



MEETING: OVERVIEW AND SCRUTINY COMMITTEE
(REGENERATION AND ENVIRONMENTAL SERVICES)

DATE: Tuesday 19 March 2013

TIME: 6.30 pm

VENUE: Town Hall, Bootle

Member

Councillor
Councillor McKinley (Chair)
Councillor John Kelly (Vice-Chair)
Councillor Bennett
Councillor Booth
Councillor Gatherer
Councillor Jones
Councillor Lappin
Councillor P. Maguire
Councillor Weavers
Councillor Welsh

Substitute

Councillor
Councillor Webster
Councillor Bradshaw
Councillor Roche
Councillor Robertson
Councillor Robinson
Councillor Dutton
Councillor Murphy
Councillor McGinnity
Councillor Dawson
Councillor Preece

COMMITTEE OFFICER: Ruth Harrison
Telephone: 0151 934 2042
Fax: 0151 934 2034
E-mail: ruth.harrison@sefton.gov.uk

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

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AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**

Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.
3. **Minutes** (Pages 5 - 15)

Minutes of the meeting held on 22 January 2013.
4. **Call In - Housing in Multiple Occupation and Flats Supplementary Planning Document** (Pages 16 - 96)

Report of the Director of Built Environment.
5. **Review of the Calendar of Meetings** (Pages 97 - 100)

Report of the Director of Corporate Commissioning.
6. **NEET Working Group - Final Report** (Pages 101 - 128)

Report of the Director of Corporate Commissioning.
7. **Interim Report - Employment Development and Development of Local Town Centres and Economies Working Group** (Pages 129 - 132)

Report of the Director of Corporate Commissioning.
8. **Cabinet Member Reports** (Pages 133 - 156)

Report of the Director of Corporate Commissioning.
9. **Work Programme Key Decision Forward Plan** (Pages 157 - 168)

Report of the Director of Corporate Commissioning.

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL IN".

OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND ENVIRONMENTAL SERVICES)

MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON TUESDAY 22ND JANUARY, 2013

Overview
& Scrutiny



PRESENT: Councillor McKinley (in the Chair)

Councillor John Kelly (Vice-Chair)
Councillors Bennett, Booth, Gatherer, Lappin,
Weavers and Welsh.

Also Present: Councillor Hardy, Cabinet Member for Communities
and Environment and Councillor Maher, Cabinet
Member for Regeneration and Tourism

22. APOLOGIES FOR ABSENCE

There were no apologies for absence recorded.

23. DECLARATIONS OF INTEREST

No declarations of interest were received.

24. MINUTES

RESOLVED:

That the Minutes of the meeting held on 13 november 2013 be confirmed
as a correct record.

25. REVIEW OF PROGRESS MADE AGAINST THE JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY

The Committee received a presentation from Stuart Donaldson, the Waste
Strategy Manager for Merseyside Recycling & Waste Authority.

The following headlines were presented:-

- Context of the Strategy
- Merseyside Waste Partnership Profile
- The Waste Hierarchy
- Pie Chart of Residual Waste Composition for Merseyside 2010
- Short list of Strategy Objectives
- Menu of Delivery Options
- Sefton Council Action Plan
- Key Decision Points
- Joint Merseyside Waste Strategy Progress Delivery 2011/12

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The Committee also considered a report from the Director of Built Environment that detailed the progress of the Merseyside Waste Partnership against the delivery of the objectives of the Joint Municipal waste Management Strategy.

The reported stated that:-

1. All Merseyside Authorities had ratified the 30 year Joint Municipal Waste Management Strategy "Resources Merseyside" that was developed following comprehensive resident and industry consultation. It was reported that the Strategy was designed to meet and support relevant European and national statutory drivers for Resource (Waste) Management, Climate Change and Low Carbon Economy aspirations.
2. The aim of Resource Merseyside was reported as delivering waste management within the context of wider resource management and climate change by:
 - Recognising waste as a valuable resource
 - Minimising the environmental impact of waste management
 - Preventing the creation of waste on Merseyside in the first place
 - Increasing re-use, recycling, composting and the recovery of energy from waste
 - Reducing the amount of waste land filled
 - Raising awareness and promoting education in resource efficiency making it easier for everyone to contribute to sustainable waste management activities
 - Consuming less but producing more
 - Tackling climate change by the reduction of carbon emissions from waste management and support for our Low Carbon economy
 - Protecting and enhancing our environment
 - Using and generating renewable energy and fuels.
3. Collective action from all Merseyside Waste partners was required in order that the objectives of the Strategy are achieved in the most economic manner and future direct financial and environmental liabilities minimised.
4. An Annual Report detailing a review of performance had been published by the Merseyside Recycling and Waste Authority, attached as Appendix 2 to the report.
5. The Overview and Scrutiny Committee should continue to review the progress of the Merseyside Waste Partnership in delivering the key objectives of the Joint Municipal Waste Management Strategy.

The Head of Environment emphasised the importance of the Committee in their role of scrutinising the progress of the Merseyside Waste

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Partnership in delivering the key objectives of the Joint Municipal Waste Management Strategy.

Members of the Committee raised concern regarding use of kitchen waste and requested what they could do to help achieve the target.

It was reported that Members could promote the “Love Food Hate Waste” campaign in their Community’s by emphasising the message that by reducing food waste the average family could save £50/month.

Members of the Committee agreed that it would be most appropriate to scrutinise the progress of the Merseyside Waste Partnership in delivering the key objectives of the Joint Municipal Waste Management Strategy on an annual basis at the time the Annual Report detailing performance is published.

RESOLVED: That:-

- (1) Stuart Donaldson, the Waste Strategy Manager for Merseyside Recycling & Waste Authority be thanked for his informative presentation; and
- (2) The Overview and Scrutiny Committee (Regeneration and Environmental Services) Committee scrutinises progress in delivering the Joint Municipal Waste Management Strategy on an annual basis at the time the Annual Report is published.

26. SEFTON STRATEGIC NEEDS ASSESSMENT

The Committee received a presentation from Janet Atherton, Director of Public Health on Sefton’s Strategic Needs Assessment. The presentation outlined the following:-

What is the Sefton strategic needs assessment?:

- Sometimes called a “Joint Strategic Needs Assessment” it is about the current health & wellbeing of people in Sefton;
- Based on information and evidence from lots of different partners and used to identify potential priorities for services that could be developed;
- Contained information on a wide range of indicators: Population, Social & Place, Health Choices, Life expectancy, and Access to Services; and
- Lead to the development of a Health and Wellbeing Strategy, to be formally published by the Health and Wellbeing Board on 1st April 2013.

