

HOUSING, NEIGHBOURHOODS AND REGULATION

A record of decisions made by the Executive Member with responsibility for Housing, Neighbourhoods and Regeneration on:-

TUESDAY 30TH MARCH, 2010

following consideration of the matters detailed below in the presence of:-

Councillor Peel	Executive Member for Housing, Neighbourhoods and Regulation
Councillor Mrs. Brierley	Major Opposition Spokesperson
Councillor D. Wilkinson	Minor Opposition Spokesperson
Mr. K. Davies	Director of Development and Regeneration
Mr. J. Smethurst	Chief Housing and Regeneration Officer
Mr. E. Mellor	Financial Services Manager
Mr. S. Young	Assistant Director Policy and Performance
Mrs. M. Stoney	Assistant Director Legal
Mr. B. Wilson	Asset Manager, Bolton at Home
Mr. A. Fisher	Licensing Manager
Ms. C. Conniffe	Head of Community Housing Services
Mr. D. Conway	Head of Bolton Community Homes
Mr. A. Heathcote	Private Sector Renewal Manager
Ms. C. Gore	Housing Strategy Manager (Policy and Research)
Mrs. M. Appleton	Principal Policy Officer
Mr. M. Brady	Lawyer
Ms. C. Ellis	Development Manager
Mrs. V. Ridge	Principal Democratic Services Officer

82. MONITORING OF EXECUTIVE MEMBER DECISIONS

The Director of Chief Executive's Department submitted a report which contained monitoring information related to decisions taken at the Executive Member's previous meetings.

The Executive Member NOTED the progress on decisions previously taken, as detailed in the Appendix to these minutes.

83. REVENUE FUNDED ORGANISATIONS – GRANT AGREEMENTS AND FINANCIAL ASSISTANCE TO GROUPS

The Chief Executive submitted a report which provided information in relation to the grant agreements from the Miscellaneous Grants Fund.

The Executive Member was reminded that the Council had three year agreements with nine of the ten revenue funded organisations that reflected the service provided by each organisation and the funding granted by the Council. The agreements were put in place in 2009/2010 and reflected several policy drivers which supported the move to longer-term funding arrangements for the voluntary and community sector.

It was stated that the three year agreements provided for inflation, currently calculated at 1.5%, to be added annually to the allocations to the three organisations which received the smallest total grants. In addition, Bolton Community Transport and Furniture Services would again receive a £10,000 grant from Bolton Community Homes in 2010/2011. Details of the allocations for 2010/2011 were as follows:-

Group	2010/2011 £
Bolton Citizens' Advice Bureau (CAB)	172,872
Octagon Theatre Trust	145,380
Bolton Community & Voluntary Services (CVS)	140,796

Bolton Volunteer Centre	56,777
Bolton Equalities Centre (BEC) (One year agreement)	45,711
Bolton District Victim Support & Witness Service	31,145
Bolton Shopmobility (+ 1.5%)	24,333
Bolton Community Transport and Furniture Services (including £10,000 from Bolton Community Homes)	33,281
Relate Greater Manchester North (+1.5%)	14,953
Bolton Unemployed Workers Advice Centre (+1.5% & including additional one-off recession support payment of £2,000)	14,070
TOTAL (excludes £10,000 grant to BCTFS from BCH)	669,319

Each of the funded organisations were subject to monitoring which took place during quarterly relationship management sessions with the groups and reflected the level of grant and any changes to the service specifications were discussed at these meetings. A copy of the draft service specifications for 2010-2011 were detailed in Appendix B to the report.

With regard to Bolton Equalities Centre, the Executive Member was advised of the changes which were currently ongoing in relation to its funding arrangements and, as a result, the organisation was subject to a one year grant agreement.

The report also provided information in relation to the ongoing relationship with Bolton Lads and Girls Club and detailed those groups which received property rental support and the value of that rental support for 2010/2011 was as follows:-

Group	Property Rental Support 2010/2011 (£)
Octagon Theatre Trust*	14,250 (was 13,132)
Bolton Citizens' Advice Bureau*	19,500
Age Concern	19,750
Highfield Hall	14,250
Bolton Under Fives Forum	17,283 (was 9,200)
Bolton Shopmobility* NB To vacate current premises during year 2010/11.	2,640
TOTAL	£78,472

