

CABINET – 6 JULY 2020

A meeting of Cabinet will be held at 5.30pm on Monday 6 July 2020 via Microsoft Teams.

Members of the public may view the meeting via the livestream available on the Council's website.

Mannie Ketley
Executive Director

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 1 June 2020.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Member must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 30 June 2020).

Growth and Investment Portfolio

Nothing to report to this meeting.

Corporate Resources Portfolio

5. Changing Places – Funding Contribution and Location Approval

Communities and Homes Portfolio

6. Rent Arrears - Mobyssoft Rentsense Software

Environment and Public Realm Portfolio

7. Public Spaces Protection Orders Gating Orders - Draft Policy.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

8. Members' Allowances 2019/20.

9. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraph 3 of Schedule 12A of the Act.”

PART 2 – EXEMPT INFORMATION

Growth and Investment Portfolio

Nothing to report to this meeting.

Corporate Resources Portfolio

1. Trading Company related to Real Estate Development and Investment.

2. Update on the sale of land at Market Quarter.

Communities and Homes Portfolio

Nothing to report to this meeting.

Environment and Public Realm Portfolio

Nothing to report to this meeting.

**The following item contains reports which are to be considered en bloc
subject to any Portfolio Holder requesting discussion of an individual report**

Nothing to report to this meeting.

Any additional papers for this meeting can be accessed via the website.

The Reports of Officers are attached.

Membership of Cabinet:

Councillors Lowe (Chairman), Mrs Crane, Poole, Roberts, Ms Robbins and Mrs Simpson-Vince.

CALL- IN PROCEDURES

Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic Services Team Leader (01788 533524 or e-mail claire.waleczek@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

AGENDA MANAGEMENT SHEET

Report Title: Changing Places – Funding Contribution and Location Approval

Name of Committee: Cabinet

Date of Meeting: 6th July 2020

Report Director: Executive Director

Portfolio: Corporate Resources

Ward Relevance: All

Prior Consultation: Local disability groups including the Rugby Disability Forum, Senior Management Team

Contact Officer: Thomas Snape, Project Officer, Tel: 01788 533518 or thomas.snape@rugby.gov.uk and Andrew Houston, Construction Project Manager, Tel: 01788 533626 or andrew.houston@rugby.gov.uk

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Corporate Priorities:

(CR) Corporate Resources

(CH) Communities and Homes

(EPR) Environment and Public Realm

(GI) Growth and Investment

This report relates to the following priority(ies):

To provide excellent, value for money services and sustainable growth

Achieve financial self-sufficiency by 2020

Enable our residents to live healthy, independent lives

Optimise income and identify new revenue opportunities (CR)

X Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

X Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

Promote sustainable growth and economic prosperity (GI)

Promote and grow Rugby's visitor economy with our partners (GI)

Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)

This report does not specifically relate to any Council priorities but members have previously expressed interest in providing such a provision for the community.

Statutory/Policy Background:

None

Summary:

The Changing Places initiative is UK wide and supports the installation of specialist toilet and changing facilities within key public locations which enables people with specific and multiple learning difficulties to enjoy days out within the central locality.

The report sets out proposals for a new Changing Places facility within Rugby Central shopping centre in Rugby Town Centre.

In September 2019 RBC was awarded £0.035m via WCC grant funding. The report details full estimate costs for the project and recommends an RBC contribution and nominated location for the facility.

Risk Management Implications:

Rugby has a number of conventional disabled toilet facilities but only two Changing Places facilities, located at The Queens Diamond Jubilee Centre and out of town at Tesco Superstore Rugby on Leicester Road.

A number of Changing Places facilities exist within the county of Warwickshire including:

1. Royal Priors Shopping Centre – Leamington Spa (CLOSED CURRENTLY) 17 miles
2. Warwickshire County Council – Shire Hall 22 miles
3. University of Warwick Sport and Wellness Hub – Coventry 17 miles
4. Asda Abbey Park – Coventry 13 Miles
5. IKEA Coventry – 15 miles

Rugby Town Centre lacks a Changing Places facility which could lead to challenge from disability groups/members of the public with specific disabilities.

A robust financial provision has been included to cover any exceptional factors and costs in the delivery of the facility.

There will be risks associated with on-site health and safety, insurance provision, design and build quality, legislative compliance and contractor delivery, but these will be managed through the procurement and contract management process.

A project risk register is being developed; this will be refined utilising support from the Corporate Assurance and Improvement team.

Environmental Implications:

There are no environmental implications arising from this report.

Legal Implications: A legal agreement will be required with the owners of Rugby Central to clearly set out the terms of the installation

Equality and Diversity: An Equality Impact Assessment has been undertaken and this project provides a positive impact to disabled residents and visitors and their carers to Rugby Borough. The EqIA assessment forms Appendix 2: Equality Impact Assessment Form

Options: To support the recommendation outlined in this report to confirm the facility location and associated funding recommendation.

To reject the proposals outlined in this report.

Recommendation: IT BE RECOMMENDED TO COUNCIL THAT -

1. A supplementary General Fund capital budget of £0.060m be approved for 2020/21 to provide a Changing Place facility for community use within Rugby Town Centre to be met from external grant (£0.035m) and borrowing (£0.025m);
2. The proposed location of the Changing Places Facility will be located within Rugby Central Shopping Centre (first floor) as detailed within the body of the main report; and
3. delegated authority be given to the Property Services Manager in consultation with the Monitoring Officer to enter into any legal agreements to support this recommendation.

Reasons for Recommendation: To provide a Changing Places facility for community use within Rugby Town Centre.

To provide a specialist facility for members of the local community and visitors with specific needs.

To provide financial viability for the project.

To promote Rugby Town Centre as an accommodating and inclusive place for people to live, work and visit.

Cabinet – 6 July 2020

Changing Places – Funding Contribution and Location Approval

Public report of the Executive Director

Recommendation

IT BE RECOMMENDED TO COUNCIL THAT -

1. a supplementary General Fund capital budget of £0.060m be approved for 2020/21 to provide a Changing Place facility for community use within Rugby Town Centre to be met from external grant (£0.035m) and borrowing (£0.025m);
2. the proposed location of the Changing Places Facility will be located within Rugby Central Shopping Centre (first floor) as detailed within the body of the main report; and
3. delegated authority be given to the Property Services Manager in consultation with the Monitoring Officer to enter into any legal agreements to support this recommendation.

1.0 Introduction

1.1 The purpose of this report to request an RBC funding contribution to ensure the successful installation of a Changing Places facility in Rugby Town Centre.

1.2 The Changing Places Project supports the installation of specialist toilet and changing facilities within key public locations which enables people with specific and multiple learning difficulties to enjoy days out within the central locality.

1.3 Rugby Town Centre does not currently have such a facility, meaning members of the local community and visitors with specific disabilities could be unable to visit for extended periods of time due to the lack of a suitable facility being available.

2.0 Background Information

2.1 Due to the increasing need for specialist toilet and changing facilities, which enable people with specific disabilities to enjoy a day out with their carers, assistants and families, the learning disability organisation, Promoting a More Inclusive Society (PAMIS), brought this to public attention, and this resulted in the formation of the Changing Places Consortium in 2006. The consortium aims to improve the lives of people who require such facilities and campaigns for more toilet facilities to Changing Places specifications to be installed in public places accordingly. They estimate over 230,000 people require personal assistance to use a toilet or change continence pads, therefore the need for such a facility in a major town like Rugby is clear.

2.2 As a result, in 2018 Rugby Borough Council (RBC) considered installing a Changing Places facility within the Town Hall, Evreux Way, Rugby, CV21 2RR.

2.3 Due to the space requirements for the Changing Places facility (12m² as per BS 8300: 2018) the Town Hall Headquarters was discounted. The project's attention then turned to Rugby Art Gallery, Museum and Visitor Centre (RAGM). Unfortunately for the same reasons (space requirements) and dual occupancy, RAGM was also discounted.

2.4 Officers evaluated John Barford Car Park and initially concluded the installation of a Changing Places facility there would be possible. However, this would have resulted in the current toilets (male and female) being removed and replaced with the Changing Places facility entirely. Due to the non-central location and possible redevelopment of John Barford Car Park, it was considered this location be discounted.

2.5 On 9 September 2019, officers made a formal submission to Warwickshire County Council (WCC) in respect of the Changing Places Project 2019 (funding administered by WCC).

Officers were notified the application was successful and £0.035m was awarded for the project.

3.0 Stakeholder Consultation

3.1 Prior to the formal submission a number of external stakeholders were consulted including Rugby Disability Forum (RDF). The submission received letters of support from the following organisations, who all supported the location within Rugby Central being appropriate to the user audience and agreed the facility would be hugely beneficial to the local community:

Rugby Community Wellbeing Hub Service
Rugby Autism Network
Community and Voluntary Action (CAVA)
Rugby Disability Forum (RDF)
Rugby Borough Council (RBC) Cllr Seb Lowe

Upon completion of full and formal design work the project team will hold a formal public consultation event for further discussion with the above.

4.0 Facility Location, Specification and Maintenance

4.1 The Changing Places facility is proposed to be located within:

Rugby Central Shopping Centre (First Floor), 19 Market Mall, Rugby, CV21 2JR.

Please see Appendix 1 Site Location Plan for exact location.

The above location is deemed suitable for the following reasons:

- High footfall
- Central location
- Wide user audience
- Appropriate access via car park on first floor
- Meets minimum space requirements in accordance with BS8300
- Location in close proximity to existing Male/Female and Disabled Toilets
- Location formally supported by local disability groups
- Landlord keen to support initiative

4.2 Officers have communicated closely with Rugby Central on the scheme, and an agreement on the facility and the location has been made in principle pending Cabinet approval. However, it was confirmed that although the landlord is keen to support the facility, Rugby Central are unable to make any financial contribution.

4.3 A legal agreement will be made with the owners of Rugby Central to clearly set out the maintenance arrangements and responsibilities. Rugby Central has confirmed general cleaning and maintenance will be covered within their existing works services contracts.

4.4 The facility is proposed to be located within an existing alcove and in close proximity to the existing male/female and disabled toilets.

4.5 The proposal will be designed in accordance with Changing Places guidelines and BS8300 and will include:

- Height adjustable adult sized changing bench
- Ceiling track hoist system
- Adequate maneuverable space for the disabled person and up to two assistants.
- Centrally located toilet with space both sides for assistants.
- Privacy Screen
- Wide paper roll
- Large waste disposal bin
- Wash hand basin (height adjustable)

Shower installations are recommended by the Changing Places Consortium for managed buildings however are not compulsory, and in this instance such an installation is deemed unnecessary.

An illustrative design plan is contained within Appendix 4: Draft Illustrative Layout 1 and 2.

5.0 Financial Information

5.1 An estimate cost plan for the works was completed by Quantity Surveyors FSL Projects Ltd.

5.2 Based on these costings, officers have compiled the estimate master costs for the project which have been contained within Appendix 3: Changing Places Master Costs.

In summary the works costs are estimated as follows:

	£000s
Works Estimate	48
Design Risk	4
Contingency	3
Professional Fees	10
Total	65
Funded By	
WCC grant	35
RBC contribution	30
Total	65

6.0 Recommendation

6.1 Based on the current estimate it is recommended that Cabinet approves £0.025m as a funding contribution to the project.

6.2 Also, it is recommended that Cabinet approves the proposed location (Rugby Central) for installation of the Changing Places facility.

6.3 Once the formal design and internal/external consultation process is complete, the project team will formally tender the works. The projects current cost estimate should fall well within the formal tender figures.