Developing the SSNA...:

- The development of the draft Joint Strategic Needs Assessment, and the information contained within it, led to a number of emerging themes for Sefton. Including:
 - Finding different ways to support people early in diagnosis;

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- Improve primary care through the development of care close to home;
- Support and sustain local businesses to provide jobs;
- Plan changes in population in educational need;
- Plan for the expected rise in the older population;
- Provide better support carers;
- Improve the quality of life and health for all, with emphasis on those in more deprived areas;
- Conclusions were widely consulted upon across the Summer of 2012, with both specific groups, and generally, aimed to ensure people were given the opportunity to influence and create change that supported their community's wellbeing and health. Over 1000 people participated in this consultation and engagement;
- Upon completion, the findings of the consultation revealed a series of potential areas for development, and identified gaps that were apparent from the conclusions; and
- The consultation was also set against the need for Council budget savings - £50 million over next two years, on top of £64 million already saved. Other public and Third Sector Bodies also had a reduced resource context.

General conclusions of the consultation...:

- Communities of Sefton agreed that the emerging priorities were the right ones for Sefton;
- Majority of people agreed that their needs would be met within these priorities;
- Majority of people expressed how difficult the task was to identify and agree priorities; and
- People and communities found the processes engaging and inclusive.

And the perceived gaps were....:

- Physical and Environmental Preventative Services;
- Lesbian, Gay, Bisexual and Transgender (LGBT) youth and adult support services;
- Mental Health Treatment Services (including young people and young offenders);
- Drug and Alcohol Treatment Services (including young people and young offenders); and
- End of Life Services.

What was said...Overall:

- Support vulnerable people especially in poorer areas;
- Combat social isolation;
- Protect vulnerable children and adults;
- Access to affordable, good quality housing;
- Primary health services to be local and accessible;
- More choice and control over way we live; and
- Work, training and volunteering opportunities leading to real jobs.

What was said on Regeneration and Environmental issues...:

- Access to affordable, good quality housing with support for care leavers and young parents;
- Provide help for local people to help keep their streets clean;
- Provide and maintain parks and green open spaces;
- The creation of training and volunteering that lead to real jobs for all young people; and
- Enhance transport links – especially East to West.

In terms of some specific issues arising from consultation and engagement events around the Borough:-

What was said...Bootle:

- Services of Children's Centres were valued and important and support vulnerable families. They were often a lifeline providing a safe supportive environment, working with a range of services;
- Create local jobs for local people (especially young people);
- Police foot patrols were critical in the areas where there has been recent gun crime;
- People were afraid to go out at night; and
- Need for support for carers.

What was said...Southport:

- Services from Children's Centres were important;
- Walk-in centres were valued, but there was a need for one in Southport;
- Inequality in mental health services in north and south of the borough – with more needed in Southport;
- Family Housing was required and concerns about private landlords; and
- Improve existing bus services and keep free bus passes.

What was said...Maghull:

- More sites to build family housing;
- Welfare rights & advice services critical;
- Walk-in centres were valued, and there was a need for one in Maghull;
- Older people living longer at home with services close by; and
- Some transport services finish at 6pm making it difficult to get back from social events or doctor's appointments.

What was said...Formby:

- More police foot patrols to deter anti-social behaviour;
- Parks provide a safe place for families but concerns over dog fouling;
- More Support for carers;
- Better recycling services; and
- Protect vulnerable people.

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What was said...Crosby:

- Welfare rights and advice information critical;
- Meeting the needs of LGB & T people (adults and youths);
- Need to improve existing bus service, better links East to West
- People having a voice; and
- Older people living longer at home with services close by.

Development of Draft Strategy:

- Following analysis of the consultation information, the Health and Wellbeing Board pulled together a draft Strategy highlighting a series of Strategic Objectives;
- The draft was agreed at the Board's November meeting, and was now subject to a second round of consultation – which began immediately on decision and would complete in February 2013; and
- Plans were in place to reach as many people as possible to seek their views.

Health & Wellbeing Draft Strategic Objectives:

- There were 6 Strategic Objectives, based on the consultation findings and they were:-
 - Ensure all children had a positive start in life;
 - Support people early to prevent and treat avoidable illnesses and reduce inequalities in health;
 - Support older people and those with long term conditions and disabilities to remain independent and in their own homes;
 - Promote positive mental health and wellbeing;
 - Seek to address the wider social, environmental and economic issues that contribute to poor health and wellbeing; and
 - Build capacity and resilience to empower and strengthen communities.

CCG Commissioning intentions:

- Southport & Formby:
 - Childhood mental health;
 - Adult mental health;
 - Long-term conditions;
 - Obesity;
 - End of life;
 - Sexual health; and
 - Prevention.
- South Sefton:
 - Maternal Health;
 - Obesity;
 - Severe and enduring Mental Illness;
 - Health Check programme;
 - Child Health (Palliative / Neonates);
 - Dementia; and
 - Palliative care/ End of Life Care.

Next Steps:

- 12 week feedback and consultation exercise;
- Publication of Joint Health & Wellbeing Strategy and Equality Analysis Report in April 2013 as well as action plan;
- Strategy would inform commissioning and planning cycles from April 2013 – March 2018;
- Annual reviews – continuous engagement process; and
- Health & Wellbeing Board holding commissioners to account to improve outcomes.

What we are seeking views on in the new consultation:

- Does the draft strategy provide a good description of the health and wellbeing issues in Sefton?;
- If people agree with the draft vision, promise and objectives?; and
- If people think that the strategy will achieve what it is setting out to do?
- If people have got any additional comments they wish to make about the Strategy?

The following observations were made by Members:-

- That the Regeneration and Environmental issues identified as a result of the consultation were not included within the 6 Strategic Objectives of the Health Wellbeing Board.
- Concerns that Dementia did not feature in the Clinical Commissioning Group intentions for Southport and Fromby yet Southport has an increasing population of elderly residents. It was highlighted that Dementia may well feature under the title “Long-term conditions”.
- Concerns that Life Expectancy differences did not feature in the Clinical Commissioning Group intentions for South Sefton. It was stated that health inequalities across the Borough still existed.
- That the Health and Wellbeing Strategy should link with and inform the Employment Strategy and the Economic Strategy.