The Executive Member NOTED –

- (i) The grants payable in 2010/2011 to the nine voluntary sector organisations that are funded via a three year agreement with the Council;**
- (ii) The ongoing relationship with Bolton Lads and Girls club; APPROVED –**
- (iii) The service specifications for the nine organisations as detailed in the report;**
- (iv) The funding to and the service specification with Bolton Equalities Council for 2010/2011;**
- (v) An additional one off recession support payment of £2,000 to the Bolton Unemployed Workers Advice Centre; and**
- (vi) The continued property rental support to the groups as detailed in the report; and REQUESTED –**
- (vii) Officers to look at the options regarding undertaking refurbishment works to the building of the Unemployed Workers Advice Centre and that a report be submitted to a future meeting of the Housing, Neighbourhoods and Regulation Policy Development Group; and**
- (viii) Officers to submit a more detailed report regarding the future direction of the Bolton Equalities Centre to a future meeting.**

**84. PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS
– PROPOSALS FOR REVIEW OF DRIVER TEST**

The Director of Chief Executive's Department submitted a report which put forward a revised application and testing procedure for use in determining whether an applicant should be granted a licence to drive a private hire or hackney

carriage vehicle.

By way of background, it was stated that members and representatives of the private hire and hackney carriage trades had expressed concerns about the current entry standard for private hire and hackney carriage vehicle drivers. The current driver test in Bolton was carried out by the Licensing Enforcement Officers and the content of this was detailed in Appendix 1 to the report.

In view of the above, it was proposed that a replacement private hire/hackney carriage driver test should be introduced and would include the following elements, viz:-

- A 'screening test' for applicants to ensure that they possessed the essential basic skills required to perform the role (English, maths, communication skills and business skills;
- A driving skills test conducted by the Driving Standards Agency (specifically designed for 'taxi' drivers);
- Optional coaching sessions where considered necessary;
- A written test to ensure adequate knowledge of rules and regulations, customer care, transporting disabled passengers, running a small business and the local area conducted as an in-house test supervised by the Licensing Unit Administration Team; or
- To accept applicants who had passed the DSA driving skills course and who had obtained a qualification in passenger transport from specialist external training and assessment agency (an NVQ) requiring candidates only to undertake the additional local area knowledge/local rules test. Details of the NVQ test were provided in Appendix 2 to the report.

The Executive Member was advised that if the proposals were adopted all applicants would be required to satisfy each element of the test before being granted a licence to drive a private hire or hackney carriage vehicle. It was explained that the elements of the test could be completed in any order and the result of each element would need to be satisfactory before

a licence would be granted. It was anticipated that the application process would take between twelve and twenty weeks.

The report also provided details in relation to those elements of the proposed test which were new or revised together with their costs.

With regard to currently licensed private hire and hackney carriage drivers, these would not be required to complete the new testing procedures unless:-

1. The existing licence had expired; or
2. Where, because of their conduct, or complaints or their poor driving record, the Licensing and Environmental Committee considered it appropriate that an existing driver should undergo some further examination, training or testing in order to permit them to continue to hold a licence.

The Executive Member was advised that the proposals had been discussed at an informal meeting which the Executive Member for Housing, Neighbourhoods and Regulation held with trade representatives on 9th February, 2010 and the proposals were well received.

The Executive Member was also advised that the report had been considered by the Housing, Neighbourhoods and Regulation Policy Development Group on 16th March, 2010 were the following comments were made, viz:-

- With regard to the Driving Standards Agency Test members were of the opinion that drivers should be required to undertake the standard DSA driver test which included the safe handling of wheelchair passengers as a cost of £91; and
- Concern was also raised regarding the driving standards of certain drivers and it was suggested that officers should look at new methods to undertake sample testing of driving standards within the Borough.

The Executive Member AGREED:

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- (i) **The revised application and testing procedure for use in determining whether an applicant should be granted a licence to drive a private hire or hackney carriage vehicle;**
- (ii) **To include within the procedure that drivers will be required to undertake the standard DSA driver test which includes the safe handling of wheelchair passengers; and REQUESTED –**
- (iii) **Officers to look at new methods for undertaking sample testing of driving standards within the Borough and to report back to a future meeting of the Housing, Neighbourhoods and Regulation Policy Development Group.**

85. DEVELOPMENT AND REGENERATION STRATEGIC PLAN 2010 TO 2013

The Director of Development and Regeneration submitted a report which outlined the Development and Regeneration Strategic Plan for 2010 to 2013.

The Executive Member was advised that the Plan had been produced as part of the Council's Business Planning process and it reflected the range of services provided by the Department and its future direction over the next three years.

The Strategic Plan provided an overview of the strategic priorities and context within which the Department would operate, with some of the changes and challenges to the services delivered by the Department, together with, the key tasks which would be delivered during this period.

