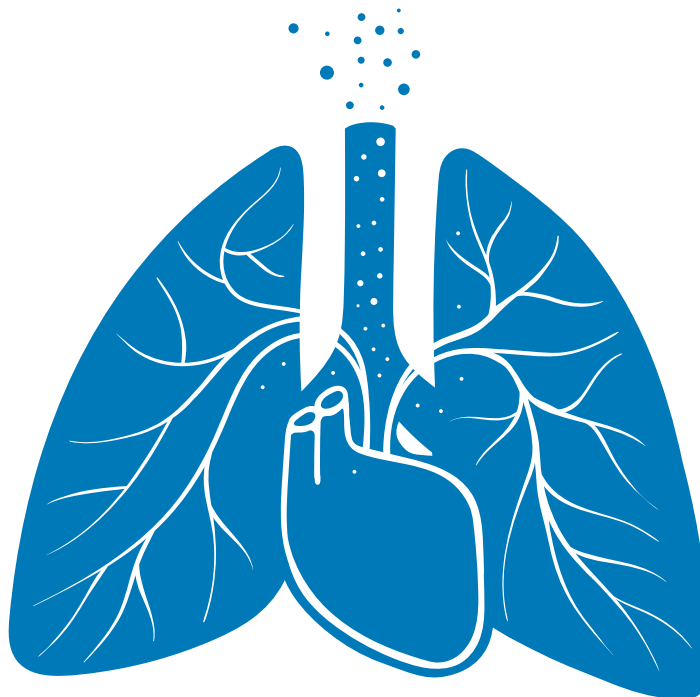


If you witness smoke emissions that are a nuisance or harmful to human health, you can complain to your local authority. If your local authority considers that a statutory nuisance has happened, they can issue an abatement notice to the person responsible. Failure to comply with the abatement notice could result in prosecution and a fine (the amount is set by the court). Search [gov.uk](https://www.gov.uk) for Nuisance smoke: how councils deal with complaints – GOV.UK (www.gov.uk) to find out more.



Did you know?

Burning of any kind produces particulate matter (PM), which is the pollutant of greatest harm to human health. Fine PM (known as PM_{2.5}) is a particular concern as it may pass through the lungs into the bloodstream.



Long-term exposure to PM can shorten life expectancy and cause cardiovascular and respiratory diseases. It is also linked to a wide range of other health effects including adverse birth outcomes, diabetes, dementia and cancer



Preventing wildfires

During dry weather, there is an increased risk of wildfires, which are dangerous, damaging to the environment and contribute to poor air quality. Although they are called wildfires, most are human made, so it's important you understand **how to prevent them**:

Take your litter home.

Don't leave bottles or glass in woodland – sunlight shining through glass can start fires (take them home and recycle them).

Extinguish cigarettes properly and don't throw cigarette ends on the ground – take your litter home.

Never throw cigarette ends out of car windows.





Preventing wildfires

Only use barbecues in a suitable and safe area and never leave them unattended.



Avoid having bonfires in very dry weather.

Avoid having bonfires in areas with long grass. Tall and dry grass will burn more intensely than short grass.



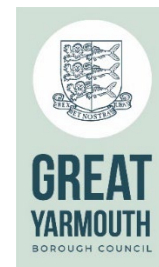
Talk to your children about the dangers of playing with fire and matches. Keep matches and lighters stored well away from children and teenagers.



If you see a fire in the countryside, report it to the fire and rescue service immediately. When visiting the countryside, follow The Countryside Code: advice for countryside visitors - GOV.UK (www.gov.uk).



SCRUTINY COMMITTEE



Report Title: Housing Allocation Policy and Scheme Update

Report to: Scrutiny Committee

Date of meeting: 27 February 2024

Responsible Director/Officer: Melanie Holland, Head of Strategic Housing
Tanya Rayner, Housing Options Service Manager

EXECUTIVE SUMMARY

The Council's revised Housing Allocation Policy and Scheme was introduced in March 2023. It sets out the policy for social housing applications to the housing register, the allocation of the housing stock owned by the Council, and nominations to social housing owned by housing associations. This report provides Members with a summary of and update on the Allocations Policy and Scheme, including numbers of households on the housing register and the impact of the new IT system.