RESOLVED: That:-

- (1) the Director of Public Health be thanked for the presentation on Sefton’s Strategic Needs Assessment; and
- (2) the Director of Public Health forward the observations raised above to the appropriate Officer.

27. SEFTON HOME ENERGY CONSERVATION ACT (HECA) PLAN

The Committee considered the report of the Director of Built Environment detailing the requirement to prepare a new baseline Home Energy Conservation Act Plan.

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It was reported that the HECA plan should set out the energy conservation measures and ambitious priorities that the Energy Conservation Authorities considered practicable, cost-effective and likely to result in significant reduction in the energy consumption of all tenures of residential accommodation in our communities.

It was further reported that due to the significant potential to attract external investment through Green Deal and the Energy Company Obligation the Home Energy Conservation Act Plan represented a public declaration of intent and by acting immediately Sefton could be one of the earliest UK Local Authorities to publish its plan and thereby gain first mover advantage in attracting external investment into Sefton.

Cabinet Member for the Environment, Councillor Hardy emphasised the importance of gaining first mover advantage in attracting external investment in Sefton and highlighted that the excellent progress made was positive.

Cabinet Member for Regeneration and Tourism, Councillor Maher explained that Green Deal should give homes and businesses the opportunity to make energy saving improvements and pay for some or all of the work done over time from expected savings on their energy bills. Councillor Maher reiterated the importance of gaining first mover advantage in attracting external investment in Sefton.

RESOLVED:

That the Committee recommends to Cabinet the approval of the Sefton Home Energy Conservation Act Plan to be published to the Secretary of State for Energy and Climate Change.

28. CABINET MEMBER REPORTS

The Committee considered the report of the Director of Corporate Commissioning that updated Members on the activities of the Cabinet Member's for the period December 2012 for the following following portfolio's that fall within the remit of this Committee:-

- Cabinet Member – Communities and Environment
- Cabinet Member – Regeneration and Tourism
- Cabinet Member – Transportation; and
- Cabinet Member – Children, Schools, Families and Leisure (Environmental)

Councillor Welsh raised concern regarding the public conveniences at Ainsdale beach and referred to the poor state of repair and cleanliness of them.

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Councillor Welsh also referred to a letter Councillor Preece had received from a cleaning company offering to supply free cleaning products for a number of months. Councillor Welsh reported that Councillor Preece had referred the letter onto the appropriate Officer and had not received a response.

The Head of Direct Services reported that the issue was being investigated and a written response would be sent to Councillor Welsh.

Councillor Weavers referred to the replacement programme in relation to Litter Bins and requested if there was capacity for extra litter bins.

The Head of Direct Services responded by stating that the overall number of litter bins would remain the same however any existing litter bin replaced by a larger capacity litterbin would, subject to condition, be used to replace other unsuitable (concrete) litterbins to reduce any potential H&S risk.

RESOLVED:

That the Cabinet Member update reports be accepted.

29. WORK PROGRAMME KEY DECISION FORWARD PLAN

The Committee considered the report of the Director of Corporate Commissioning in relation to the Committee's programme of work. A number of Key Decisions within the latest Key Decision Forward Plan fell under the remit of this Committee and Members were reminded of their right to pre-scrutinise such items.

The reported updated Members on the progress of the following Working Groups:-

- Employment Development and Development of Local Town centres and Economies Working Group; and
- NEET (Not in Education, Employment or Training) Working Group.

RESOLVED: That:-

- (1) the Key Decision Forward Plan for period 1 February to 31 May 2013 be accepted;
- (2) progress, to date, of the Economic Development and Development of Local Town Centres and Economies Working Group be accepted;
- (3) Councillor Dutton replace Councillor Jones on the Economic Development and Development of Local Town Centres and Economies Working Group be agreed;

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- (4) the Scoping Document of the Economic Development and Development of Local Town Centres and Economies Working Group, as detailed at Appendix 2 to the report, be agreed; and
- (5) progress, to date, of the NEETS (Not in Employment, Education or Training) Working Group be approved.

Report to: Overview and Scrutiny Committee **Date of Meeting:** 19 March 2013
(Regeneration & Environmental Services)

Subject: Item Called In – Housing in Multiple Occupation (HMO) and Flats
Supplementary Planning Document (SPD)

Relevant Cabinet Members:

Councillor Peter Dowd (Leader of the Council)
Councillor Ian Maher (Regeneration and Tourism)

Report of: Director of Corporate Commissioning **Wards Affected:** All

Is this a Key Decision? Yes **Is it included in the Forward Plan?** Yes

Exempt/Confidential No

1.0 Purpose/Summary

- 1.1 To advise the Overview and Scrutiny Committee of the relevant aspects of the Constitution and the reason for the call in of the decision of the Cabinet on the above item as set out in paragraph 3.3 to the report.
- 1.2 To seek the views of the Overview and Scrutiny Committee.
- 1.3 In the event of the Committee being concerned about the decision, the Overview and Scrutiny Committee must decide which of the following course of action is to be taken in relation to this matter:
 - a referral of the matter to the Cabinet for re-consideration, setting out the nature of the Overview and Scrutiny Committee's concerns; or
 - b referral of the matter to Council for the Council to decide whether it wishes to object to the decision (subject to the guidance set out in paragraph 3.5).
- 1.4 In the event of the Committee being satisfied with the decision, the decision can proceed for implementation immediately following the meeting.

2.0 Recommendation(s)

- 2.1 That the Committee considers the reasons set out in the extract of the Constitution (paragraph 3.5) and the requisition for call in and determines its jurisdiction accordingly.
- 2.2 That the Committee determines whether it is concerned about the decision;

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2.2 If the Committee is concerned about the decision, that the Committee indicates which of the options set out in paragraph 1 above it wishes to pursue.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|------------------------|-----------------------|------------------------|
| 1 | Creating a Learning Community | | √ | |
| 2 | Jobs and Prosperity | | √ | |
| 3 | Environmental Sustainability | | √ | |
| 4 | Health and Well-Being | | √ | |
| 5 | Children and Young People | | √ | |
| 6 | Creating Safe Communities | | | √ |
| 7 | Creating Inclusive Communities | √ | | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | √ | | |

Reasons for the Recommendation:

The decision of the Cabinet has been called in. The Overview and Scrutiny Committee is required to consider the concerns raised by Councillors

What will it cost and how will it be financed? N / A

Implications: N/A

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | |
|--|-------------------------------------|
| Legal: There are no legal implications arising from the contents of this report | |
| Human Resources | |
| Equality | |
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact on Service Delivery: N/A

What consultations have taken place on the proposals and when?