Information was provided in relation to the following areas, viz:-

- Delivering the vision;
- Changes and challenges;
- Housing;
- Economic development and regeneration;

- Policy and performance;
- Planning;
- Transport; and
- Strategic developments: Central Bolton.

The Executive Member APPROVED the Development and Regeneration Strategic Plan 2010 to 2013 for consideration during the current corporate business planning cycle.

86. PLANNED CAPITAL PROGRAMME FOR 2010/2011

The Chief Executive Bolton at Home submitted a report which sought the Executive Member's approval for the proposed planned capital programme distribution for 2010/2011.

The Executive Member was advised that the budgets had been calculated taking into account forecasted end of year carry overs at month 10 in 2009/2010 and as in previous years would be amended in the 2010/2011 Quarter 1 report.

The available resources in 2010/2011 for planned capital programme works was £17,100,000 which consisted of £12,350,000 of normal resources and £4,750,000 prudential borrowing. The total value of schemes identified was £20,400,000 which included an over programming element of £3,300,000 from the available resources and allowed for a slippage in the programme or for any possible increase in resources as a result of a positive ballot result. In principle support had been confirmed to the review of options to increase the level of the 2010/2011 capital programme once the ballot result was known.

The report stated that no funding had been included for costs incurred by Bolton Council and Bolton at Home for work undertaken on the new transfer model and, in the case of a negative ballot result, those costs would need to be accounted for.

The Executive Member was also advised that the decent homes element of £14,011,000 identified within the available resources of £17,100,000, represented a shortfall of

£8,199,000 from the total requirements of £22,210,000 to meet the need in 2010/2011. This would mean that a further 507 would become non decent by 31st March, 2011 to add to the 533 carried over from 2009/2010.

The Executive Member APPROVED the Planned Capital Programme budget distribution for 2010/2011 as detailed in the report.

87. HRA REPAIRS AND MAINTENANCE BUDGET 2010/2011

The Chief Executive, Bolton at Home submitted a report which advised the Executive Member of the 2010/2011 distribution for the HRA Repairs and Maintenance budget.

The report stated that the total resources available for repairs and maintenance in 2010/2011 was £14,108,000 as detailed in the 2010/2011 Rent Report. An additional £2,950,000 of capital funds had been set aside to support the capital the capital element of this expenditure. This would have the same effect as increasing the budget to £17,058,000.

It was explained that the 2010/2011 budget was based on the projected 2009/2010 expenditure, adjusted to take into account inflation, stock loss, efficiency savings and trends.

The Executive Member NOTED the Repair and Maintenance budget distribution for 2010/2011.

88. PRIVATE SECTOR CAPITAL PROGRAMME 2010/2011

The Chief Executive Bolton at Home submitted a report which provided details of the Private Sector Capital Programme for 2010/2011.

The Executive Member was advised that at this point formal confirmation had not been received from Communities and Local Government (CLG) of the allocation for Private Sector Renewal work or Disabled Facility Grant. However, it was known that the overall allocation for the region for Private

Sector Renewal had been reduced and through work with Government Office North West on the distribution method for each local authority the likely allocation for Bolton would be £2,438,000.

With regard to the Disabled Facility Grant, although the allocation had not been confirmed it was not anticipated that this area would be reduced and the assumption was that a similar allocation as for 2009/2010 of £1,012,000 would be received.

The report stated that, due to the work with the regional allocation group, it had been anticipated that there would be a reduction of resources and some provision had been made from the 2009/2010 programme and by utilising capital receipts from Skagen Court and properties purchased in the Union Road area. In addition, a bid for corporate resources had been successful in gaining £250,000 to support the Disabled Facility Grants and £245,000 to support the affordable warmth programme.

The Executive Member was advised that from the above and incorporating additional resources from owners contribution from completed regeneration schemes the Private Sector Capital Programme was now assumed at £5,435,000 for 2010/2011.

The report also set out a number of options on how the allocation could be delivered for the year 2010/2011 in line with the Councils Policy for Private Sector Renewal which were as follows:-

- Option 1 – this provided the required level of support for disability grants in relation to the resources provided through corporate funding; or
- Option 2 – this provided increased support for disability grants with a slightly higher reduction across the renewal areas, given that some additional capital receipts were available for 2010/2011 it was considered appropriate to increase the disability budget this year as resources might not be available in future years.

The Executive Member was advised that in terms of the above options, it was recommended that Option 2 be agreed.