Name of Meeting: Cabinet
Date of Meeting: 6 July 2020
Subject Matter: Changing Places
Originating Department: Executive Director

DO ANY BACKGROUND PAPERS APPLY: YES NO X

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

RBC Changing Places – Site Location Plans

Figure 1: 1st Floor Composite Plan (Rugby Central)

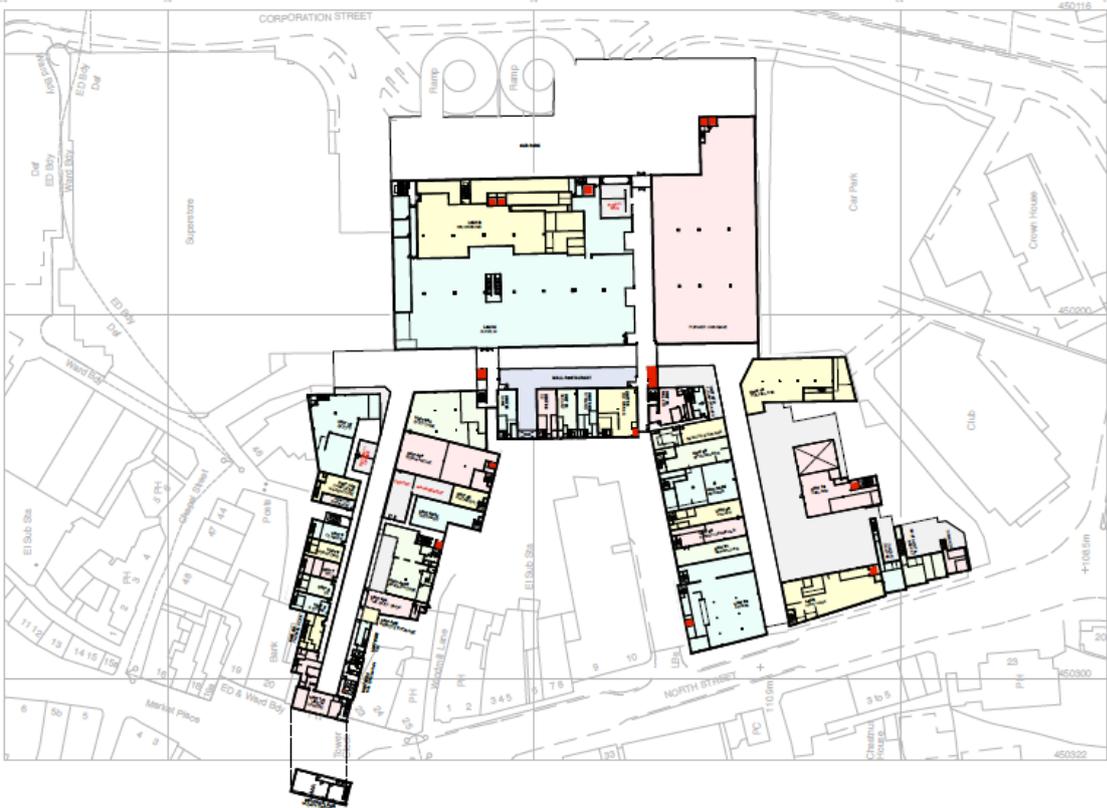
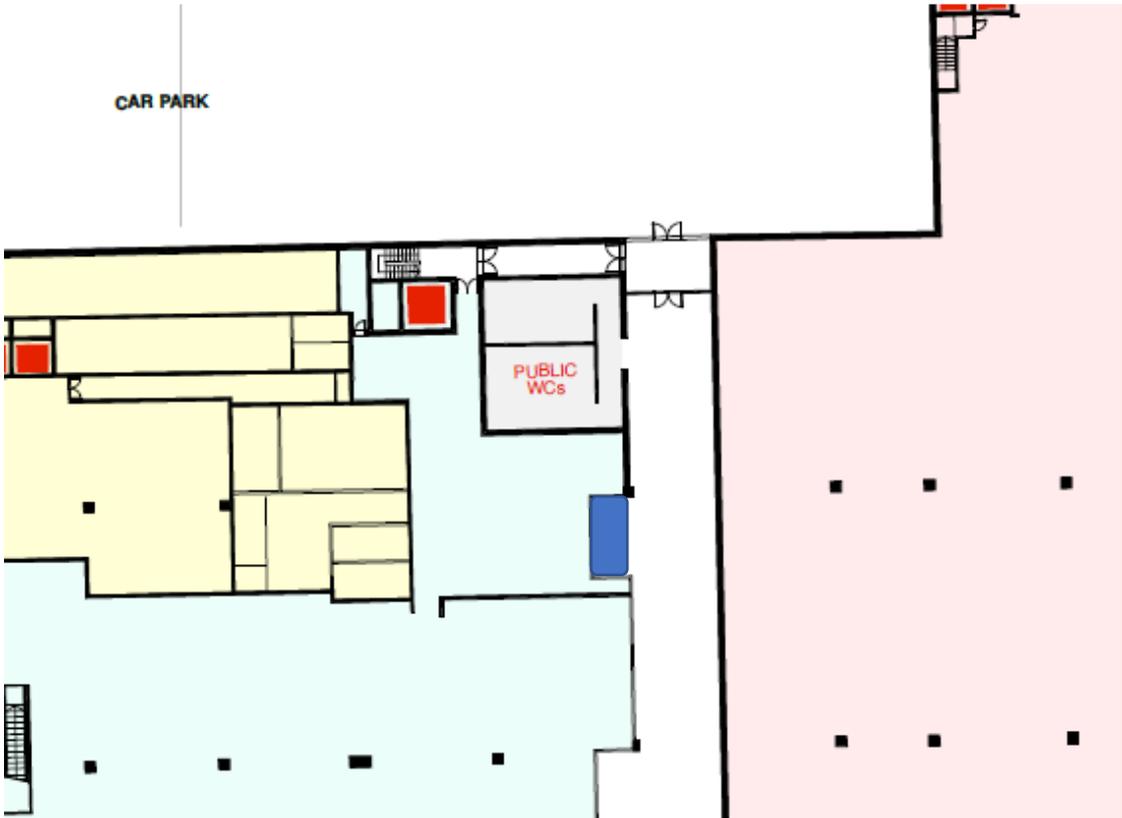


Figure 2: Proposed Changing Places facility within 1st Floor of Rugby Central.



*Facility location denoted by blue square

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:
Minakshee Patel
Corporate Equality & Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Corporate Resources
Policy/Service being assessed	Changing Places Toilet Facility
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	New Service
EqlA Review team – List of members	Minakshee Patel, Andrew Houston, Thomas Snape
Date of this assessment	27 th February 2020
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The main aim of this proposal is to provide a Changing Places toilet facility in Rugby Town Centre (specifically Rugby Central Shopping Centre), which currently lacks such a facility. This will enable members of the community with profound and multiple learning difficulties to enjoy days out within the central locality.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	This proposal aligns with the following Corporate Priorities: <ul style="list-style-type: none"> - Understand our communities and enable people to take an active part in them - Promote and grow Rugby's visitor economy with our partners - Encourage healthy and active lifestyles to improve wellbeing within the Borough
(3) What are the expected outcomes you are hoping to achieve?	For a Changing Places facility to be open within Rugby Central shopping centre and accordingly for members of the community with profound and multiple learning difficulties to be able to enjoy days out in Rugby Town Centre, that previously they were previously unable to do.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	The proposal will benefit all.
<u>Stage 2 - Information Gathering</u>	
(1) What does the information tell you about those groups identified?	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources). From engagement with local disability groups, it is clear there is a need for a facility that caters for the wide range of disabilities not catered for by conventional disabled toilets, and therefore this proposal is something that has been formally supported by these groups.

Appendix 2

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>As above, we have engaged with local disability groups, who have formally supported and endorsed this proposal due to the lack of such a facility in Rugby Town Centre at present. They have also approved the proposed choice of location (Rugby Central Shopping Centre).</p>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>As above, consultation with the appropriate groups has been carried out prior to the creation of the full proposal, however these groups will also be consulted post approval, throughout the design process, and a possible follow up circa six months post completion to ensure the facility is working as intended.</p>		
<p><u>Stage 3 – Analysis of impact</u></p>			
<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p>RACE</p>	<p>DISABILITY</p> <p>The proposal will have a positive impact on this group due to providing crucial specialist facilities to disabled members of the community that are not catered for by existing conventional disabled toilets.</p>	<p>GENDER</p>
	<p>MARRIAGE/CIVIL PARTNERSHIP</p>	<p>AGE</p>	<p>GENDER REASSIGNMENT</p>
	<p>RELIGION/BELIEF</p>	<p>PREGNANCY MATERNITY</p>	<p>SEXUAL ORIENTATION</p>

Appendix 2

<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>The proposal will have a positive impact, as they will be able to engage with the local community where they otherwise wouldn't have been able to due to lack of a suitable facility.</p> <p>The proposal will have a positive impact on a the carer(s) of a disabled person, as this will enable them to also enjoy a day out they would not have been able to otherwise.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4)What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>It enables people with specific disabilities to access town centre services they couldn't otherwise, thus promoting an equal lifestyle to non-disabled members of the community.</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>It could result in people with specific disabilities no longer being isolated from the Town Centre and local community, promoting more integration between disabled and non-disabled people. Additionally it could give non-disabled people a better understanding of people with disabilities and how they live.</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>No</p>

Stage 4 – Action Planning, Review & Monitoring

If No Further Action is required then go to – Review & Monitoring

(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

EqIA Action Plan

Action	Lead Officer	Date for completion	Resource requirements	Comments
Wider consultation with disability groups during design phase and post approval	Thomas Snape & Andrew Houston	Post draft design completion and six months post completion	<ul style="list-style-type: none"> - Stakeholder and RBC staff time - Meeting room(s) - Additional design cost if revisions are needed 	

(2) Review and Monitoring
State how and when you will monitor policy and Action Plan

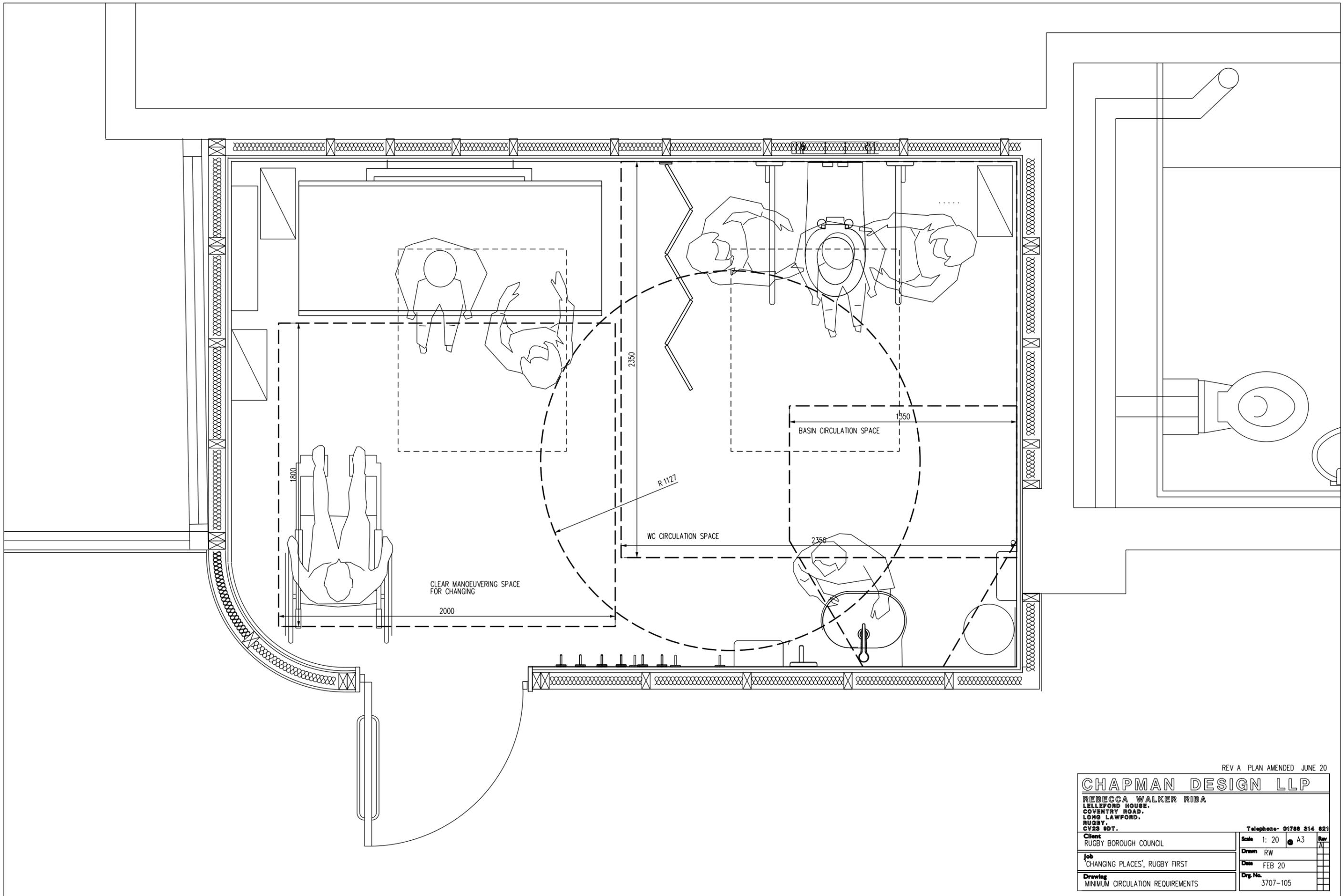
Periodic communication as to the success of the proposal once complete will be made with disability groups and the local community to ensure the scheme is operating successfully.