RECOMMENDATION

- a. Scrutiny Committee notes the performance of the Housing Allocations Scheme to date.
- b. Makes recommendations in line with the content of this report in relation to proposed modifications to further improve the application process and to ensure that social housing is allocated to those applicants in the greatest housing need.

1. INTRODUCTION

- 1.1. On 16 December 2019 the Housing and Neighbourhoods Committee agreed a revised Housing Allocations Policy and Scheme, which was subsequently adopted by Council on 19 December 2019. A key element of the revised Scheme is an on-line social housing application portal, this was launched in December 2022. Subsequently, the revised Allocations Policy and Scheme was introduced in March 2023.
- 1.2. This report summarises the Allocations Policy and Scheme, provides an update in relation to social housing demand as shown by the Council's housing register and discusses the impact of the online application portal.

2. CURRENT SOCIAL HOUSING ALLOCATION POLICY AND SCHEME

2.1. Members may recall that the main changes to the previous Allocations Policy introduced in 2018 were:

- allocations and nominations to be made to all forms of social and affordable housing – both rented (dwellings with either social or affordable rents) and low-cost home ownership (for example, shared ownership);
- the introduction of a ‘tenant quota’, whereby up to 20% lettings are made to existing social housing tenants in the Borough; and
- the ‘local connection’ residency qualification to be three out of the last five years.

2.2. The current Policy and Scheme is summarised below:

- In addition to the eligibility criteria as set by Government regulations (which relates to immigration status), for persons to be able to qualify as applicants and be placed on the housing register, they must meet local connection, financial and behaviour criteria:
 - Subject to certain statutory and local exceptions, in order to have a local connection persons must have lived in the borough of Great Yarmouth for three out of the last five years **or** currently work in and have worked in the borough of Great Yarmouth for a continuous period of twelve months **or** have a family member (parent, adult child or adult sibling) who lives in and has lived in the borough of Great Yarmouth for a continuous period of at least five years.
 - Only persons who do **not** have sufficient financial resources to meet their housing need in the open market will qualify for the housing register; equity from current or previous home ownership will be considered, along with income and savings. The Council will disregard any lump sum paid as a result of injury or disability to a current or former member of the regular or reserve services.
 - Persons deemed to be unsuitable as potential tenants on the grounds of unacceptable behaviour (this includes housing related debt) will not qualify to be accepted into the housing register.

2.3 The Policy and Scheme has five Bands of social housing priority, the qualifying criteria for each band is summarised below:

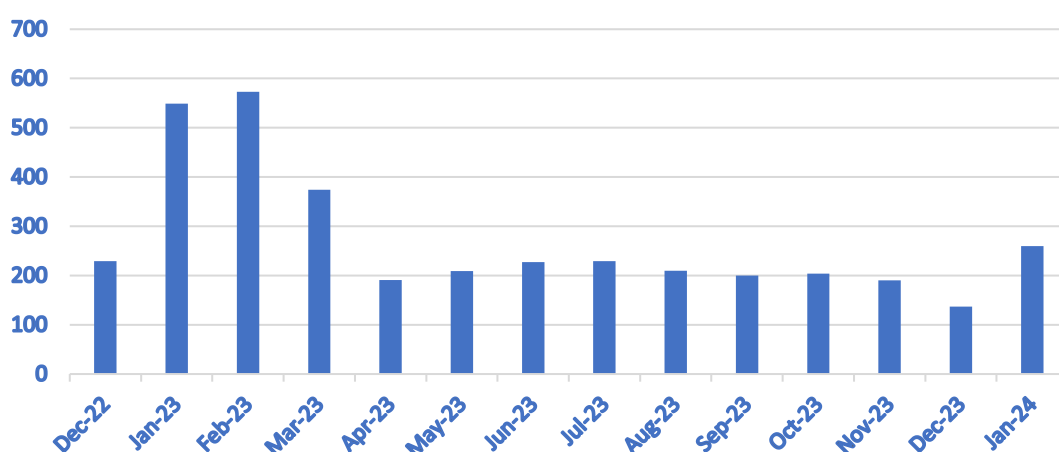
- **Priority Band:** applicants must have an immediate, emergency or critical housing need and require to be moved within 8 weeks.
- **Band A:** statutory homeless; threatened with homelessness and deemed likely to be owed the main homeless duty; serious disrepair; serious overcrowding; urgent medical or welfare need; urgent need to move to prevent hardship; Right to Move; and urgent management move.
- **Band B** – homeless prevention; homeless or threatened with homelessness without a priority need or intentionally homeless, but with a local connection; disrepair; overcrowding; medium medical or welfare need; need to move to prevent hardship; tied tenants under notice; and social housing tenants where a flexible or fixed term tenancy is not renewed, the landlord’s lease has expired, regeneration or major works are to take place, or are under-occupying by two or more bedrooms.