The Executive Member APPROVED subject to government confirmation of the private sector capital allocations, the Private Sector Capital Programme for 2010/2011 and AGREED that Option 2, as detailed in the report, be approved as the preferred option for the allocation of the Private Sector Capital Programme.

89. WRITE OFF OF FORMER TENANTS ARREARS BAD DEBTS

The Chief Executive Bolton at Home submitted a report which provided details of the former tenant debt to be written off in 2009-2010.

The Executive Member NOTED the write off of £358,947.94 which represented 687 cases under £5,000 and APPROVED the writing off of £5,972.19 which represented one case over £5,000.

90. GREATER MANCHESTER HOUSING STRATEGY

The Director of Development and Regeneration submitted a report which sought the Executive Member's approval of the Greater Manchester Housing Strategy.

The Executive Member was advised that the Greater Manchester Housing Strategy was designed as an 'added value' strategy. It was not a comprehensive housing strategy and it did not seek to replace district housing strategies. Its focus was to deliver and add value to the key priorities of the Greater Manchester Strategy.

The Strategy was based around the following strategic objectives, viz:-

- To transform the quality of the City Region residential offer;

- To put in place the conditions to support and accelerate delivery of housing growth;
- To radically improve the quality of the private rented sector;
- Focussed intervention in the most deprived areas;
- To understand the spatial implications of the Greater Manchester Housing Strategy including delivery of supporting infrastructure;
- Achieve a rapid transformation to a low carbon economy; and
- Housing, health and well-being.

It was stated that a detailed action plan was currently being developed and this would then be presented to the Planning and Housing Commission in March, 2010. It would be monitored through the Commission and would be delivered by members of the Greater Manchester Housing Officers Group. At it's meeting on 18th December, 2009, the AGMA Executive Board approved the Strategy and recommended that it be ratified by individual districts.

The Executive Member for Housing, Neighbourhoods and Regulation APPROVED the Greater Manchester Housing Strategy on behalf of the Council.

91. STOCK TRANSFER CONSULTATION COSTS

The Director of Development and Regeneration submitted a report which provided an update on expenditure to date regarding developing stock options for Bolton's council housing and associated consultation of council tenants and also sought the Executive Member's approval for ongoing and future costs relating to the consultation and ballot exercise.

By way of background, the Executive Member was reminded that in January, 2010, the Executive approved an exercise to consult Bolton's council tenants on the future of their homes. Furthermore, in February, 2010 the Executive approved a report to fund preparatory work in the region of £480,000. The actual amount incurred up to the decision to move on to consulting tenants on possible stock transfer was £524,000

and the difference related to the overall costs of developing stock options over the period.

With regard to the consultation costs, the total amount was estimated to be £306,000 with the total cost of developing a new housing model and consulting/balloting tenants on the options amounted to £1,092,000. This was consistent with costs leading up to and including ballot, of other transferring local authorities.

The report stated that in terms of future related expenditure, all reasonable costs associated with stock transfer could be added to the valuation and recovered from post-transfer financing, however, a 'No' vote would require costs to be recovered from future housing budgets.

The Executive Member NOTED –

(i) The cost incurred so far in developing housing models and consulting tenants on those options so far; and APPROVED –

(ii) The pre-ballot consultation costs of £306,000 covering the period up to and including the ballot of all tenants.

92. URGENT ITEM – HOLLIN HEY COUNCIL HOUSING NEW BUILD PROGRAMME

In accordance with the Local Authority's Executive Arrangements and Access to Information Regulations 2000, the Chairman of the Development, Regeneration and Skills Scrutiny Committee had agreed that the following item was urgent and could not reasonably await consideration until the next meeting of the Executive Member.

The Director of Development and Regeneration submitted a report which advised the Executive Member of recent developments regarding the Local Authority New Build Round 2 Programme, Design Street and sought approval for a substitute scheme.

The report advised that at the meeting of the Planning Committee on 18th March, 2010, the Design Street Scheme was referred back to Council and, therefore, would no longer be progressed. However, in order not to lose the opportunity to develop much needed affordable housing a proposal for a substitute scheme had been put to the Homes and Community Agency who had confirmed that they would consider a substitute bid on the understanding that it would be for no more funding than currently allocated and it that it would satisfy LA New Build Round 2 criteria.

In view of the above, it was explained that as part of the Transforming Estates New Build project, a potential development opportunity was being explored in partnership with Great Places Housing Group, for a site on Hollin Hey Road, Bolton. Given that the site in its current form was a blight in the neighbourhood and was available for residential development it was proposed that a scheme of nine homes be put forward as a substitute bid.