Please annotate your policy with the following statement:

‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’

<u>Changing Places - Disabled Toilet Installation at Rugby</u>		
Master Cost Spreadsheet		WCC Contribution £35k
Updated : 08/01/2020		
Description		Target Costs £'s
DIRECT COSTS		
Fire Alarm (possible new installation and/or link	500.00	
Ventilation Requirements	500.00	
Signage - External	300.00	
Switchboard & telephony	n/a	
ICT Server, Panels & Switches & equipment	n/a	
FFE/Blinds : All areas total	n/a	
FEES - FEASIBILITY		
Internal Fees - Stage A-B	Inc	Capped Sum
Charges by WCC Legal	TBC	Estimate
Charges from Estates	TBC	Estimate
Charges from RBC Asset Strategy	TBC	Estimate
SURVEYS COSTS : All Estimates		
Asbestos Refurbishment Survey	450.00	Estimate
Asbestos Removal	1,500.00	Estimate
Measured Survey	450.00	Estimate
Drainage Survey and Report	n/a	TBC
Surveys Contingency Sum	1,000.00	Estimate
STATUTORY FEES		
Planning Pre-consultation Fee	TBC	Estimate
Highways Pre-consultation Fee	TBC	Estimate
Statutory Planning Fees (Eqv)	TBC	Estimate
Planning Conditions Discharge	TBC	Estimate
Statutory Building Control Fees - Plan Fee	TBC	No fee for disability related applications
Statutory Building Control Fees - Inspection Fee	TBC	No fee for disability related applications
Utilities Connections	TBC	Estimate
Section 77 Consultations	TBC	Estimate
CONSTRUCTION COSTS		
Demolitions & Alterations		
Black out film to existing curtain walling system to Dunelm	617.40	
Diamond drill apertures for services and drainage (assume 1nr through floor and 2nr through wall)	1,050.00	
Take up existing floor tiles and skirtings; disposal off site; make good screed	540.00	
Allowance to relocate existing services	350.00	
Internal Walls		
Linings' 70mm timber stud; acoustic insulation; 18mm plywood lining; 12.5mm plasterboard; skim coat	1,955.10	
Stud partition; 70mm timber stud; acoustic insulation; 18mm plywood lining; 15mm Soundbloc plasterboard; skim coat both sides	1,500.00	
Internal Doors		
Internal doors; 1000 wide; horizontal grab rail; including frame, linings, architraves and stops; ironmongery	650.00	
Wall Finishes		
Hygenic wall lining; Whiterock or similar approved; trims, angles, fixings	1,490.40	
Painting plaster; one mist coat, two coats emulsion	300.00	
Floor Finishes		
Vinyl flooring; on latex screed; coved skirtings; welded joints	900.00	
Ceiling Finishes		
MF Ceiling; painted plasterboard	480.00	
Allowance for forming lightwell	2,000.00	
Fittings, Furnishings and Equipment		
Height adjustable changing bench; PC Sum £1250 supply	1,250.00	
Wide paper roll dispenser; PC Sum £40 supply	75.00	
Wall mounted folding privacy screen	750.00	
Full height mirror	150.00	
General Waste bin	75.00	
Large sanitary disposal unit	150.00	
Ceiling track hoist; including all associated secondary steelwork; Prov Sum	7,500.00	
Coat hooks	75.00	
Paper Towel Dispenser; PC Sum £25 supply	40.00	
Shelf		
Mechanical Installations		
Doc M Pack; including WC, WHB, grab rails	1,500.00	

Height adjustable wash hand basin; PC Sum £3,000 supply		3,750.00	
HCWS		1,500.00	
Drainage; assume pipework to drop into car park below		1,250.00	
Electrical Installations			
Shower unit		450.00	
Disabled Alarm System		450.00	
Hand Dryer; PC Sum £100 supply		150.00	
Supplies to hoist		500.00	
Allowance for distribution board; incoming supplies		1,000.00	
Builders Works in Connection with Services			
Allowance for all BWIC mechanical and electrical installations		1,100.00	
Main Contractor Preliminaries		2525.47	
Main Contractor OHP		3619.84	
Works Cost Estimate		44,393.21	
Design Development Risk	2.00%	1,000.00	Based on £50k total budget
Construction Risk Estimate	3.00%	1,500.00	Based on £50k total budget
Employers Change Risk Estimate	1.00%	500.00	Based on £50k total budget
Employers Other Risk Estimate	1.00%	500.00	Based on £50k total budget
OOO Plan - Estimated Cost :		£47,893.21	
FEES - STAGES C-L			
FSL Estimate Professional Fees		£7,963.64	Estimate
WCC PM Fees - Stage C-L :		n/a	Based on RBC Fee scale
Big CoW Fees - Stage C-L : (1%)		478.93	Based on RBC Fee scale
M&E CoW Fees - Stage C-L :		n/a	Based on RBC Fee scale
CDMC advisor Fees - Stage C-L :		n/a	Based on RBC Fee scale
Contract Admin (PM) Fees - Stage C-L :		n/a	Based on RBC Fee scale
QS Fees - Stage C-L :		n/a	Based on RBC Fee scale
Architectural Design Services - Stage C-L :		1,200.00	Based on RBC Fee scale
Civil Design Services - Stage C-L :		n/a	Based on RBC Fee scale
Structural Design Services - Stage C-L :		n/a	Based on RBC Fee scale
Mechanical Design Services - Stage C-L :		n/a	Based on RBC Fee scale
Electrical Design Services - Stage C-L :		n/a	Based on RBC Fee scale
Principle Designer Role C-L :		n/a	Based on RBC Fee scale
Landscape Design Services		n/a	Based on RBC Fee scale
Transport Consultancy Services		n/a	Based on RBC Fee scale
Acoustic Consultant - TBA		n/a	Based on RBC Fee scale
RISKS AT 5%		2,780.34	Estimate
Professional Fees Total		9,643	Excluding Risk
Overall Cost		60,316	
Budget Allowance		35,000	
Difference		-25,316	
All costs exclude VAT.			
Tom Snape and Andrew Houston			
Project Officer and Project Manager			
Property Project and Estate Management			
TOTAL COST	£60,316.12		
Works Estimate	47,893.21		
Design Risk	3500		
Contingency	2,780.34		
Professional Fees	9,643		
WCC CONTRIBUTION	35,000.00		
RBC CONTRIBUTION	£25,316.12		



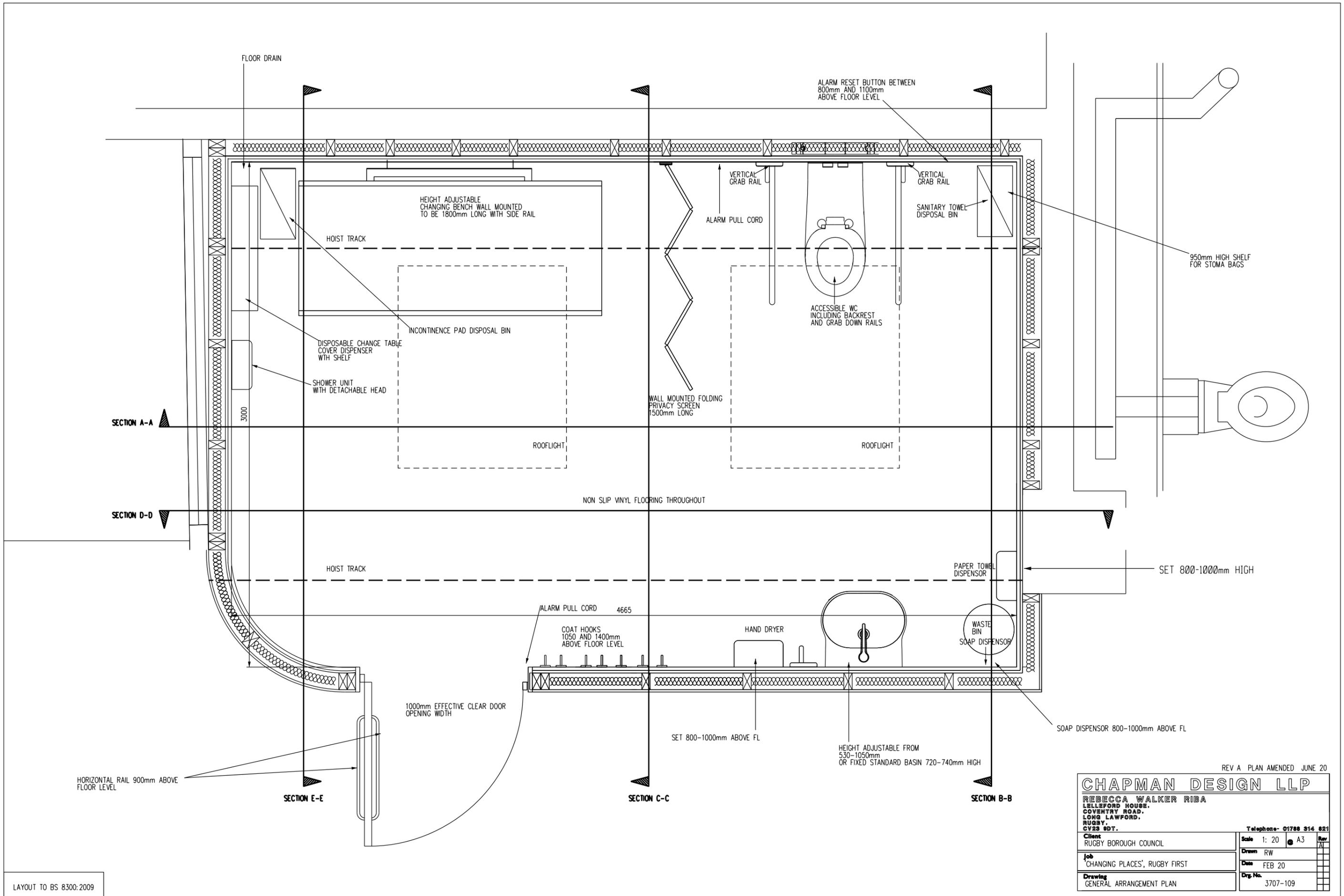
REV A PLAN AMENDED JUNE 20

CHAPMAN DESIGN LLP

REBECCA WALKER RIBA
 LELLEFORD HOUSE,
 COVENTRY ROAD,
 LONG LAWFORD,
 RUGBY,
 CV23 9DT.

Telephone- 01788 314 821

Client RUGBY BOROUGH COUNCIL	Scale 1: 20	Sheet A3	Rev A
Job 'CHANGING PLACES', RUGBY FIRST	Drawn RW	Date FEB 20	
Drawing MINIMUM CIRCULATION REQUIREMENTS	Drawn No. 3707-105		



REV A PLAN AMENDED JUNE 20

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Telephone- 01788 314 821			
Client RUGBY BOROUGH COUNCIL	Scale 1: 20	Sheet A3	Rev A
Job 'CHANGING PLACES', RUGBY FIRST	Drawn RW	Date FEB 20	
Drawing GENERAL ARRANGEMENT PLAN	Drawn RW	Rev A	
	Dwg No. 3707-109		

AGENDA MANAGEMENT SHEET

Report Title: Rent Arrears - Mobysoft Rentsense Software

Name of Committee: Cabinet

Date of Meeting: 6 July 2020

Report Director: Head of Communities and Homes

Portfolio: Communities and Homes

Ward Relevance: All

Prior Consultation: Finance, Revenues, Community Advice and Support Team, Communities and Projects Team, IT

Contact Officer: Cindy Gleghorn, Housing Services Manager

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:

Pre-Action Protocol for Possession Claims by Social Landlords, Rugby Borough Council Rent Arrears Policy 2019

Summary:

Rugby Borough Council is committed to the ongoing sustainment of its tenancies whilst also recognising the importance of early intervention and a robust approach to rent arrears and debt recovery. Since 2016 rent arrears have risen and collection rates fallen from 99.8% to below 95 %.

Research indicates the Council is under resourced based on national averages and in order to improve performance an investment in additional resource is required. The COVID-19 pandemic has seen substantial financial pressures on families and businesses the likelihood of which is arrears increase further without any intervention.

Investment in the Mobysoft, RentSense solution which uses a series of complex algorithms and analytical applications that predicts which tenants will fall into arrears provides us with opportunity to target our approach to debt recovery concentrating on those accounts which need attention at an early stage, contacting the right tenants at the right time in order to reduce arrears and increase collection rates.

Financial Implications:

The cost of entering into a two-year contract is £83,850, (Year 1 = £45,030, Year 2 = £38,820) the business case provided by Mobysoft anticipates a return on investment in year one of £124,140 without the need to substantially increase staffing numbers.

The cost of the contract can be met from a supplementary budget from capital balances within the Housing Revenue Account. A call-off

contract that is compliant with the terms of the G-Cloud 11 Call off contract will need to be entered into with Mobysoft prior to the Rentsense software being installed

Risk Management Implications: Lack of early intervention, advice, and guidance results in escalating arrears for tenants which leads to further costs for both the tenant and Council e.g. court costs, likelihood of abandonments and difficult to recover former tenant arrears.

Failure to have a robust arrears management system which is able to predict and recommend targeted debt recovery actions will result in increased rent arrears.

Environmental Implications: There are no environmental implications arising from this report.

Legal Implications: Part 2 of the Pre-Action Protocol for Possession Claims by Social Landlords Issued by the Ministry of Justice, requires landlords to work proactively with tenants who fall into rent arrears to solve their arrears problems, including by making alternative payment arrangements, reviewing a tenants financial circumstances and engaging with the Department of Work and Pensions (where appropriate) and assist with claims for financial support. The Pre-Action Protocol makes clear that litigation should be a last resort. As such, any tools which are able to predict and/or identify tenants who may fall into arrears and enable the Council to take proactive steps to engage with those tenants will assist the Council in complying with its obligations under the Pre-Action Protocol. In turn, this should lessen the number of rent arrears cases that may need to be progressed through the court and, of those that do go to court, improve the process for obtaining the necessary court orders for recovery of the rent arrears and possession of the property.