- **Band C** – low medical or welfare need; social housing tenants under-occupying by one bedroom; sharing facilities with friends or family; financial hardship; and other homeless persons.
 - **Band D** – All other persons who qualify for the housing register but are not in a reasonable preference category or meet any other criteria in Bands A, B or C, this includes existing tenants who are considered adequately housed and applicants for low-cost home ownership.
- 2.3. When a dwelling is available to let, those applicants who meet the criteria for the size and type of dwelling are shortlisted. The dwelling is offered to the housing applicant in the highest band who has the earliest relevant dated housing application. When shortlisting for a 'transfer quota' dwelling, this being whereby up to 20% lettings are made to existing social housing tenants in the Borough, applicants are prioritised in terms of housing need.
- 2.4. The Allocations Policy and Scheme allows for the introduction of local lettings schemes for exception sites (this is where planning permission has been given to an affordable housing scheme outside of the development boundary in order to meet local housing need) and to ensure sustainable communities on other schemes.
- 2.5. The Allocation Policy and Scheme also allows for the circumstance where there is a need for direct let of a dwelling.
- 2.6. Although an on-line application portal is used to make an application to the housing register, it is recognised that not all applicants may not access to the internet or be digitally able to do so. Therefore, the Council offers help and assistance to persons who are unable to access the internet or would prefer to come into the Council offices to complete an application with a member of staff.

3. DEMAND FOR SOCIAL HOUSING

- 3.1. Since the introduction of the on-line application portal in December 2022, until the end of January 2024 the Council has received almost 3,800 applications from people wishing to join the housing register, this equates to an average of 270 housing applications per month. However, this far exceeds the demand in previous years of circa. 60 applications per month. The main reasons for the high level of applications to the housing register are homelessness (often due to no fault evictions or relationship breakdown) and the unaffordability of much of the private rented sector, with many applicants wishing to have the affordable / social rents and security of tenure offered by social housing.
- 3.2. Given the rules surrounding eligibility and the Policy's qualifying criteria this means that applicants are required to submit supporting documentation to enable applications to be assessed. Of the almost 3,800 applications received over the period December 2022 to January 2024, almost 1,800 applications were assessed as not eligible or did not qualify to join the housing register. This equates to 46% of all applications.

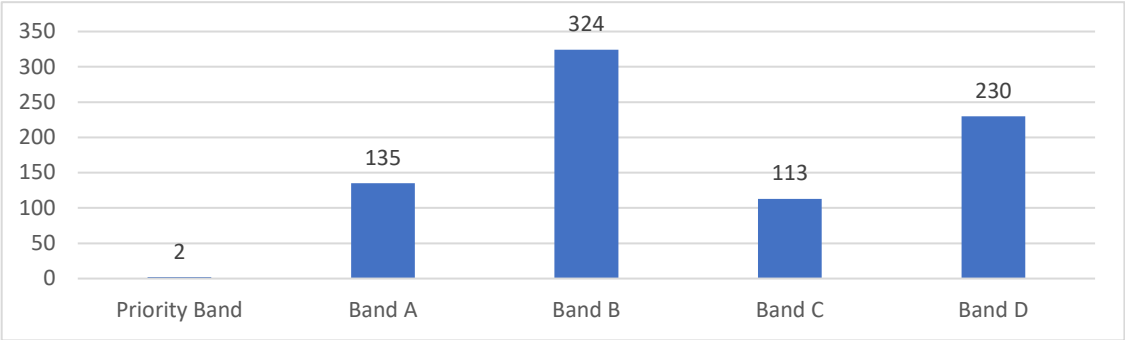
Number of Housing applications received per month since December 2022