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The Head of Corporate Finance and ICT notes there are no direct financial implications arising from this report (FD 2180/13)

The Head of Corporate Legal Services has no comments on this report because the contents of the report have no legal implications (LD 1496/13:).

Are there any other options available for consideration? Options are set out in the report

Implementation Date for the Decision will be determined by the decision of the Overview and Scrutiny Committee.

Contact Officer: Ruth Harrison

Tel: 0151 934 2042

Email: ruth.harrison@sefton.gov.uk

Background Papers:

None

3.0 Details Relating to the Call In

3.1 The following reports and documents were considered and agreed by the Cabinet on 14th February 2013:-

- Report with addendum note (Appendix 1 and 2);
- Presentation brief from a town planning consultant (Appendix 3);
- Supplementary Planning Document (SPD, Appendix 4) with Appendix A to E attached to this report; and
- Table of Comments (Appendix 5).

3.2 The decision of the Cabinet is set out as follows:

Decision Made:

The supplementary planning document be approved subject to the insertion of the following text before table 3 in the document, to provide clarity on where the size standards in the table apply:

“These minimum standards will apply to all self-contained flats whether the development is part of a HMO (Use Classes C4 or Sui Generis HMO) or part of a scheme consisting entirely of self-contained flats (Use Class C3)”.

Reasons for Decision:

To adopt the supplementary planning document for decision making for Planning applications and enforcement purposes.

Alternative Options Considered and Rejected:

None.

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At the above Meeting the following amendment to the minutes was agreed:-

Decision Made:

That the minutes of the Cabinet meeting held on 14 February 2013 be confirmed as a correct record subject to the resolution in Minute No. 111 being amended by the addition of the following text in the supplementary planning document:

“The Council will look favourably upon applications for one bedroom flats where previously they have been discouraged”.

- 3.3 The following Members of the Council (who are not Members of the Cabinet) signed the requisition for call in, in accordance with the provisions of the Overview and Scrutiny Committee Procedure Rules, Part 4 of the Councils Constitution.

Councillor Dorgan
Councillor McIvor
Councillor Papworth

- 3.4 In the requisition for call in the following reason was given:

The decision contravenes sub-paras (b) and (c) of Para 40 of Chapter 6 of the Council's Constitution; in other words, that the Cabinet decision is unsound, being based on facts not taken into account, and would lead to very unwise future decisions by the Council. In particular:

a. Cabinet was advised that ample consultation had taken place; this is disputed by my constituent, who is the largest provider of HMO's in Sefton, and who also represents a considerable number of other landlords. He had about 10 minutes in which to read and comment on the SPD.

b. The Supplementary Planning Document seeks to impose the same rules on HMO's as on flats. This seems unwise, as the two regimes are subject to different rules re Building Regulations, Environmental Health, Licensing and Benefits.

c. Disabled access to HMO's is usually impossible, as there are no lifts.

d. The conditions about roof-lights and windows in HMO's are unworkable and wholly unnecessary.

e. Whilst noise insulation in a flat is of course desirable, to provide it in an HMO means insulating each room separately, which would be prohibitively costly.

f. The document appears to rule out the use of terraces as HMO's, which seems to limit their development for no good reason.

g. The requirement for S.106 funds of over £1,500 per HMO is excessive. Altogether, the SPD appears likely to put the Council at a considerable disadvantage (at precisely the moment when Liverpool is easing its conditions!), by making the development of HMO's financially unviable, and thus decimating the supply of new affordable housing. My constituent already has a substantial record of successful appeals against Planning decisions, and would far prefer to

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assist the Council by taking part in genuine consultations before a revised SPD is prepared. "

- 3.5 The constitution sets out the following requirements with respect to Call In:

"All requisitions for call-in shall refer to a specific decision and provide a reason. A decision may only be the subject of one call-in. A decision may only be called-in for the following purposes:

- a) to seek more understanding of the decision and its implications;
- b) to question the soundness of the decision based on facts taken or not taken into account;
- c) to identify the need for Council policies to guide decisions;
- d) to make recommendations to the Cabinet and/or Council;
- e) to question whether the decision conforms with agreed policies."

Members are asked to consider the requisition cited above (paragraph 3.4) and determine which ground or grounds apply to the requisition, if any. If the Committee determines that the requisition falls within one of the grounds, then it can proceed to consider whether it is concerned with the decision.

- 3.6 The Secretary of State in his guidance recommends that the Overview and Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary or not wholly in accordance with the budget.

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Appendix 1

Report to: Planning Committee
Cabinet

Date of Meeting:
6 February 2013
14 February 2013

Subject: Housing in Multiple Occupation (HMO) and Flats Supplementary Planning Document (SPD)

Report of: Director of Built Environment

Wards Affected: All

Is this a Key Decision? Yes

Is it included in the Forward Plan?
Yes

Exempt/Confidential

No

Purpose/Summary

The purpose of the report is to make members aware of the results of the recent consultation on the draft SPD and to approve the SPD for adoption for decision making for planning applications and enforcement purposes.

Recommendation(s)

(1) That Planning Committee note the results of the recent consultation and recommend to Cabinet that the SPD be approved for adoption for the purposes of decision making for planning purposes.

(2) That Cabinet note the results of the recent consultation and approve the SPD for adoption for the purposes of decision making for planning purposes.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|-------------------------------|------------------------------|-------------------------------|
| 1 | Creating a Learning Community | | √ | |
| 2 | Jobs and Prosperity | | √ | |
| 3 | Environmental Sustainability | | √ | |
| 4 | Health and Well-Being | | √ | |
| 5 | Children and Young People | | √ | |
| 6 | Creating Safe Communities | | √ | |
| 7 | Creating Inclusive Communities | | √ | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | | √ | |

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Reasons for the Recommendation:

To adopt the HMOs and Flats SPD.

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | |
|---|-------------------------------------|
| Legal | |
| Human Resources | |
| Equality | |
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input checked="" type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input checked="" type="checkbox"/> |

Impact on Service Delivery:

The SPD will allow greater certainty for both developers and decision makers and allow more effective decision making.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT (FD.1405/13) has been consulted and has no comments on the report. The Head of Corporate Legal Services (LD1405/13) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

No

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Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of Cabinet

Contact Officer: David Robinson

Tel: (0151) 934 3598

Email: david.robinson@sefton.gov.uk

Background Papers:

The final draft HMOs and Flats Supplementary Planning Document.