Equality and Diversity: There are no Equality and Diversity implications arising from this report. An Equality Impact Assessment has been completed.

Options:

1. Do nothing, continue to monitor, and recover rent arrears within the existing resource, in an historic and traditional manner, risk amassing high levels due of arrears due to inefficiencies and unsustainable workloads
2. Recruit 4+ additional members of staff at our existing rates of pay to manage rent arrears caseloads (based on the UK national average) at a cost of £152,040 per annum.
3. Enter into a contract with Mobysoft, integrate Rentsense into our current and future Housing Management software. Target rent arrears in a more meaningful and constructive way at a cost of £45030 for year 1, reducing to £38,820 in year 2.

Recommendation:

IT BE RECOMMENDED THAT COUNCIL THAT

-

(1) a budget of £83,850 to be met from a supplementary budget within the HRA be approved; and

(2) a two-year contract with Mobysoft be approved and integrate its RentSense ICT software product into the Council's rent arrears recovery processes.

Reasons for Recommendation:

RentSense provides a software solution that will increase cash flow, reduce arrears, create sustainable communities, reduce abandonments, and the need for court action and evictions. It will reduce caseloads for officers who will be able to concentrate their efforts on authentic debt cases without having to substantially increase staffing numbers.

The cost of introducing the RentSense solution over 2 years is £83,850 compared to the £304,080 increase in salary costs required if Option 2 was the preference, a difference of £220,230.

Cabinet - 6 July 2020

Rent Arrears Recovery - Rentsense

Public Report of the Head of Communities and Homes

Recommendation

IT BE RECOMMENDED THAT COUNCIL THAT -

(1) a budget of £83,850 to be met from a supplementary budget within the HRA be approved; and

(2) a two-year contract with Mobyssoft be approved and integrate its RentSense ICT software product into the Council's rent arrears recovery processes.

1. Introduction

A fit for purpose arrears monitoring system is fundamental to reducing rent arrears, increasing collection rates, and creating capacity to support our most complex and vulnerable tenants, sustaining tenancies, and preventing homelessness.

The purpose of this report is to seek approval for a budget of £83,850 which will enable the Council to enter into a two-year contract with Mobyssoft integrating its RentSense ICT software product into the Council's Housing Management system and rent arrears recovery processes.

The introduction of RentSense will add efficiencies to the current debt recovery process, reduce caseloads, meaning that officers will be able to complete arrears caseloads each week, contact the right tenants at the right time, address those accounts in arrears and reduce debt owed to the Council.

2. RentSense

RentSense provides a unique social housing intelligence software application to help landlords protect and maximise revenues, mitigate welfare reform and embed efficiencies. RentSense achieves this by using a series of complex algorithms which analyse tenants' transactional history, coupled with a predictive analytical application that predicts which tenants will and will not pay their rent. RentSense is cloud-based solution offering maximum flexibility and minimum constraints, can be accessed from anywhere and promotes the benefits of agile working.

RentSense has a proven track record with over 150 clients in the sector, processing over 1.5 million tenancies (29% of all social housing tenancies) resulting in £6.7billion of transactions per year.

3. Discovery Days

RentSense spent a number of discovery days on site at the Town Hall working with Housing Services and Revenues staff to examine existing working practices, agree objectives, identify challenges, and to consider any future associated risks for rent arrears collection.

Objectives:

- Improve performance and collection rates
- Invest in smarter ways of working and create efficiencies
- Mitigate the impact of Universal Credit
- Improve early intervention for our most vulnerable tenants
- Reduce evictions

Challenges:

- Inefficient and ineffective processes and systems
- Insufficient dedicated staffing resource focused on arrears recovery
- Unmanageable workloads based on the national average and feedback from staff
- Continued impact of Universal Credit

Risks:

- Lack of early intervention
- Post role out of Universal Credit
- As caseloads increase collection rates decrease due to inefficiencies

The discovery sessions also identified:

- significant wastage of officer's time
- cases manually reviewed using spreadsheets
- over 55% of accounts did not need reviewing on a weekly basis
- only 36% of cases due to workload were actioned
- our system does not provide direction on 'Priority cases'
- no consistent approach to managing cases – workload split across teams and departments, issues with ownership
- less time was spent supporting those with the greatest need
- there was a lack of early intervention – more tenants indebted, risk to tenancy sustainment
- arrears cases under £50 were not actioned or reviewed including static debts

Current Position:

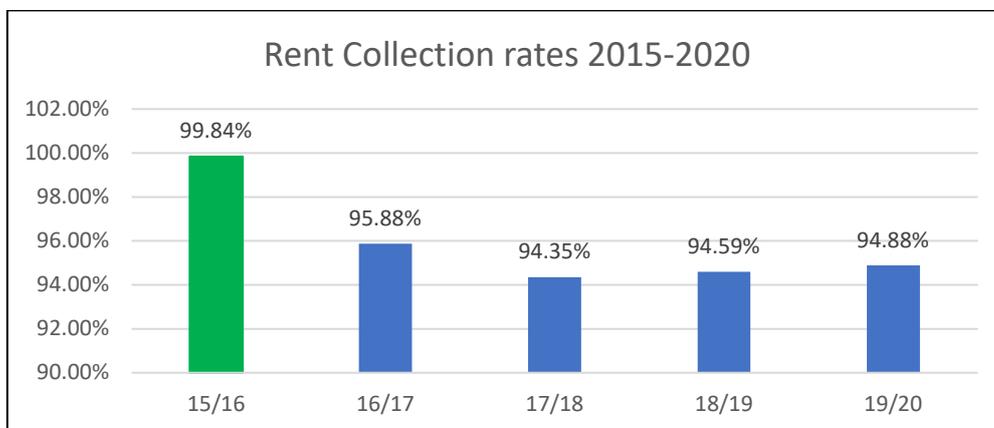
Rugby Borough Council has annual rent debit of approximately £15 million, 45% (£6.8 million) was paid for by Housing Benefit in the period 2019/20. There were 1,458 tenants in receipt of HB as at 31 March of these 562 (39%) will transfer onto Universal Credit at some stage in the future and be responsible for paying their rent.

The Council employs 2.5 full time members of staff to recover the combined rent debit, 2 officers work full time on current rent arrears cases of over £50.00, each officer has a typical caseload of in excess of 650 cases per week compared to the national average of 184 cases*. The post role out of Universal Credit in Rugby will see a further increase to workloads. Based on current and predicted workload, the Council needs to employ a total of 6.8* members of staff in order to make a significant impact on performance without the investment of the Rentsense Solution.

In November 2019, the responsibility for rent arrears recovery transferred back to Housing Services, followed in May 2020 by the recovery of rent arrears for temporary accommodation within its HRA stock.

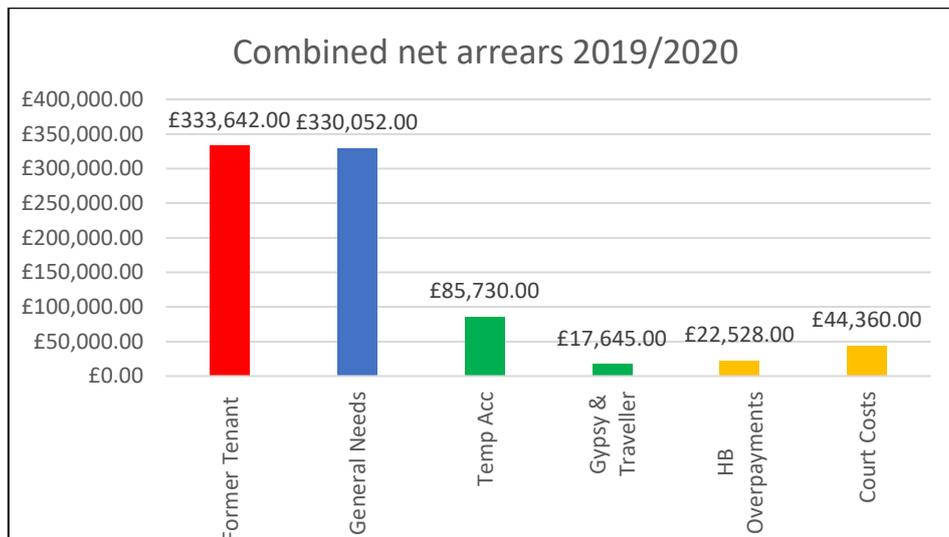
The Council has seen a decline in collection rates since 2015/16 when performance was reported at 99.84%. Year end 2019/20 showed signs of a slight improvement in performance compared to previous years with a collection rate of 94.88%, an area of weakness has been the recovery of rent arrears at the Gypsy and Traveller site and for temporary accommodation. Temporary accommodation debt due to the conflicting priorities and demands faced by the Community Advice and Support Team including more recently the impact of COVID-19 has made arrears difficult to recover. It is without doubt performance needs to improve in order to protect income and expenditure, this can only be accomplished by having the correct resources and software.

Rent Collection rates 2015-2020



Rent Arrears 2019/2020 = £833,957

The graph below shows the combined net rent debt (current and former tenant) at the end of the period March 2020 for each of the Councils recovery groups. Former tenant arrears contribute to approximately 40% of the £833,000 outstanding debt. Current council house arrears 40%, temporary accommodation arrears 10% and the Gypsy and Traveller site Woodside contributing to 2%. Overpayment of Housing Benefit and Court Costs make up the remaining 8%, housing benefit overpayments are recovered by reducing a tenant's benefit entitlement each week, court costs are recovered once current rent arrears are cleared.



Arrears Predictions:

By 2022 it is anticipated that approximately 78% of Council tenants (2900) will be responsible for paying their rent, an increase of 16%. A 16% increase equates to an additional £2.7million worth of revenue being at risk of falling into arrears with those additional payments needing to be recovered by the Council, this is an increase in workload of upward of 30% (£1.1 million) per officer if current working arrangements continue, which is not sustainable long term.

The impact of COVID-19 will undoubtedly impact on both the General Fund and Housing Revenue Account. There has been a substantial increase in homelessness as the Council supports the most vulnerable by placing them into safe and secure accommodation. As at 8 May 2020 there were 225 clients living in temporary accommodation with numbers expected to increase as the victims of domestic abuse during 'lockdown' seek assistance.

There has been a significant increase in claims nationally for Universal Credit, on the 10th May 2020 the Department for Work and Pensions (Universal Credit) suspended all third-party payments for rent arrears (£2500 per month). As at 14 May 2020, there were 2656 claims in payment for Housing Benefit a decrease from 1st April 2020 of -1.56%. Council Tax reduction saw an increase in claims of 5.66% on the previous month with 5505 claims in payment.

Inside Housing reports that the level of unpaid arrears nationally is an estimated £100m higher than it would have been at this stage when compared against previous years. The pandemic continues to affect social landlords' finances and operations, in April alone median arrears increased by 10%. On average landlords missed out on 3.29% of their total rental income.

Lockdown measures introduced to limit the spread of the virus have led to many people suffering job loss or income losses, the end of the furlough scheme and the potential for more redundancies will continue to present a challenge for officers seeking to recover rent arrears.

On the 18 March 2020 the government announced a radical package of measures to protect tenants affected by coronavirus, this emergency legislation means that

landlords were not able to start proceedings to evict tenants for at least 3 months, this has now been extended to August 2020.

There are currently 12 pending evictions which have been delayed due to Covid-19, 4 have increased balances on their accounts, in addition to this 16 court hearings for arrears have been adjourned, 11 of cases have increased balances on their accounts. Debt is rising as a consequence of the court delays and since March the debts on these accounts alone have increased by £12,000. There is a very real likelihood that these debts will continue to rise until the courts are in a position to deal with backlogs and commence with hearings despite our best efforts and requests to encourage tenants to make payments.

It is important to note that the expectation of the courts is that landlords will work with tenants to establish affordable repayment plans, considering tenants' individual circumstances making it clear no one should be evicted because of the coronavirus. The likely outcome being that possession even in the most extreme of circumstances will not be forthcoming for some time.

In addition to the anticipated increase in rent arrears, void rent losses across the sector are expected to more than double from previous years. Since March void properties numbers has increased to over 60 resulting in lost revenue of approximately £4,000 per week. As restrictions ease allocations are now starting to recover although a shortage of building materials in some instances are resulting in further delays. It is vital that rent is continued to be treated as a priority and that our approach to rent arrears recovery provides for early intervention and prioritising those cases in need of the most support if we are to increase our collection rates.

Rentsense will half the number of cases being manually reviewed each week by prioritising cases and producing a sustainable caseload for the officers, freeing up capacity to support our most vulnerable, action low level arrears and support more robust approach to the recovery of temporary accommodation and gypsy and traveller rent arrears accounts in accordance with our Rent Arrears Policy.

Case Studies

North Warwickshire Borough Council – Angela Coates, Director of Housing

North Warwickshire Borough Council has been using Rent Sense since October 2018.