The Executive Member AGREED:-

- (i) To grant delegated authority to the Director of Development and Regeneration to submit a substitute bid to the Homes and Community Agency under the Council House New Build Round 2 programme for Hollin Hey Street, Bolton consisting of approximately nine houses in partnership with Great Places;**
- (ii) To grant delegated authority to the Directors of Development and Regeneration and Chief Executive's Department to complete final negotiations with Great Places Housing Group Limited and formalise contractual relations under which Great Places will:-**

- a) Act as project manager;
 - b) Procure all necessary works and services under its existing framework contracts
- (iii) To grant delegated authority to the Director of Chief Executive's Department to carry out all necessary legal formalities.

CONFIDENTIAL ITEMS

The background and papers and reports in relation to the following items were considered confidential as defined in paragraph 3 of Schedule 12A of the Local Government Act 1972 and that it be deemed that, in all the circumstances of the case, the public interest in their exemption outweighs the public interest in their disclosure.

93. RIGHT TO BUY: USE OF DISCRETIONARY POWER ON REPAYMENT OF DISCOUNT

The Director of Chief Executive's Department submitted a report which provided details of an appeal against the decision dated 16th February, 2009 by Bolton Council's Home Ownership Section in relation to the repayment of discount on the purchase price of 41 Church Street, Kearsley.

The Executive Member AGREED –

To uphold the original decision of the Home Ownership Section and the subsequent decision upon review made on 13th May, 2009 and dismiss the appeal.

94. LEASE MANAGEMENT SERVICE: RENEWAL OF BROMWICH STREET LEASES

The Director of Development and Regeneration submitted a report which sought the Executive Member's approval for the proposed renewal of six leases to properties on Bromwich Street, the new rental terms and the new length of leases.

The lease management scheme portfolio consisted of 45 properties which included 30 units in 6 blocks on Bromwich Street which provided short and long term accommodation to a broad range of customers.

The Executive Member was advised that there were six leases, which were due to expire at different times, with two having currently expired. Negotiations had taken place to renew all six leases with new terms in order to extend the length of leases to 10 years but reducing the cost per unit.

The report would be considered by the Executive Member for Strategy and External Relations at his meeting on 31st March, 2010.

The Executive Member AGREED –

Subject to the Executive Member for Strategy and External Relations approving the proposed renewal of six leases to properties on Bromwich Street , the new rental terms and the new length of leases, the continuation of the Lease Management Scheme in the Bromwich Street area.

95. INNOVATION ZONE, BOLTON – DEVELOPMENT SITES: COMMISSION STREET

The Director of Development and Regeneration submitted a report which reported back on the feedback which had been received from residents from the Commission Street Estate and also outlined a proposed strategy for the preparation of the development which included a phased programme to relocate tenants and residents and clear the site for development.

The Executive Member was advised that in addition to the feedback obtained from drop-in sessions and individual discussions, a number of residents had submitted formal responses which indicated whether they were in favour of development of the site or against. A number had not indicated a preference.

The report had been considered and approved by the Executive Member for Development, Regeneration and Skills at his meeting on 29th March, 2010.

The Executive Member AGREED to –

- (i) Authorise the Director of Development and Regeneration to declare the whole of the Commission Street estate redundant and to serve an Initial Demolition Notice signalling the Council's intention to make the site available for development;**
- (ii) Authorise the Director of Development and Regeneration to carry out all works including the award of contracts for demolition, road closures and other works necessary in order to assemble Phase 1 during the coming financial year and prepare the site for disposal, including removing void properties from the debit roll;**
- (iii) Authorise the Director of Development and Regeneration to proceed with further phases of demolition as resources permit or when development proposals permit;**
- (iv) Authorise Bolton at Home to relocate all tenants of Phase 1 to alternative property, make the appropriate compensation payments and manage the voids appropriately as demolition commences;**
- (v) Instruct the Director of Corporate Resources to acquire the five private properties in Phase 1 by negotiation at market value with home loss payments including the ability to waive repayment of discounts, where appropriate, as an aid to negotiation as a priority and to acquire other private properties as opportunity arises within the rest of the estate subject to annual resources;**
- (vi) Approve the waiver of repayment of discount to aid the negotiation;**

- (vii) Authorise the exclusion of the Commission Street Estate from any future Large Stock Voluntary Transfer; and**
- (viii) Authorise negotiations with Bolton Community College to bring forward development proposals for further consideration by the Council.**