Table of comments received during the consultation and the Council’s response.

Both can be viewed at: www.sefton.gov.uk/HMO

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1. Introduction/Background

- 1.1 Changes in legislation and changes to the way housing benefit is calculated mean that the Council's planning policies on Housing in Multiple Occupation (HMOs) and flats are out of date and new guidance is needed. The Council has therefore written and consulted on some new guidance, a HMOs and Flats Supplementary Planning Document (SPD). The SPD can be viewed at www.sefton.gov.uk/HMO.
- 1.2 The need for the SPD partly arises as a result of changes to the General Permitted Development Order which came into force in April 2010. This introduced a new Use Class C4 which means that dwelling houses shared by three to six people do not need specific planning permission. The importance of the issue of HMOs is also increasing with demand for such properties through changes to the benefits system which will reduce the rates paid. Previously these would have been sufficient to cover a one bedroom flat but now these are only likely to pay for a room within a shared property. Similarly people who may have benefits that will have covered a two bedroom flat may now only be able to have a one bedroom flat
- 1.3 Recent appeal decisions for three HMO sites in Sefton have reinforced the need to clarify this issue. In these cases, the Inspector has confirmed that HMOs should provide acceptable living conditions for their occupants.
- 1.4 As a result of the above, the SPD has been prepared for the assessment of applications for HMOs and self-contained flats. The SPD recognises that flats and HMO bedsits created from conversion and sub-division of larger properties can make an important contribution towards housing supply. However, conversions and sub-division can also raise concerns relating to the quality of accommodation provided in terms of modern space and amenity standards. This SPD is intended to provide a consistent approach to assessing the quality of accommodation which will be more in line with current Merseyside Licensing Standards.
- 1.6 A draft SPD was produced and went out for public consultation on August 10th 2012 until December 2nd 2012. Seven comments were received. The draft SPD has been reviewed in light of the comments received and also after further officer consideration. A table of comments received and officer comments is available to view at www.sefton.gov.uk/HMO.

2. Response to Consultation

2.1 The main comments received were as follows:

- The SPD lacks clarity in some areas both in content and style.
- The size standards for flats and HMOs has been criticised for both providing an inadequate standard of accommodation and a too spacious standard.
- The size standards tables are complicated and hard to understand.
- The Trees and Greenspace contributions are excessive and unreasonable.
- Not clear what type of development the SPD covers.
- The SPD should not cover self-contained flats except where they are part of an HMO and should focus on HMOs as these are fundamentally very different types of accommodation.

3. Main changes to the SPD since the final version

3.1 Following further work and consideration of the comments received during consultation officers have made changes to the SPD. These are reflected in the updated document. Some of the more important changes are highlighted below;

- The SPD has a restructured introduction section that explains more clearly what the purpose of the SPD is and what type of development the SPD concerns.
- Where possible, the SPD has been simplified.
- The definition of what is an HMO and what will require planning permission has been simplified.
- The tables showing size standards have been altered to make them clearer to understand. An additional table has been included showing standards for shared facilities within HMOs and the table for overall flat sizes has been removed because it was felt that they were too complicated. Instead minimum standards for self-contained flats will be assessed through minimum room sizes.
- The addition of advisory appendices on security and fire safety.

4. Conclusions

4.1 This policy document will be an important consideration in planning decisions. It will set expected standards of development and aims to provide consistency of approach and decision making for officers, landlords, developers. At the same time the updated policy will take account of recent changes in connection with the benefit system for example, allowing the planning system to have up to date policy position to enable delivery of the appropriate standards of accommodation. Members are asked to note the comments received from the consultation and to formally adopt the SPD for the purpose of decision making.

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Appendix 2

CABINET – 14 FEBRUARY 2013

Addendum note to the report on the HMOs and Flats Supplementary Planning Document

Planning Committee considered the HMO and Flats SPD on 6 February 2013. The Committee noted the contents of the SPD and asked for an amendment to be added, (see below).

Amendment put forward by Planning Committee

The Planning Committee asked for Cabinet to consider the following amendment to be included in the SPD:

Before table 3 insert line "These minimum standards will apply to all self-contained flats whether the development is part of a HMO (Use classes C4 or Sui Generis HMO) or part of a scheme consisting entirely of self-contained flats (Use class C3)".

The new line is necessary because as currently written, there is some ambiguity over what type of development the standards in table 3 will apply. The extra sentence will introduce some more certainty.

Recommendation

That Cabinet approve the SPD subject to the inclusion of the following text before Table 3 in the report:

"These minimum standards will apply to all self-contained flats whether the development is part of a HMO (Use classes C4 or Sui Generis HMO) or part of a scheme consisting entirely of self-contained flats (Use class C3)".

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Appendix 3

Ms Amanda Brown also submitted some comments at the beginning of Planning Committee. These are as follows:

Good evening councillors and officers. My name is Ms Amanda Brown and I am a town planning consultant with 23 years practice working in councils and private sector. I advise many HMO landlords across the country. Because of this I have a lot of current experience of the new HMO legislation and how this is being interpreted by councils and the planning inspectorate. I represent Mr Steve Latham one of your most respected local HMO landlords, and the no of landlords he advises through his letting agency - Concentric Lettings in Bootle.

Steve provides homes for some local people in his shared houses. Some are vulnerable, many are older and separated, many work in low paid jobs and many in the docks. Steve receives requests for rooms in shared houses each year. We all know this demand is increasing not least with the amendments to the benefit system and a requirement for people to move to accommodation appropriate to their needs and a restriction on the payment of room only benefit to single people under 35. Mr Latham is recognised by the council for the high quality of accommodation he provides and in restoring and using many derelict attractive Victorian properties.

Firstly we welcome the planning department's shift in policy that previously would only accept proposals for 2 bed flats and finally an acknowledgement that shared accommodation is needed and provides a crucial role in the Districts housing provision. The previous stance has involved Mr Latham in extremely long and costly Public Inquiries.

We have commented formally on the first Draft. However there remains deep concerns that the SPD is not clear; confuses flats and shared HMO accommodation trying to impose the same standards on bedsitting rooms, and if taken literally, will result in future proposals at least be taken through the expensive appeal process or being abandoned as unviable with investment going instead to adjacent Districts. We wish to work with the council to ensure a workable document that is realistic.