For many years the Council has been seeking out systems of work to ensure that we are able to be proactive when tenants falter with their rent payments and to contact them at an early stage before arrears accrue to a high level. The Rent Sense software has delivered that objective. The algorithm used by the software ensures that officers are presented with cases to review that are an early stage of default. As the software is concerned with the pattern of rent payments rather than the level of arrears it is much more precise in presenting cases to review and therefore saves officer time because their attention is better focussed. This has meant that our collection rates have continued to be strong at a time when Universal Credit has been introduced in the Borough.

We use Rent Sense in addition to our usual housing management software. Our usual software supplier has never been able to deliver the systems of work we now have with this software solution. In addition, as it is a managed product Rent Sense colleagues are in close contact with the team to ensure the system is used to its full potential. The reports and analysis which support the front-line operational systems are very effective in providing an overview both of the performance of individual officers as well as comprehensive data which is used to develop and improve the service.

Before we bought the Rent Sense product we visited and talked to other social landlords that were using the system. They commended the system to us. We have not been disappointed.

Shepherds Bush Housing Association – Justine Hart, Income Manager

“With an accurate caseload officers know every contact matters. What’s more the team can now complete their weekly caseload, and as a result staff morale has improved and arrears performance is the best it’s been in at least 10 years. Our arrears have reduced from 4.38% at the week RentSense went live to a current low of 3.5%. In financial terms this is a reduction of £291,000!”

South Lakes Housing – Simon Hughes, Income Manager

*“We have **maintained upper quartile performance** throughout using RentSense. Of our 3,000 tenancies over the last nine to ten months the officers have **only around 120 cases a week** to look at. RentSense has really helped, without it I am convinced our arrears would be in a much worse state, and it is consistently **saving us 2-3 FTE.**”*

Summary

Rugby Borough Council has an annual rent debit in excess of £15 million our combined net debt due to rent arrears is in excess of £800,000. Current Housing Revenue net rent arrears at year end 2019/20 was £330,000, the Council employs 2.5 members of staff to manage the rent debt owed. In November 2019, the recovery of rent arrears returned to the Housing Management Team, in May 2020 the Housing Management Team also took responsibility for arrears associated with temporary accommodation within its stock.

The COVID-19 pandemic has placed additional pressures on landlords and tenants, lockdown and social distancing has made it difficult to deliver a robust housing management service and to interact with tenants. The pandemic has resulted in job losses locally and may lead to further redundancies as furlough and support schemes come to an end reducing income. The suspension of court hearings and an inability to allocate empty properties until very recently will inevitably impact on revenue and money available to us in the future.

The current debt recovery process is inefficient, officers have unmanageable workloads which prevents them from providing early intervention and to support those tenants at greatest risk of falling into arrears. It is expected that rent collection is due to increase by 16% (£2.7 million) by 2022 which will add extra work to already unsustainable caseloads this is without the additional pressures being brought about

because of the coronavirus and the impact its is having on landlords at a local and national level.

Other organisations that have introduced this product have reported easier case management and an improvement in collection rates. In order for the Council to re-establish its collection rates to it previous performance levels (in excess of 98%), either the size of the team needs to be increased at a cost of over £101,000 per annum or invest in the RentSense product at a cost of £83,551 over 2 years with an option to extend.

*Source QuantSpark & Mobysoft

Name of Meeting: Cabinet
Date of Meeting: 6 July 2020
Subject Matter: Rent Arrears Recovery - Rentsense
Originating Department: Communities and Homes

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

RENT ARREARS POLICY 2019

Rugby Borough Council Rent Arrears Policy 2019

1 Introduction

- 1.1 Rugby Borough Council (the Council) aims to maximise rental income including service charges from tenants. Effective arrears management is essential in achieving our aims of delivering an affordable, efficient and effective housing management, repairs and asset management service.
- 1.2 The aims of this policy apply to all tenanted properties regardless of tenure, owned or managed by Rugby Borough Council (RBC).
- 1.3 RBC recognises that some of its tenants are amongst some of the most vulnerable in society and will provide effective advice and support to its tenants to help them maximise their income, meet their tenancy obligations specifically the payment of rent and sustainment of their tenancies.

2 Aims

- 2.1 This policy combines the need to maximise rental income from tenants with the provision of offering early advice and support to applicants and tenants in advance of and throughout the life time of their tenancies.
- 2.2 Promote a rent payment culture where the payment of rent is top priority with all staff and tenants.
- 2.3 Have a performance culture where the prevention and pursuit of rent arrears is given a high priority.
- 2.4 Monitor the rent arrears management process analysing the data and results to inform future policies and strategies.
- 2.5 Enforce our commitment to homeless prevention by providing support, advice and guidance to tenants in arrears, so that they are able to pay their rent without the threat of losing their home.

3 Objectives

- 3.1 To maximise income, we will aim to collect all monies due, reduce rent arrears and debts to a minimum. We will reduce former tenant arrears and collect all rechargeable repairs and sundry debts owed to us.
- 3.2 We will recover rent arrears in a firm, fair and consistent manner, using methods which will be sensitive to a tenant's individual circumstances.
- 3.3 Eviction action will be taken as a last resort and only where there is clear evidence of noncompliance on the part of the tenant, either to engage with us, or to make any consistent effort to pay their rent and arrears.

4 Prevention

- 4.1 RBC is committed to developing a payment culture and taking prompt action to prevent arrears occurring and accumulating. We will provide tenants with

appropriate support, advice and guidance and offer a variety of payment options which will be well publicised, flexible, easily accessible and convenient.

- 4.2 We will ask all new tenants to pay one month rent in advance at the commencement of their tenancy.
- 4.3 We will advise tenants to build up a credit on their rent account to assist them in being able to pay their rent should their circumstances change.
- 4.4 We will continue to work closely with other departments in the Council to identify those tenants at risk of falling into arrears.
- 4.5 We will continue to build links with the Department for Work and Pensions (DWP) and effective liaison for Universal Credit.
- 4.6 We will aim to identify any support needs that prospective tenants may have particularly their ability to pay their rent and to sustain their tenancy before signing a tenancy.

5 **Money Management Advice**

- 5.1 We will ensure tenants with rent arrears are aware of the support and advice we can offer which includes:
 - Debt Advice
 - Welfare advice
 - Money Judgement Advice
 - Budgeting
- 5.2 We understand that tenants experiencing financial hardship, exclusion from mainstream financial products such as a bank account or who are vulnerable, and disadvantaged might need a greater degree of support than others. We will work with these tenants to:
 - Agree affordable repayment plans based on household income and expenditure.
 - Offer benefit advice to maximise income
 - Offer money/debt advice as required
 - Make referrals to tenancy support services as required
 - Liaise with social services as required

We will also sign post tenants to independent organisations who offer free and confidential debt, money and legal advice.

6 **Arrears Management**

- 6.1 We have set a purpose and principles of work based around the customer.

Our Purpose is:

“To enable our tenants to succeed”

Our principles are:

- Do what we say we are going to do
- Communicate effectively with our customers at the earliest opportunity
- Focus on prevention and early intervention
- Understand customers’ needs and tailor services appropriately
- Establish customers’ financial situation at the earliest opportunity and don’t be afraid to challenge it
- Work innovatively with internal and external partners
- Ensure our customers know that if they won’t pay, they can’t stay

6.2 Where there is evidence of support and advice being offered, but not accepted by the tenant, where repayment agreements are subsequently breached enforcement action will be taken.

6.3 Officers will apply a zero-tolerance approach to those tenants who have arrears on their rent accounts and who have made no consistent commitment to pay.

6.4 Making agreement based on the tenant’s financial circumstances where the arrears cannot be cleared in full and recording these in the housing management system.

6.5 When making payment agreement, consideration must be given to the length of time the repayments will take to clear the arrears and the tenant’s individual circumstances. Any agreement should be set out a timescale when the arrears should be repaid. Wherever possible the aim should be for the account to be clear at the end of that financial year.

7 Legal Framework

7.1 This Policy emphasises a proactive and preventative approach to rent recovery. However, legal action will be pursued in cases where the tenant has failed to:

- Make contact and meaningfully engage with RBC
- Co-operate in paying their full rent and reducing the debt
- Maintain a repayment agreement to clear the outstanding debt

7.2 RBC will comply fully with legislation and Court Pre-Action Protocols.

8 Former Tenancy Arrears

8.1 A former tenancy arrear is any debt left owing to RBC once a tenancy has been terminated.

8.2 A repayment agreement will only be agreed with a former tenant where it is not possible for the debt to be cleared in full.

8.3 All tenants when terminating their tenancy will be asked to pay any outstanding debts.

8.4 Legal action to recover former tenants' arrears will be taken in cases where an assessment of the former tenants' financial circumstances, indicate that such action would be appropriate. This could include: -

- If we already have a money judgement order:
 - An attachment of earnings – when we know where the former tenant is living and have employment details.
 - Charging Order – when we know where the former tenant lives and that we know they own their own property.
- If we don't have a money judgement order:
 - Small claims courts – when we know where the former tenant is living, where we have no other court order.

9 Performance Measures

9.1 RBC regularly monitors the performance of the rent collection service.

9.2 We will share information with staff that have responsibility for rent collection.

9.3 Information relating to rent, arrears and sundry debt collection will be included in the annual report to tenants.

9.4 RBC will regularly review this policy in consultation with key stakeholders, to include, tenants, local advice agencies and those who have arrears and have and have had possession action taken against them.

9.5 An analysis of reasons for non-payment of rent (to include arrears and sundry debts), payment methods, the viability of tenant incentive schemes, rent arrears and sundry debt management will be reviewed on a regular basis.

10 Related Policies and Procedures

This policy should be read in conjunction with the following policies and procedures:

- Rechargeable Repairs Policy
- Customer Care Policy and Standards
- Equal Opportunities and Diversity Policy
- Write off Policy

11 Complaints and Review Process

Complaints can be made directly to the Housing Services Manager by:

- By Telephone: 01788 533533
- In writing to:
Rugby Borough Council, Town Hall, Evreux Way, Rugby. CV21 266
- By email: contactcentre@rugby.gov.uk
- Online at: www.rugby.gov.uk

12 **Monitoring and Policy Review**

- 12.1 We will consult with service users, staff and internal and external agencies in the periodic review of this policy.
- 12.2 The Housing Management and Revenues teams will review this policy every year to ensure that any best practice, legislative or statutory changes are incorporated into the policy.
- 12.3 This policy has been equality impact assessed to ensure that no individual or group is adversely affected.

Anyone requiring this document in a different format should contact the Rugby Borough Council's, Communications Team:

- By telephone: 01788 533864
- By email: communications@rugby.gov.uk

AGENDA MANAGEMENT SHEET

Report Title: Public Spaces Protection Orders Gating Orders
- Draft Policy

Name of Committee: Cabinet

Date of Meeting: 6 July 2020

Report Director: Head of Environment and Public Realm

Portfolio: Environment and Public Realm

Ward Relevance: All Wards

Prior Consultation: Warwickshire County Council Highways
Warwickshire Police
Warwickshire Fire and Rescue
West Midlands Ambulance Service
Rugby Disability Forum
Residents affected by a previous anti-social
behaviour issue

Contact Officer: David Burrows, Regulatory Services Manager
Tel 01788 533806

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money
services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

**(EPR) Environment and Public
Realm** Enable our residents to live healthy,
independent lives

(GI) Growth and Investment Optimise income and identify new revenue
opportunities (CR)

Prioritise use of resources to meet changing
customer needs and demands (CR)

Ensure that the council works efficiently and
effectively (CR)

Ensure residents have a home that works for
them and is affordable (CH)

- Deliver digitally-enabled services that residents can access (CH)
- Understand our communities and enable people to take an active part in them (CH)
- Enhance our local, open spaces to make them places where people want to be (EPR)
- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background: Anti-social Behaviour, Crime and Policing Act 2014

Summary: Cabinet asked Committee to consider the issue of public space protection orders (PSPOs) to manage highways (alleyways) associated with anti-social behaviour. Environment and Growth Overview and Scrutiny Committee set up a Task Group to carry out a brief review.

Financial Implications: There are no financial implications arising from this report. However, there may be future funding implications relating to the installation of gates.

Risk Management Implications: There are no risk management implications arising from this report.

Environmental Implications: There are no environmental implications arising from this report.

Legal Implications: All legal implications are as set out in the body of the report.

Equality and Diversity: New draft policy recommended. An EqIA has been completed and is attached at Appendix 2.

Options:

1. To approve and adopt the policy
2. To not approve and adopt the policy.

Recommendation: The Public Spaces Protection Orders Gating Orders Policy, as at Appendix 1 to the report, be approved for adoption.

Reasons for Recommendation: This is an opportunity to put controls in place for how to deal with anti-social behaviour issues relating to alleyways.

Cabinet - 6 July 2020

Public Spaces Protection Orders Gating Orders - Draft Policy

Public Report of the Head of Environment and Public Realm

Recommendation

The Public Spaces Protection Orders Gating Orders Policy, as at Appendix 1 to the report, be approved for adoption.