- 3.3. As stated above, in addition to persons needing to be eligible to join the housing register, the Council's Allocation Policy and Scheme is not an open register, but contains qualification criteria relating to local connection, finance, and unacceptable behaviour. Therefore, persons wishing to join the housing register, must not only evidence eligibility, but also provide documentation in relation to evidencing local connection, income, savings and assets, and previous addresses. In addition, depending on the circumstance, there will be a need for applicants to provide medical and other evidence.
- 3.4. Given the need to fully assess and evidence eligibility and qualification for the housing register, the assessment of applications can take a great deal of officer time to vigorously verify identification, financial and medical information. Moreover, many applicants fail to provide all the evidence requested, and the time taken for persons to provide and submit their evidence (following formal requests) can substantially delay the assessment process.
- 3.5. The Allocation Policy and Scheme does not refer to a specific level of income and/or savings and other assets which would usually disqualify a person from joining the housing register. The rationale for this is to ensure all applications to the housing register are considered on their own merits. However, inadvertently this means that persons with adequate financial resources to meet their needs in the open market still continue to apply to join the housing register on the basis that social housing is let on affordable and social rents and offers security of tenure.
- 3.6. The combination of persons submitting applications who either do not qualify to join the housing register and/or fail to supply supporting documentation, despite being sent formal reminders, means that the Council continues to deal with a backlog of applications. At 1 February 2024 just over 900 applications were subject to the assessment process, of these nearly 340 applications were either pending or suspended due to the Council being unable to determine whether these applications were eligible and qualified to join the housing register due to outstanding supporting evidence; with almost 580 applications to join the housing register still to be considered.
- 3.7. As of 1 February 2024, there were 804 eligible and qualified applicants on Great Yarmouth Borough Council's housing register. As shown below only two applicants were in the 'Priority' band, 135 applicants were in Band A, with over 300 applicants in Band B and over 100 in Band C, reflecting the high number of homeless applicants. 230 applicants were in Band D; these applicants do not have a reasonable preference, therefore, they are not considered to be in

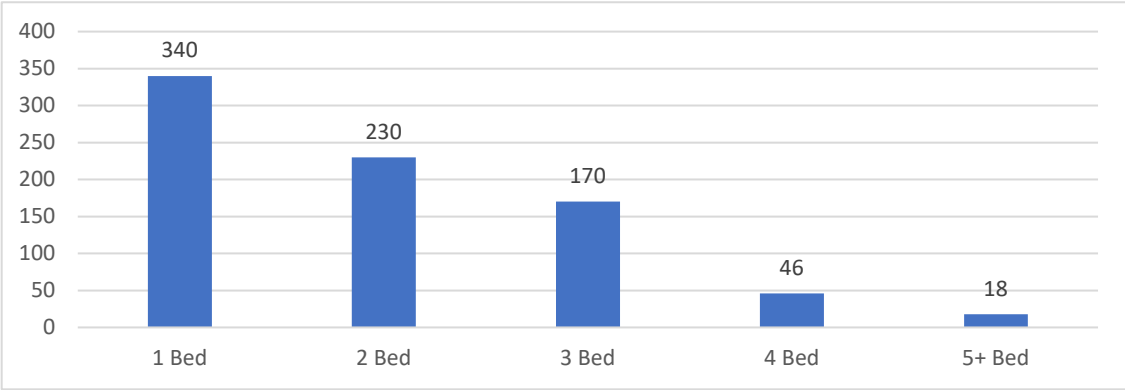
housing need under the Housing Act 1996. However, although these applicants are currently considered to be adequately housed, it has been assessed that they cannot afford to meet their housing need in the open market.