We are concerned about the following

- 1 The SPD suggests that the planning officers can agree proposals during pre application discussion - I understand that this can only ever be informal advice not binding on the council.*
- 2 Fundamentally there should be separate guidance for flats /houses and HMO accommodation. A flat is a separate C3 dwelling / planning unit with separate facilities and services and can be sold or let on a self contained rate to LHA tenants. A HMO comprises bedsitting rooms with varying facilities and all sharing kitchens or living rooms or bathrooms. They can only be let on a room rate, cannot be sold / have finance raised on them and have shared utilities. This accommodation is not let on the basis that the tenant lives only in the*

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room. There is confusion in the SPD over bedsitting rooms within the planning definition of a HMO and studio flats.

- 3 In reality the SPD requirements relate only to larger HMOs which are materially different to C4 HMO for 6 or so tenants that does not require planning permission if it was previously a dwelling. This is not made clear.*
- 4 Noise insulation for flats and HMO should be set out separately. The guidance suggests that each individual bedroom within a HMO is to be noise insulated on all walls ceiling and floor as if it were a separate dwelling. It has been established at inquiry that a HMO is 1 separate planning unit / dwelling not several. If any noise insulation work is required it would be between the dwelling and any adjoining properties not between individual rooms in a shared house. The principle of this was established at the Inquiry. The requirements for build regs are different for a shared dwelling than for a flat. This level of unnecessary work makes HMOs unviable when most HMOs are in Victorian properties with thick walls that already achieve building regs standards. It exceeds new build requirements.*
- 5 What noise readings have been taken and reports provided to justify the policy – it is not enough to say that houses with many people make a lot of noise and cause disturbance – so do large houses with large young families and it is not borne out in inspector's decisions.*
- 6 The guidance suggests that terraced properties cannot be used for HMOs – or that only if stairs are adjoining stairs in the adjacent building – most terraces are rows of houses with the same layout – confirmation is required what is meant and which terraced houses are suitable for those HMOs which are materially different to C4. Taken literally, this precludes most of the most suitable accommodation in the district being used for HMOs and providing the much needed accommodation. Kitchens and living rooms are located along 1 wall, and hall and stairs along the other which repeats along the terrace. This cannot be changed.*
- 7 We seek confirmation that the SPD does not preclude bedrooms with roof lights within HMOs as long as there is access to communal living rooms with windows. Liverpool requires them to be cill height. Clearly there are many bedrooms in roof spaces with roof lights across the district. Does the no bedrooms with roof lights rule also apply to all houses / flats and extensions of houses? Clearly the vast majority of HMO are C4 HMO and alterations to roofs are within PD rights which do not need consent. How will this policy be implemented on existing HMOs. If converting from a dwelling to HMO can existing bedrooms in roof with roof lights no longer be occupied? The document states that HMO occupiers should have access to rooms with outlook – later it says that all rooms should have windows and not roof lights. The licensing and housing teams accept roof lights and access to communal rooms with windows.*
- 8 Side distance of 12m to two storey flank wall of adjacent building when considering side windows. Please confirm this does not relate to distance to boundary treatment which is not 2 storey.*
- 9 Accessibility is unclear - does the SPD suggest HMOs in 3 and 4 storey buildings require a lift to be installed to give access throughout. This makes*

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no sense whatsoever. Are you requiring ramps to all HMOs? Indeed does this apply to all houses as well as all flats???

Ms Amanda Brown also e-mailed some other comments that she wished to refer to. These are as follows:

- 1 *Comment about officer advice is informal and not binding on the council as set out above.*
- 2 *There is still no 1 description in the document for bedsits within a HMO – that has ensuite and some tea making facilities but has access to the main kitchen. We believe this is the bedsitting rooms which are included in the definition of the C4 HMO and as such sui generis HMO - and is 13m2 plus ensuite / tea making area?*
- 3 *Yet a C3 separate dwelling / studio with kitchen and ensuite need only by 13m2 in total?*
- 4 *We consider a studio flat is quite different to a bedsitting room within a HMO.*
- 5 *A bedsitting room with access to communal facilities (communal kitchens, lounges, dining rooms, utilities) is not a separate C3 dwelling / planning unit and cannot be valued /finance raised/ leased / sold as such. It does not have its own metering points for utilities they are paid communally; also you cannot claim a self contained dwelling rate for housing benefit as there are shared facilities at the property. There remains considerable confusion in the draft SPD. They are not self contained flats as described but some have a greater level of independence in the bedsits yet also relying on shared facilities. This accommodation is not let on the basis that the tenants lives only in the room.
Table 1 what is a '2 or more roomed bedsit unit'?
Table 3 refers to 'studio flats' – further more confusing the type / classification of the unit? In our view this is either a completely separate C3 dwelling or it is a bedsit with a greater level of facilities within a HMO, and is NOT a dwelling.*
- 6 *We reiterate that the noise insulation for flats and sui generis HMOs / C4 should be set out separately. Currently the guidance appears to suggest that each individual bedroom within a HMO whether C4 or Sui Generis is to be noise insulated on all walls ceiling and floor as if it were a separate flat. A HMO is 1 separate planning unit / dwelling not several and this was established at the inquiry. If any noise insulation work is required it would be between the dwelling and any adjoining properties not between individual rooms in a shared house. The requirements for build regs are different for a shared dwelling and for a flat.*
- 7 *Should the planning department be suggesting that each room in a shared house is insulated – there is no basis for this and is unviably expensive. Most HMOs that require consent are in large older Victorian terraced / attached properties that have significant party walls between them and within the building. These achieve standards way in excess of that of new build.*
- 8 *What noise readings have been taken and reports provided to justify the policy – it is not enough to say that houses with many people make a lot of*