1. BACKGROUND

The topic of Public Spaces Protection Orders and a policy relating to the closing of alleyways and Gating Orders was agreed by Environment and Growth Overview and Scrutiny Committee for inclusion in the work programme and at their meeting on 3 October 2019 and a one-page strategy was agreed.

Cabinet on 4 November 2019 considered a report concerning the outcome of a consultation on Public Space Protection Orders (PSPOs) following a review carried out by the former Whittle Overview and Scrutiny Committee. It was resolved that Environment and Growth Overview and Scrutiny Committee be asked to produce a draft policy and guidance document relating to the gating of alleyways and report back to Cabinet (minute 53-2019/20).

Gating Orders restrict public access to help deal with crime and/or anti-social behaviour. Warwickshire County Council as the highway authority had powers under the Highways Act 1980 to make a Gating Order to restrict the use by the public of a 'relevant highway' and authorise the placing of gates. The county council had to be satisfied that the 'relevant highway' contributes to high levels of crime and anti-social behaviour, as prescribed under section 129A of the Highways Act 1980 and The Highway Act 1980 (Gating Order)(England) Regulations 2006.

On 20 October 2014, Section 129A of the Highways Act 1980 and The Highway Act 1980 (Gating Order)(England) Regulations 2006 were repealed by the Anti-social Behaviour, Crime and Policing Act 2014 and Gating Orders were replaced with Public Spaces Protection Orders.

2. REVIEW OF PSPOs

On 9 December 2019 Environment and Growth Overview and Scrutiny Committee considered a report concerning the issue of using Public Spaces Protection Orders (PSPOs) to manage highways (alleyways) associated with anti-social behaviour.

There are no current local guidelines, and this was an opportunity to consider putting controls in place.

The Committee considered a range of factors including:

- The level of anti-social behaviour
- The need to access
- Views of residents and other statutory organisations e.g. highway authority, fire service and police
- Who would be responsible for funding?
- How long gates should be in place?
- Who would be responsible for maintenance?
- Access and key holder arrangements.

The Local Government Association issued guidance for councils setting out the issues to consider when contemplating the introduction of PSPOs and some practical guidelines. The guidance states that a victim-led approach is required. This can be found via the following link [LGA Guidance for councils](#).

The Committee identified a number of factors to consider and decided to set up a task group, made up of committee members and any other interested councillors who had previously volunteered to take part in the review to carry out a focussed piece of work to review the draft policy. This allowed time for further evidence gathered from an issue relating to anti-social behaviour linked to an alleyway in the Paddox area to be considered as part of the policy review.

Research carried out by officers identified that local authorities are under no obligation to fund gates, the maintenance or their removal.

The task group was specifically asked to consider the following:

- The draft policy, procedure, and decision matrix
- Consider in detail who should fund the purchase, installation, maintenance and removal of any gates
- Confirm the parties that will be invited to give evidence, and how e.g. which will be invited to attend a sub-group and which will be asked to provide written views

3. REVIEW OF THE DRAFT POLICY

The task group met once on 22 January 2020 and carried out a detailed review of the draft policy. The agenda and minutes for the task group meeting can be found via the following link [Gating Orders Task Group](#).

The task group consisted of the following members:

Councillors Picker (Chair), Bearne, Brader, Mrs Bragg, Brown, Ellis, Gillias, Mrs New, Picker, Mrs Roberts and Sandison

The task group took a holistic approach focussing on the creation of a policy to set out the criteria for the basis of implementing PSPOs Gating Orders and looked at the following:

- A page by page review of the draft policy
- Responsibility for repair and maintenance should the gates be damaged by accidental or deliberate means
- Requests from the Police for PSPOs
- Who should be consulted?
- Whether commercial premises should be excluded
- The historic Alley Gating Scheme
- Funding
- Impact on elderly, infirm or people with disabilities
- Case study evidence
- Appropriate conditions

3.1 Evidence

The task group acknowledged that a great deal of work had been carried out to resolve an issue relating to an alleyway in Hillmorton. There was no recent evidence to suggest the problem had returned and the situation would continue to be monitored.

With a formal policy in place, this would support how each reported case would be reviewed.

The task group agreed that individual cases should not bias the introduction of a policy. The review was based on the need for a policy and it was agreed that consideration of a PSPO Gating Order to tackle specific alleyways being affected by anti-social behaviour should be submitted on an individual basis to Cabinet for consideration. On this basis, it was decided not to invite affected residents or other interested parties to attend a meeting to present their views.

Residents that had been involved in discussions on the Hillmorton issue were included in the consultation process of the draft policy.

3.2 Consultation

The draft policy was sent to Warwickshire County Council (WCC) Highways and Rights of Way, WCC Community Safety, Warwickshire Police, a local school involved in the past Hillmorton issue and two residents affected by the alleyway in Hillmorton.

There was only one response received from a local resident that stated the documents were a “*fair analogy of the situation when the anti-social behaviour was at its height*”, and “*since then there has been a new regime and things seem to have settled down*”. However, it was recognised the anti-social behaviour may recur. The resident’s opinion was that in the first instance a camera could be fitted before the installation of gates were considered.

A previous consultation had been carried out specifically related to the alleyway in Hillmorton and the following responses were considered as part of the review:

Warwickshire Fire and Rescue – the gate would not prevent them gaining access in the event of an emergency.

Police and Crime Commissioner for Warwickshire – they did not feel they would need to make any considerations on this but consultation with operational colleagues may be required.

Warwickshire Police – No concerns.

RBC Risk Management and Insurance Officer – provided all records relating to the reasons for installation are retained there are no risk insurance issues.

3.3 Process for PSPO Gating Closures

The draft policy contains a flowchart detailing the process for PSPO gating closures. Each case would be considered on an individual basis based on evidence and consultation feedback.

It was stressed that all avenues to resolve the problem should be considered before a PSPO Gating Order was a consideration in conjunction with the Police or other organisations relative to the proposed area.

3.4 Funding

It was estimated that gates would cost approximately £2,000 but it was likely the demand would be low, and perhaps limited to no more than one request per year.

How gates were funded would need to be considered in detail by individuals, businesses or groups requesting a PSPO Gating Order. The draft policy details a list of factors for consideration as part of that process. Council officers can offer advice on potential sources of funding.

There are instances where funding was not likely, but there was a clear need for a PSPO Gating Order, where the Council may consider partially or fully funding the scheme.

3.5 Recommendation

The task group approved the following recommendations:

- The revised draft policy be sent to the agreed list of consultees for feedback. This included the emergency services, WCC and Rugby Disability Forum.
- Applications for proposed PSPO Gating Orders be considered by officers using the adopted policy and, if appropriate, submitted to Cabinet for consideration.
- The final draft policy be submitted to the Environment and Growth Overview and Scrutiny Committee on 24 February for consideration for submission to Cabinet on 30 March.

4. DRAFT POLICY

The final draft policy, as approved by the Environment and Growth Overview and Scrutiny Committee, is attached at Appendix 1. A spreadsheet designed for use as

an *aide memoire* was created to ensure that all options will be considered when a specific PSPO Gating Order is being proposed for submission to Cabinet.

Name of Meeting: Cabinet

Date of Meeting: 6 July 2020

Subject Matter: Public Spaces Protection Orders Gating Orders

Originating Department: Environment and Public Realm

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

PSPO Gating Orders for Rugby Borough Council

A Policy for Rugby Borough Council

Created 22/1/2020

Contents

1. Introduction	3
2. Conditions for PSPO.....	4
3. The Rugby Borough Council approach.....	5
4. The PSPO Process.....	7
5. Stage 1- initial investigation.....	8
6. Stage 2-Formal consultation.....	9
7. Stage 3- Approval of the PSPO Gating Order.....	10
8. Stage 4-Making and implementation of PSPO Gating Order.....	11
9. Stage 5-Review.....	12
10. Appealing a decision.....	12

1. Introduction

Public Spaces Protection Orders (PSPOs)

Changes in the way that police, councils and other agencies deal with Anti-Social behaviour came into force on Monday 20 October 2014. The changes, under the Anti-Social Behaviour Crime and Policing Act 2014, streamline the powers available to public bodies to deal with anti-social behaviour.

The definition of anti-social behaviour (ASB) according to the Crime and Disorder Act 1998 and section 129G of the Highways Act 1980 is:

“Behaviour by a person which causes or is likely to cause harassment, alarm or distress to one or more other persons not of the same household as themselves”

Public Spaces Protection Orders replace Designated Public Place Orders, Gating Orders and Dog Control Orders.

PSPOs specify an area where activities are taking place that are or may be likely to be detrimental to the local community's quality of life. PSPOs impose conditions or restrictions on people using that area such as alcohol bans or putting up gates.

Rugby Borough Council can make a PSPO Order where possible, if it believes the activities are detrimental to the local community's life and that the negative impact is such as to make the restrictions reasonable.

Breach of a PSPO may be a criminal offence punishable by a fixed penalty notice or prosecution. Rugby Borough Council would be the regulator, mainly the Community Wardens and the Neighbourhoods Team, both within Regulatory Services.

The maximum duration of a PSPO is three years but they can last for shorter periods of time where appropriate. At any point before expiry, the Council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring

Please note – throughout this document where it refers to “gates” it means a PSPO gating order which allows restriction using a gate or any other suitable barrier

2. Conditions for PSPO Gating order

- Premises adjoining or adjacent to the highway are affected by crime or Anti-social behaviour.
- The existence of the highway is facilitating the persistent commission of criminal or anti-social behaviour.
- It is, in all the circumstances, expedient to make the PSPO order for the purpose of reducing crime or anti-social behaviour.
- A PSPO gating order should not be made in cases where a barrier would prevent any resident or business (during normal working hours) from accessing their main entrance.
- Rugby Borough Council (RBC) as the authority who would implement any PSPO gating order, must be satisfied that a gating order would be effective in reducing crime or anti-social behaviour.
- RBC must consider the effects of a PSPO order on adjacent occupiers and the local community and in appropriate circumstances identify a reasonable convenient alternative route. This should be a viable option for all users, including those with reduced mobility.
- RBC must be satisfied that the problems in an area are persistent and causing harassment, alarm or distress to the community. An assessment of the evidence shall be conducted in respect of this, before any decision on the making of a PSPO gating order is taken. In assessing the level of persistent anti-social behaviour or crime RBC will examine evidence gathered from the police and any other available sources of incidents.
- For guidance only, when considering PSPO gating order the volume of incidents would be measured over a 6 month period. Consideration would need to be given to the volume and the severity of the incidents and the impact on the community.