Applicants on the housing register by band at 1 February 2024



- 3.8. When considering the size of dwellings needed by applicants on the housing register, 340 applicants (42%) needed one-bedroom dwellings and 64 applicants needed dwellings with four or more bedrooms.

Size of dwellings needed by applicants at 1 February 2024



- 3.9. Turnover of social housing has reduced in recent years; this is a pattern found elsewhere in the UK and is recognised to relate to the Covid pandemic and the cost-of-living crisis. Over the period December 2022 to end of January 2024, there were 315 lettings to social housing in the Borough, the vast majority of which being to council housing.

4. IMPACT OF NEW IT SYSTEM

- 4.1. The new on-line system has brought about significant improvements for the applicant and the Council. Not only has it reduced the amount of paper, printing, and postage, it now prevents lost paper applications. The ability for the applicant to complete an on-line application form, which includes uploading their supporting documents, then to be able to check if their application has been assessed and what banding they have been awarded provides greater transparency for the applicant. The on-line system also enables the applicant to view a history of all the offers they have been made. Furthermore, a review module in the online system allows officers to review applications every 6-12 months to ensure that the Council has up to date information relating to any change of circumstance (which may change the applicant's banding or qualifying status).

- 4.2. As per previously explained, the Council does recognise there are applicants who will need assistance to digitally engage with the on-line process and hence officers do provide support over the telephone and in person by appointment.
- 4.3. Prior to the launch of the on-line system, there were three systems in use. The introduction of one system, with the added benefit of being on-line, has resulted in an efficient shortlisting and allocation / nomination process, with it taking less than three days to allocate void properties / provide nominations to housing associations. The system provides transparency as shortlists show a clear audit trail, which allows for queries and complaints to be dealt with quickly. Moreover, the allocations system is fully integrated with the homeless management information system, thus resulting in a more cost-effective and efficient approach to meet housing need.
- 4.4. The system also provides up to date, robust social housing needs and demand data which is essential to the Council's strategic housing function. This data not only supplements housing need data, it provides detailed information to inform: negotiations relating to the provision of affordable housing on open market developments; discussions with housing association partners developing affordable housing schemes; the Council's own in-house social housing development programme.

5. NEXT STEPS

- 5.1. As the Allocation Policy and Scheme is not only subject to eligibility regulations, but also local qualifying criteria, which all requires verification, it is critical that persons applying to the housing register recognise the importance of supplying all the requested supporting documents. This will result in officers being able to assess applications at a much faster rate as they are not having to request missing documentation.
- 5.2. Going forward to provide applicants with the best service possible and ensure officers have sufficient time to assess housing applications, access times will be communicated ensuring officers continue to meet with applicants in a timely manner during certain mid-week times and by an appointment.
- 5.3. Additionally, in order to assist applicants in understanding the likelihood of being rehoused in their area(s) of choice, the Council intends to produce on-line information on the geographical turnover of social housing stock.
- 5.4. Twelve months on from the introduction of the on-line housing application system, internal processes and reflections on the customers' experience are being considered. Four years since the adoption of the Housing Allocations Policy and Scheme, and whilst due to issues outside of the Council's control, recognising that implementation of the Policy and Scheme did not take place until March 2023, it is timely to reflect on any modifications that may need to be undertaken to the Policy and Scheme to ensure it continues to be fit for purpose and able to manage applicants' expectation.

6. CONCLUSION

- 6.1. The Council has an Allocations Policy and Scheme which seeks to ensure that social housing is allocated to those residents in the greatest housing need, with a quota of lettings to existing

social housing tenants. The new IT system both manages the housing register and provides affordable housing need and demand data.

Consultations	Comment
Monitoring Officer Consultation:	As part of ELT
Section 151 Officer Consultation:	As part of ELT
Existing Council Policies:	Housing Allocations Scheme 2021
Equality Issues/EQIA assessment:	N/A