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- noise and cause disturbance – so do large houses with large young families and it is not borne out in inspector's decisions.*
- 9 *The guidance suggests that terraced properties cannot be used for HMOs – or that only if stairs are adjoining stairs in the adjacent building – most terraces are rows of houses with the same layout – confirmation is required what is meant and which terraced houses are suitable for those HMOs which are materially different to C4*
- 10 *We seek confirmation that the SPD does not preclude bedrooms with roof lights within HMOs as long as there is access to communal living rooms with windows. Clearly there are many bedrooms in roof spaces with roof lights across the district. If this is not the case does it mean that the no bedrooms with roof lights rule also apply to all houses / flats and extensions of houses. Clearly the vast majority of HMO are C4 HMO and alterations to roofs are within PD rights of HMOs and C3 dwellings do not need consent. How will this policy be implemented.*
- 11 *Side distance of 12m to two storey flank wall of adjacent building when considering side windows. Please confirm this does not relate to distance to boundary treatment which is not 2 storey.*
- 12 *Please confirm in outlook and prospect that it is only with a self contained flat that a window is required in each habitable room. Does this also apply to new houses in the district. Does this mean that no flats or houses or extensions to them will be approved with rooms that have roof lights in the rooms created in the roof? There is no reference to HMO – if converting from a C3 dwelling to HMO and the house has existing bedrooms with roof lights – are you suggesting that these rooms can no longer be occupied.*
- 13 *Roof space accom – in 1 part of the document you say that HMO occupiers should have access to rooms with outlook – later it says that all rooms should have windows and not roof lights.*
- 14 *The example given under trees – this does not apply to a HMO that has some shared rooms and some ensuite rooms and some rooms with tea making facilities and all with access to main kitchen – that is 1 planning unit not several.*
- 15 *Please confirm what you mean by accessibility – are you suggesting HMOs in 3 and 4 storey buildings require a lift to be installed to give access throughout. This makes no sense whatsoever. Are you requiring ramps to all HMOs? Indeed does this apply to all houses as well as all flats???*
- 16 *Comings and goings – there are no grounds for these statements and huge generalisations.*
- 17 *Internal layout – kitchens in terraced houses are located normally at the back of the house and often in the single storey extension – these are along the party wall – the ground floor layout has rooms along 1 side and the corridor and stairs along the other – we don't understand how the layout can be changed. Lounges and kitchens, stair and hallways are located on party walls for most terraced / attached houses. Taken literally this precludes most of the most suitable accommodation in the district being used for HMOs and providing the much needed accommodation.*

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- 18 *Outdoor amenity space –for children to play? The license for the HMO's only allows 1 person per room/unit so why would children need to play at the property, in our experience any tenants with access to their children take them out for the day and are not allowed to stay over.
The guidance refers back to current standards for new 'FLATS', they are not flats so the 30m2 doesn't apply.*
- 19 *3.6 party walls refers to the SPG in 2003. This surely needs to be looked at again, as the developments comply with the party wall act and building regulations.*

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**Houses in Multiple Occupation (HMO)
and Flats Supplementary Planning
Document (SPD)**

FINAL DRAFT JANUARY 2013

DRAFT

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1. Introduction

What is a House in Multiple Occupation (HMO) and why this guidance is necessary

1.1 Government policies and the new National Planning Policy Framework (The Framework) promote a choice of housing recognising that it is important for balanced communities. Part of this mix is provided by HMOs and self contained flats.

What are HMOs and Self-contained Flats?

An **HMO** can broadly be defined as:

A house occupied by unrelated individuals, some of whom share one or more of the basic facilities. Commonly shared facilities include: bathrooms, toilets, shower rooms, living rooms and kitchens. A building defined as a HMO may consist entirely of bedsit unit type accommodation (where some or all amenities are shared) or a combination of both bedsits **and** self-contained flats. (A fuller definition and a guide on when Planning Permission may be needed is included as Appendix A).

A **self-contained flat** differs from a bedsit unit of accommodation in an HMO in that:

It will contain all the basic amenities actually within the flat. This will include: a sleeping area with sufficient space for a bed, wardrobe and chest of drawers, a kitchen area, a bathroom including a toilet, wash hand basin and a shower and/or bath and some outdoor recreation space.

The guidance in this document will apply to both HMOs and Self-

1.2 HMOs and flats provide small, affordable, flexible and safe accommodation for a wide variety of people including students, low paid and seasonal workers, those on short term contracts and unemployed single people on housing benefits and are an essential part of the housing market. However poorly designed HMOs can lead to problems both for the occupants and for neighbours, due to the large number of people living within relatively small places. These issues can include, noise, disturbance, loss of privacy and inadequate living accommodation.

1.3 The SPD has been produced to provide up-to-date advice on how the Council will deal with planning applications for HMOs and Self-contained flats, apartments and bedsits. The SPD will help the Council when assessing planning applications for HMOs and Flats and will help promote good quality

development that protects the basic amenity, safety and living standards of residents and occupiers of neighbouring properties.

1.4 This guidance has become necessary for a number of reasons:

- Changes to legislation and case law on what constitutes an HMO.
- Changes to the Use Classes Order 1987 (as amended 2010) which introduced a new Use Class C4. This allows dwellinghouses to be shared by three to six people without the need for planning permission. This brings the definition of HMOs in line with that contained within Section 254 of the Housing Act 2004.
- The need to address HMOs and Flat types has also arisen because of changes to housing benefits. Housing benefits now link the number of occupants to the number of rooms. This is likely to lead to a greater demand for smaller, one and two bedroom accommodation throughout Sefton. Previously the Council had sought to limit the number of one bedroom flats, particularly within South Sefton. The change in Housing Benefits rules means it is no longer desirable to restrict one bedroom flats as the new benefits regime comes into force.

1.5 The Council would prefer where possible, for self-contained flats rather than bedsits sharing facilities as this generally will provide a better quality of accommodation. This guidance note only applies to proposals that will require planning permission. (See Appendix A for further details).

Getting advice before making your application

1.6 We strongly recommend that you discuss your proposals with the planning team before you apply for planning permission for HMOs or flats. There will be a charge for this advice. Please see section 4 for more details. Any planning assessment is independent of any other consent regimes. It is the responsibility of the developer to check whether they require a HMO License and/or Building Regulations consent. Contact details are given in section 4. The types of building work that may require Building Regulations consent can be found in Appendix E.

1.7 As well as this SPD, Planning applications will be assessed against the policies in the Sefton Unitary Development Plan (2006). The most directly relevant policies are MD2 – Conversion to Flats and MD3 – Houses in Multiple Occupation. A number of other policies and supplementary guidance are referred to within the text.

1.8 This SPD has also been prepared within the context of the National Planning Policy Framework (NPPF), published March 2012.

2. Amenity of Occupiers

2.1 It is important that the occupiers of both HMOs and flats enjoy a satisfactory standard of amenity and do not live in sub-standard accommodation. Poor quality HMO accommodation can cause health, safety and welfare problems for occupants due to small, cramped accommodation with inadequate hygiene.