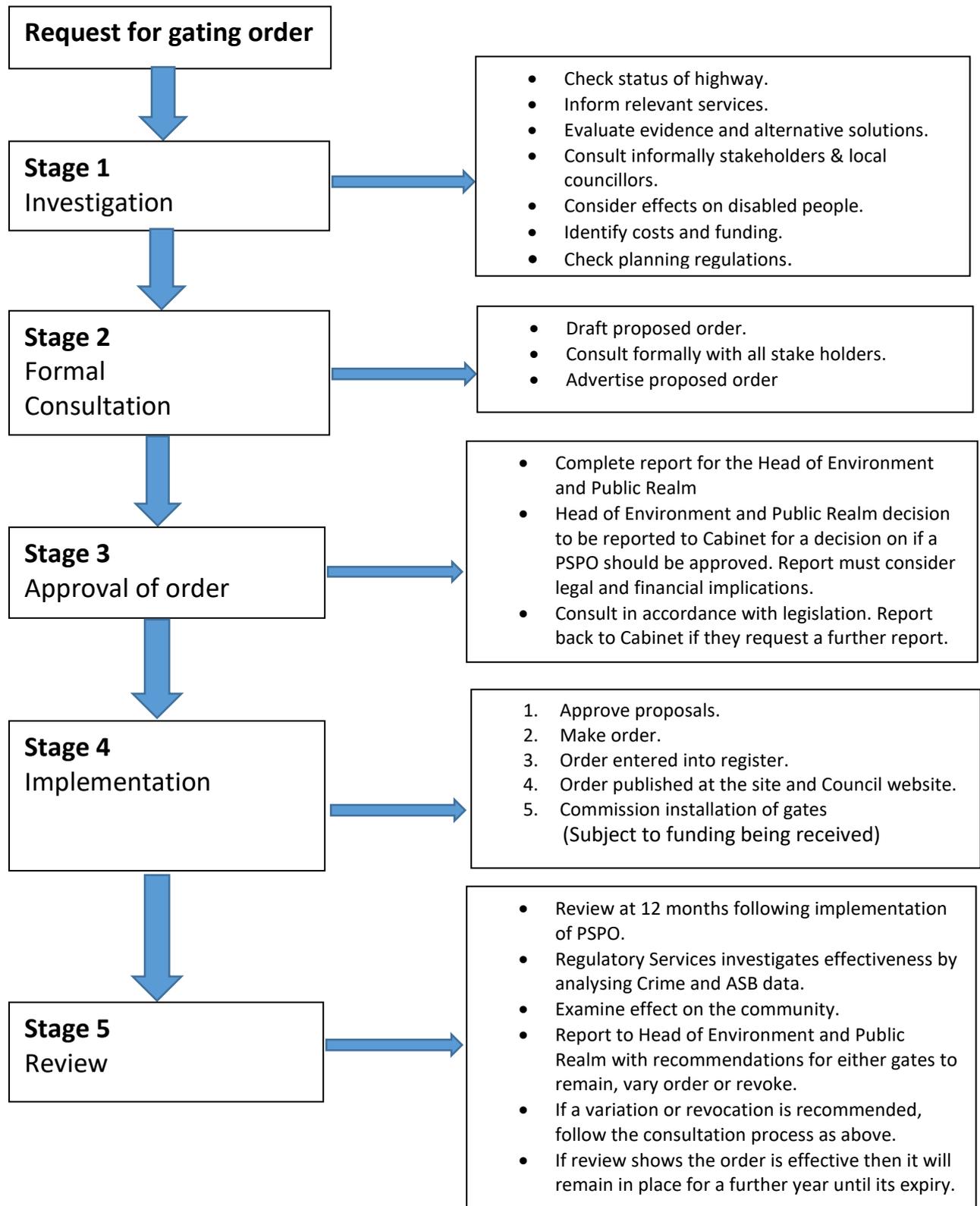
3. The Rugby Borough Council Approach

- RBC will, when determining an application for a PSPO gating order, have due regard to its public sector equality duty and consider the aims of the Equalities Act 2010 as part of the decision making process, particularly the potential effects of the application on different people.
- The final decision to temporarily close any public highway by means of PSPO would not be the decision of any RBC employee. RBC have a responsibility to manage any problem areas in respect to anti-social behaviour and would be responsible for providing a report for Cabinet to consider. This decision would also need to be considered by RBC Development Control Team
- If RBC believes that restricting access to a problem area by means of a PSPO, could be a helpful tool in reducing crime and anti-social behaviour, we will use the PSPO powers with sensitivity, balancing the community's concerns with our wish to maintain people's freedom of access as far as is possible.
- RBC therefore, sees PSPO gating orders as an intervention which should be used only when an investigation has concluded other means of addressing or anti-social behaviour have failed or are not likely to be successful or appropriate to the circumstances.
- Individuals, business or groups requesting a PSPO gating order (i.e. those who will benefit from the PSPO order) will need to identify funding for the following:
 - A. The installation of the gates
 - B. A commuted sum for any maintenance
 - C. Legal costs
 - D. Planning application
 - E. Advertising and publicity associated with making a PSPO order
 - F. Any variation
 - G. Any arrangements which need to be put in place to lock/unlock the gate
 - H. Annual maintenance, and repairs to accidental and deliberate damage
 - I. Decommissioning the gates
 - J. Any future replacement of the gates
- Funding is not restricted to these items, but additional costs may be applicable and will depend on each individual request.
- RBC officers may be able to offer advice on potential sources of funding

- Where funding is not likely to be possible, but there is a clear need to use a PSPO gating order, the Council may consider partially or fully funding the scheme.
- Where a PSPO gating order is deemed not to be a cost-effective method of reducing Crime or anti-social behaviour, a PSPO order will not be implemented. However, RBC will explore other methods of tackling the problem in conjunction with the Police or other organisations relative to the proposed area.
- Where the highway to be gated is a pedestrian route, RBC undertakes to provide the officer input to investigate the initial request, the making of the PSPO order, any reviews to consider and any procedure to vary or revoke the PSPO plus any costs associated with the removal of the gates. If the highway is vehicular route these costs, together with those of any necessary design work will be met by the individuals, businesses requesting the PSPO gating order, to ensure that ongoing maintenance costs, plus any other costs associated with the potential removal of the gates are met. Where a Business Improvement District (BID) is in place, negotiations will be conducted in conjunction with the BID for requests within the BID area.
- In order to ensure that any gating installations are carried out to a satisfactory and safe standard, RBC will set the standard of installation required and retain an overall responsibility for engaging contractors, approving works and agreeing the necessary maintenance contracts.
- RBC aims to be open and transparent in its dealings with the public. All interested parties, including groups representing the interest of disadvantaged members of the community, emergency services, neighbouring schools, planning departments and any other bodies with a vested interest, this will also be advertised at the proposed site of the PSPO temporary closure and on RBC internet. Where objections or representations are made and remain unresolved both proposers and objectors will have the opportunity to voice concerns, but the decision will be submitted to the RBC Cabinet for a final decision. This decision will be subject to legal challenge if any party is not satisfied, e.g. judicial review.
- RBC will monitor all PSPO gating orders and will review the PSPO at appropriate intervals to evaluate whether they continue to be required and are being effectively implemented. RBC will also investigate any complaints in relation to the PSPO.

The Rugby Borough Council process for PSPO gating closures

- To ensure we can apply PSPO gating orders in line with our policy, a five stage process will be applied. This is outlined below



Stage 1 – Initial investigation

The first stage of the process will be an initial investigation conducted by RBC. This will be a team including an Environmental Health/Enforcement Officer, ASB co-ordinator and Community Wardens. This investigation will:

- Check the status of the highway with officers in both Highways and Rights of Way, to verify that it is under their jurisdiction and inform that the potential PSPO Gating Order has been raised.
- Assemble and record evidence relating to the problem, this can include reports from the Police and Community Wardens, where possible with the use of body cameras.
- Identify whether alternative solutions are practicable, have been tried or likely to succeed.
- Clarify what the proposals are, for example where gates might be sited, proposed timing of closure etc.
- Reach a judgement on whether the proposals are likely to solve the problem and are practically viable.
- Undertake an initial consultation with nominated representatives of the Chief Constable of Police, the Fire Authority, Health and Ambulance Trusts, utility providers where applicable and with Local Forums and Community Safety Partnerships and local Councillors.
- Identify groups that are likely to be affected by, or to have an interest in, the proposal and undertake initial consultation with these groups. This will include local residents and users of the highway, groups representing disabled people and may also include people likely to be affected by the potential displacement of any problems occasioned by the proposed PSPO gating order.
- The officer assigned to the case will assist with the proposers to clarify the likely costs and discuss with interested parties how the installation and maintenance of the gates is to be funded. Officers may be able to assist with advice on potential costs and potential source of funding. The source of the funding must be agreed before the PSPO gating order is approved.
- The assigned officer will consider, in consultation with the RBC Development Control Team, whether the gates being considered would require planning permission or whether they would come under within the Council's permitted development rights under part 12 of the Town and Country Planning (General Permitted Development) Order 1995.

At any point during this stage, the investigating officer may stop the process if they conclude that;

- The route is not a public highway
- There is insufficient evidence
- Alternative methods of addressing it should be explored first
- The proposal is not practical or not likely to control the issue raised
- Objections from emergency services and affected local councils mean the order is unlikely to succeed
- There is insufficient funding to meet the necessary costs

In the above circumstances, no further action will be taken in relation to the gating PSPO process. The Officer will however, develop alternative proposals for the area concerned, in consultation with affected parties.

Any decision by an authorised officer not to proceed, or to proceed, is subject to the Council's Compliments, Comments and Complaints Scheme.

At the conclusion of this stage if the officer recommends that a PSPO gating order is an appropriate measure for dealing with the crime or anti-social behaviour problem, they will make formal report to the Head of Environment and Public Realm recommending authorisation is received for a formal consultation on the proposal. The process will then proceed to stage 2.

Stage 2 – Formal Consultation

The Head of Environment and Public Realm will instruct officers in conjunction with Legal to draft the proposed PSPO and along with the lead officer in Regulatory Services to arrange for the formal consultation with the following parties.

- The Chief Constable of the Police
- Fire and Rescue Authority
- Every ambulance service relevant to where the highway passes
- All occupiers of premises adjacent to or adjoining the relevant highway
- Any Local Access Forum through whose area the highway passes
- Where a consultation breaks down and any parties decline to comment RBC reserve the right to form a decision.

Other public bodies and companies who provide services in the locality in which the relevant highway is situated including:

- Statutory undertakers
- The providers of gas, electricity or water services
- Communication providers
- Any person who requires a copy of the Notice (PSPO)
- Local Councillors
- Any person who the council reasonable consider might have an interest in the proposal, e.g. land owners, Borough Ward and County Councillors
- Anyone who asked to be notified of any PSPO gating orders

The proposed PSPO gating order and details of how to make representation also will be advertised at the site, in a local newspaper and on RBC website.

Consultation responses will be directed to the assigned RBC Officer.

Stage 3 – Approval of the PSPO Gating Order

Once responses from the consultation exercise have been received, the assigned officer will produce a report for the Head of Environment and Public Realm.

This report will contain:

- The justification for the proposal at a statement of how it meets the legal requirements for a PSPO Order to be applied.
- Details of the proposal, the exact location of the gates, details of proposed key holders.
- The alternative routes available to people affected by the closure.
- A summary of the responses from consultation.
- Details of the proposed funding arrangements.
- The potential effects on all users, including any where additional consideration is required, e.g. people with disabilities who use wheelchairs.

If the recommendation of the Head of Environment and Public Realm is to proceed with the PSPO, a report will be sent to Cabinet to consider.

Stage 4 – Making and implementing a PSPO Gating Order

If Cabinet approves the proposal to make a PSPO Gating Order, officers from the RBC Legal Team will make the PSPO Gating Order and enter it on a register.

The order will contain:

- A statement that the required legal conditions have been met.
- The dates and times that the public right of way along the relevant highway will be restricted.
- Details of any person(s) who are excluded from effects of the restriction.
- Details of alternative routes which would be available to pedestrians and vehicular traffic during the period the relevant highway is restricted.
- Contact details of the person who is responsible for maintaining and operating any barrier whose installation is authorised by the PSPO.

The PSPO will also be published at the site and on the relevant RBC internet page. A copy of the PSPO and all relevant notices related to it will be held on the RBC Register for PSPO Gating Orders.

Following the receipt of funding, officers from Regulatory Services will make arrangements with the Street Scene Team for the installation of the gate to take place.

The validity of the order can be challenged on the grounds that RBC had no power to make the PSPO and the requirements for implementing a PSPO Gating order had not been met. In these circumstances the challenge will have to be made to the High Court and will have to be within six months of the PSPO Gating Order having been made

Stage 5 – Review

The Council can vary a PSPO Gating Order, either to increase or reduce the restriction, or it can revoke the PSPO. The maximum duration of a PSPO is three years but they can last for shorter periods of time where appropriate. At any point before expiry, the Council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring.

RBC will review each PSPO Gating Order at intervals appropriate to the particular circumstances although as a general rule it is anticipated that PSPO Gating Orders will be reviewed annually.

The review will take the form of a brief investigation by the assigned officer. This is to establish whether the PSPO has been successful in reducing the crime or the anti-social behaviour problem, to assess the impact the PSPO is having on the community and to assess whether there is any case for amending the PSPO or revoking it entirely.

If there is recommendation that the PSPO be amended or revoked, the same consultation process will be followed as for the making of the PSPO Gating Order. The assigned Officer will produce a report, including a summary of any consultation responses and the decision whether to vary or revoke the PSPO Gating Order will be made by the Head of Environment and Public Realm, as per the principles outlined in stage 3 above.

Appealing a decision

- Members of the public may disagree with a decision to halt or continue the process at the initial investigation stage (Stage 1)
- In these circumstances an appeal should be made in writing through the Compliments, Comments and Complaints Scheme at Rugby Borough Council. The appeal should include reasons for disagreeing with a decision and also contain supporting evidence.
- The assigned officer will then undertake a review of the decision and if appropriate may request a new investigation, starting the process at Stage 1.
- In all circumstances the applicant will be kept informed of the progress of any appeal.
- Any subsequent appeals or disagreements will be made in writing to the Head of Environment and Public Realm during the Formal Consultation as set out in (Stage 2) and during the annual review as set out in (Stage 5).

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:
Minakshee Patel
Corporate Equality & Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Environment & Public Realm
Policy/Service being assessed	Public Spaces Protection Orders Gating Orders - Draft Policy
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	New Policy
EqlA Review team – List of members	David Burrows and Minakshee Patel
Date of this assessment	25.6.20
Signature of responsible officer (to be signed after the EqlA has been completed)	David Burrows

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The policy sets out how the Council will consider the issue of public space protection orders (PSPOs) to manage highways (alleyways) associated with anti-social behaviour. This policy provides an opportunity to put controls in place to assist in dealing with anti-social behaviour issues relating to alleyways.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	Corporate priority: <ul style="list-style-type: none"> • Enable our residents to live healthy, independent lives. Environment and Public Real priority: <ul style="list-style-type: none"> • Protect the public.
(3) What are the expected outcomes you are hoping to achieve?	A reduction in crime and anti-social behaviour due to a PSPO being granted because other methods have not been successful or are inappropriate.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	Customers and wider community groups.
<u>Stage 2 - Information Gathering</u>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

Appendix 2

<p>(1) What does the information tell you about those groups identified?</p>	<p>Cabinet on 4 November 2019 considered a report concerning the outcome of a consultation on Public Space Protection Orders (PSPOs) following a review carried out by the former Whittle Overview and Scrutiny Committee. It was resolved that Environment and Growth Overview and Scrutiny Committee be asked to produce a draft policy and guidance document relating to the gating of alleyways and report back to Cabinet (minute 53-2019/20).</p> <p>The Committee considered a range of factors including:</p> <ul style="list-style-type: none"> • The level of anti-social behaviour • The need to access • Views of residents and other statutory organisations e.g. highway authority, fire service and police • Who would be responsible for funding? • How long gates should be in place? • Who would be responsible for maintenance? • Access and key holder arrangements.
<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>A task group was set up and they set out who will be invited to give evidence, and how it will (in person or written). Consultations were undertaken with:</p> <ul style="list-style-type: none"> • Warwickshire County Council Highways • Warwickshire Police • Warwickshire Fire and Rescue • West Midlands Ambulance Service • Rugby Disability Forum • Residents affected by a previous anti-social behaviour issue
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>N/A</p>
<p><u>Stage 3 – Analysis of impact</u></p>	

Appendix 2

<p>(1) Protected Characteristics From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p>RACE NO</p>	<p>DISABILITY YES</p>	<p>GENDER NO</p>
	<p>MARRIAGE/CIVIL PARTNERSHIP NO</p>	<p>AGE NO</p>	<p>GENDER REASSIGNMENT NO</p>
	<p>RELIGION/BELIEF NO</p>	<p>PREGNANCY MATERNITY NO</p>	<p>SEXUAL ORIENTATION NO</p>
<p>(2) Cross cutting themes (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how? (b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>N/A</p> <p>YES – when deciding on whether a PSPO gating closure is granted for a particular area, we have to be satisfied that residents and members of the public who use the relevant highway would not be inappropriately inconvenienced by its gating, and should be satisfied that alternative routes exist and that these routes are appropriate for people with disabilities to use.</p>		
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>They can only be justified if alternative routes identified are appropriate for people with disabilities to use.</p>		
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>When a decision is being made on whether a PSPO is to be granted, all interested parties, communities will be asked for their views prior to a decision to be made by the Cabinet.</p>		

Appendix 2

(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?	Yes - When determining an application for a PSPO gating order, the decision makers will have pay due regard to the public sector equality duty and consider the aims of the Equality Act 2010, especially the potential effects of the application on people from different groups.
(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?	N/A
(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	N/A

Stage 4 – Action Planning, Review & Monitoring

If No Further Action is required then go to – Review & Monitoring

(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

EqlA Action Plan

Action	Lead Officer	Date for completion	Resource requirements	Comments

(2) Review and Monitoring
State how and when you will monitor policy and Action Plan

PSPO will be reviewed regularly as part of the agreement process but cannot be longer than 3 years.

Appendix 2

Please annotate your policy with the following statement:

'An Equality Impact Assessment on this policy was undertaken on 25th June 2020 and will be reviewed on 24th June 2023.'

AGENDA MANAGEMENT SHEET

Report Title: Members' Allowances 2019/20

Name of Committee: Cabinet

Date of Meeting: 6 July 2020

Report Director: Head of Corporate Resources and CFO

Portfolio: Corporate Resources

Ward Relevance: N/A

Prior Consultation: N/A

Contact Officer: David Phelan, Senior Finance Officer

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: Yes

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:

Summary:

The Local Authorities (Members' Allowances) (England) Regulations 2003 require each local authority to publish details of allowances paid to each councillor for the previous financial year. The report details allowances claimed for 2019/20 financial year.

Financial Implications:

The maximum amounts able to be claimed by councillors for basic allowance, special responsibility allowance and travel and subsistence are stipulated in the Members' Allowance Scheme.

Risk Management Implications:

All claims made by councillors are rigorously checked for accuracy and compliance with the Council's Members' Allowance Scheme.

Environmental Implications:

N/A

Legal Implications:

The Members' Allowance Scheme is required to comply with the Local Authorities (Members' Allowances) (England) Regulations 2003.

Equality and Diversity:

N/A

Options:

N/A

Recommendation:

The allowances claimed by Members for 2019/20 as detailed at Appendix 1 to the report, be noted.

Reasons for Recommendation:

To satisfy the legislative requirement to publish the list of allowances claimed.

Cabinet - 6 July 2020

Members' Allowances 2019/20

Public Report of the Head of Corporate Resources and CFO

Recommendation

The allowances claimed by Members for 2019/20, as detailed at Appendix 1 to the report, be noted.

1. Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 require each local authority to publish details of allowances paid to each councillor for the previous financial year.

The required information for 2019/20 financial year is shown in Appendix 1. A list of details of all Special Responsibility Allowances for this financial year is attached in Appendix 2.

2. Allowances Paid

The amounts paid to councillors include basic allowance and special responsibility allowance (if applicable).

Councillors can also claim travel and subsistence allowances for meetings and conferences as determined by the Council. However, these amounts may vary as:

- i) Some councillors prefer not to claim these allowances
- ii) They are often dependent on the frequency of journeys a councillor undertakes; and
- iii) They are dependent on how far councillors have to travel from their homes to the Town Hall

Name of Meeting: Cabinet
Date of Meeting: 6 July 2020
Subject Matter: Members' Allowances 2019/20
Originating Department: Corporate Resources

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

MEMBER ALLOWANCES 2019/20

Appendix 1

Councillor Surname	Councillor Forename	Ward	Basic Allowance	Special Resp Allowance	Carers' Allowance	Car Parking Fees	Mileage NT / Rugby Casual	Passenger NT / Rugby Casual	Subsistance	Travel-Conf	Travel Normal	Broadband & Landlines	Tablets & Mobile Phones	Total
			£	£	£	£	£	£	£	£	£	£	£	£
A'Barrow	Julie	Bilton	6,822.00			25.00								6,847.00
Allanach	Glenda	Rokeby & Overslade	4,071.19			25.00								4,096.19
Avis	Christina	New Bilton	696.87									37.89		734.76
Bearne	Andrew	Wolston & The Lawfords	6,822.00			25.00								6,847.00
Brader	Michael	New Bilton	6,822.00											6,822.00
Bragg	Sally	Wolston & The Lawfords	6,822.00	498.67		25.00	94.50					59.01	127.83	7,627.01
Brown	Kieren	Newbold & Brownsover	6,822.00			25.00								6,847.00
Brown	Barbara	New Bilton	6,143.47			25.00								6,168.47
Butlin	Peter	Admirals & Cawston	6,822.00			25.00								6,847.00
Cade	Christopher	Bilton	6,822.00	3,981.00		25.00			6.00	37.80		119.88		10,991.68
Crane	Emma	Leam Valley	6,822.00	5,685.00		25.00								12,532.00
Cranham	David	Hillmorton	6,822.00			25.00								6,847.00
Douglas	Timothy	Paddox	6,822.00			25.00								6,847.00
Dudfield	Paul			3,285.96										3,285.96
Dumbleton	Carie-Anne	Rokeby & Overslade	6,822.00											6,822.00
Eccleson	Peter	Dunsmore	6,143.47			25.00								6,168.47
Edwards	Claire	Newbold & Brownsover	696.87	348.44								80.43		1,125.74
Ellis	Jim	Newbold & Brownsover	6,143.47			25.00								6,168.47
Eves	John			1,401.00										1,401.00
Garcia Maures	Belinda	Revel & Binley Woods	6,822.00			25.00								6,847.00
Gillias	Anthony	Revel & Binley Woods	6,822.00			25.00						406.77		7,253.77
Hunt	Leigh	Clifton, Newton & Churchover	6,822.00			25.00						323.76		7,170.76
Keeling	Dale	Admirals & Cawston	6,822.00			25.00						548.43		7,395.43
Lawrence	Kathryn	Hillmorton	6,822.00	3,488.73		25.00								10,335.73
Lewis	Bill	Rokeby & Overslade	6,822.00	3,043.34		25.00								9,890.34
Long	Nicholas	Rokeby & Overslade	1,100.32			25.00								1,125.32
Lowe	Sebastian	Coton & Boughton	6,822.00	12,025.38		25.00								18,872.38
Mahoney	Thomas	Benn	6,822.00	3,463.21								260.04		10,545.25
McQueen	Craig	Eastlands	6,822.00			25.00								6,847.00
Mistry	Ish	New Bilton	6,822.00			25.00								6,847.00
Nash	Marion	Rokeby & Overslade	696.87									8.18		705.05
New	Noreen	Paddox	6,822.00			25.00						412.43		7,259.43
O'Rourke	Margaret	Benn	6,822.00	2,047.45		25.00						151.56		9,046.01
Pacey-Day	Christopher	Wolvey & Shilton	6,492.00			25.00								6,517.00
Parker	Lisa	Bilton	6,822.00	31.58	140.90	25.00						419.23	177.83	7,616.54
Picker	Ian	Hillmorton	6,822.00			25.00								6,847.00
Poole	Derek	Wolston & The Lawfords	6,822.00	5,052.39		25.00			42.25	8.00			216.38	12,166.02

MEMBER ALLOWANCES 2019/20

Appendix 1

Councillor Surname	Councillor Forename	Ward	Basic Allowance	Special Resp Allowance	Carers' Allowance	Car Parking Fees	Mileage NT / Rugby Casual	Passenger NT / Rugby Casual	Subsistance	Travel-Conf	Travel Normal	Broadband & Landlines	Tablets & Mobile Phones	Total
			£	£	£	£	£	£	£	£	£	£	£	£
Robbins	Carolyn	Coton & Boughton	6,822.00	5,685.00		25.00						223.70	145.83	12,901.53
Roberts	Deepah	Dunsmore	6,822.00								3.15			6,825.15
Roberts	Howard	Dunsmore	6,822.00	4,982.02		25.00	28.80	1.80				129.00		11,988.62
Roodhouse	Susan	Eastlands	6,822.00											6,822.00
Roodhouse	Jerry	Paddock	6,822.00	2,103.62		25.00						322.68		9,273.30
Sandison	Neil	Eastlands	6,822.00	3,411.00								385.53		10,618.53
Shera	James	Benn	6,822.00									578.84		7,400.84
Simpson-Vince	Jill	Coton & Boughton	6,822.00	5,474.29	309.98	25.00								12,631.27
Srivastava	Ramesh	Newbold & Brownsover	6,822.00			25.00						324.00		7,171.00
Stokes	Michael	Admirals & Cawston	6,227.04	2,167.15		25.00						406.80		8,825.99
Timms	Heather	Revel & Binley Woods	6,822.00			25.00								6,847.00
Watson-Merret	Carolyn	Dunsmore	696.87									75.16		772.03
Total			284,700.44	68,175.23	450.88	900.00	123.30	1.80	48.25	45.80	3.15	5,273.32	667.87	360,390.04

Special Responsibilities

1 April 2019 – 31 March 2020

The scheme also entitles those Members undertaking special responsibilities to be paid a special responsibilities allowance, subject to any part-year provisions.

Cllr S Lowe	Leader of the Council, Leader of the Conservative Group, Chairman of Cabinet
Cllr M T Stokes	Leader of the Council, Leader of the Conservative Group, Chairman of Cabinet (in post until 15 May 2019)
Cllr D Poole	Deputy Leader of the Council, Vice-Chairman of Cabinet
	<u>Note:</u> The post of the Deputy Leader of the Council was vacant until 15 May 2019.
Cllr Mrs E Crane	Communities and Homes Portfolio Holder
Cllr H D Roberts	Environment and Public Realm Portfolio Holder (in post from 16 May 2019)
Cllr Mrs L A Parker	Environment and Public Realm Portfolio Holder (in post until 2 April 2019)
	<u>Note:</u> The post of the Environment and Public Realm Portfolio Holder was vacant from 3 April 2019 until 15 May 2019.
Cllr Ms C A Robbins	Corporate Resources Portfolio Holder
Cllr Mrs J B Simpson-Vince	Growth and Investment Portfolio Holder
Cllr S Lowe	Growth and Investment Portfolio Holder (in post until 15 May 2019)
Cllr M O'Rourke	Leader of the Labour Group
Cllr Ms C Edwards	Leader of the Labour Group (in post until 7 May 2019)
Cllr J M Roodhouse	Leader of the Liberal Democrat Group
Cllr Mrs S D Bragg	Chairman of Appeals Committee
Cllr D Poole	Chairman of Appeals Committee (in post until 15 May 2019)

Appendix 2

Cllr C M Cade	Chairman of Licensing and Safety Committee
Cllr T Mahoney	Chair of Communities and Homes Overview and Scrutiny Committee (formally Brooke OSC)
Cllr T Mahoney	Mayor 2018/19 (in post until 15 May 2019)
Cllr Ms C Edwards	Chair of Brooke Overview and Scrutiny Committee (in post until 7 May 2019)
Cllr N J Sandison	Chair of Environment and Growth Overview and Scrutiny Committee (formally Whittle OSC)
Cllr W H Lewis	Mayor 2019/20
Mr P Dudfield	Chairman of Audit and Ethics Committee
Mr J Eves	Vice-Chairman of Audit and Ethics Committee

Councillors are not entitled to claim more than one special responsibility allowance. If a member holds more than one post in receipt of a special responsibility allowance, the higher allowance is assumed.