Minimum space standards for units of accommodation in HMOs

2.2 To ensure that space standards in HMOs are acceptable, this SPD provides guidance on minimum acceptable room sizes for bedsit units that share some amenities. The standards are based on those from the Based upon the former CIEH standards which have been brought in line with Merseyside Licensed HMO Standards and are set out in table 1 below and will be used to assess whether new build or converted accommodation is acceptable¹. Please note however that these are considered the minimum acceptable standards and so we encourage accommodation that exceeds these standards. The Council recognise that HMOs can come in many different types and varieties and not all of these can be covered here. An 'HMO bedsit unit' is a single unit of accommodation within an HMO that shares some essential facilities with other HMO units. HMO units may comprise of a single room but can include two or more rooms.

Table 1
Minimum Sizes for 1 person bedsit units in HMOs*

| | Unit type | Minimum Area (internal measurements)** |
|---|--|--|
| A | Single room bedsit unit without kitchen | 10m ² |
| B | Single room bedsit unit with integral kitchen facilities | 13m ² |
| C | Two or more roomed bedsit unit | Combined living/kitchen 11m ² Living room 9m ² Each combined living/bedroom 10m ² Each bedroom 8.5m ² Each kitchen 5.5m ² |

**These figures are minimum figures assuming that there is only one occupant. Where a shared bedsit unit within an HMO is intended for more than one occupant then these rooms should be larger to take into account the intended number of occupants.*

***Area excludes bathrooms, toilets, shower or wash rooms.*

2.3 Every unit should be capable of accommodating:

- A bed
- A wardrobe

¹ Based upon the former CIEH standards which have been brought in line with Merseyside Licensed HMO Standards.

- A chest of drawers
- Plus sufficient circulation space around them to use each item effectively.

2.4 Where there are shared kitchens, bathrooms and living rooms within HMOs, they should comply with the standards in Table 2 below.

Table 2
Shared Amenities

| Room type | Standards |
|--------------------------|---|
| Shared kitchens | Shared kitchens should be a minimum of 7m ² and should be at least 1.8m across at its narrowest point. Kitchens should be increased in size and more kitchens provided depending upon the number of occupants. |
| | Shared kitchen facilities should be provided on the same floor or no more than one floor up or down from the bedsit units. |
| Shared Bathrooms and WCs | Where HMO bedsit units are sharing bathroom facilities, baths or showers will need to be provided in a readily accessible shared bathroom or shower room, being not more than one floor distance from any user. An appropriate number of bathroom and shower rooms should be provided in relation to the number of units sharing those facilities. |
| | An appropriate number of WCs should be provided in relation to the number of bedsit units sharing those facilities. |
| Shared Living Rooms | Shared Living Rooms should be provided on the same floor or no more than one floor up or down from the bedsit units. |

Minimum sizes for self-contained flats

2.5 To ensure that self-contained flats are large enough, minimum habitable room sizes are listed in table 3 (below). The room sizes should be considered as a minimum size. The space standards have regard to the former CIEH standards which have been brought in line with Merseyside Licensed HMO Standards and are set out in table 3 below².

2.6 A **habitable room** is a room that people are in for long periods of time, such as living rooms, dining rooms, kitchens and bedrooms.

A **non-habitable room** is a landing, hallway, bathroom, or other room that people do not normally occupy for much time.

² Based upon the former CIEH standards which have been brought in line with Merseyside Licensed HMO Standards.

2.7 Regardless of the size of floor area, other factors will be taken into account such as room shape and usable living space within the room in determining whether the room is suitable for occupation.

Table 3
Room sizes for flats

| | Type of Room | Minimum Floor Area (internal Measurements)** |
|---|---|--|
| A | Single bedroom | 8.5m ^{2**} |
| B | Double bedroom | 10.5m ² |
| C | Living room | 9m ^{2**} |
| D | Combined bedroom/living room | 10m ^{2**} |
| E | Combined living room/kitchen | 11m ^{2**} |
| F | Kitchens | 5.5m ^{2**} |
| G | Studio Flats includes (combined bedroom/living room/kitchen area) | 13m ^{2**} |

**Area excludes bathrooms, toilets, shower or wash rooms.*

***These figures are minimum figures assuming that there is only one occupant. Where a flat is intended for more than one occupant then these rooms should be larger to take into account the intended number of occupants.*

Outlook and prospect³

2.8 It is important for residents to have access to a main window in a habitable room (as defined in paragraph 2.6) with a reasonable outlook and prospect.

2.9 The guidance on New Housing Development (2003) and House Extensions (2003) sets a standard for new properties and extensions. There should be a minimum distance of at least 12 metres between a main window in a habitable room and a two storey blank wall. These standards apply to all residential accommodation.

2.10 In the case of conversions, 12 metres may not be achievable in many urban parts of Sefton. In some instances we may accept a lower standard as long as all occupants of an HMO have access to a habitable room with a reasonable outlook and prospect. We will assess each case on its own merits.

2.11 In the case of a conversion to a self-contained flat, each habitable room should have at least one window with a reasonable outlook and prospect.

Basement accommodation

2.12 For basements, we will only grant planning permission where there is a reasonable outlook from all habitable room windows. We will also only grant planning permission where there is no known flood risk, or where flood risk

³ Sefton MBC – Supplementary Planning Guidance in Sefton, New Housing Development. (November 2003) –see <http://www.sefton.gov.uk/spg>

has been managed to the satisfaction of both the Environment Agency and the Council.

2.13 More generally, internal floor levels should not be more than 1 metre below the existing ground level from outside (it will not be acceptable to excavate land in order to provide a reasonable outlook). This is to prevent accommodation from being dark, gloomy and damp. Basements can be used for storage / bicycles or other uses. This restriction on excavation to provide a reasonable outlook from a basement applies especially to 'heritage assets'⁴ (see Appendix B for definition) as additional excavation can affect the appearance of the building.

Roof space accommodation

2.14 The same principles apply to roof space accommodation as to other accommodation. Roof lights that face the sky are not considered to provide a reasonable outlook and prospect, and rooms with roof lights will need also to include a main window with a reasonable outlook.

2.15 Rooms within the roof need will need to be thermally insulated from excess cold or heat

2.16 Developers should be aware that large numbers of roof lights can spoil the appearance of a building, especially where the building is a heritage asset, and such proposals are unlikely to be acceptable.

Outdoor Amenity Space

2.17 It is important that some private outdoor space is provided for residents for outdoor activities where possible. The current standard for new flats is 30m² per flat.

2.18 There may be some cases where meeting these standards would not be achievable or realistic. However, it is important for both flats and HMOs to have some usable private outdoor amenity space for informal recreation, drying clothes, barbeques, and where applicable, for children to play. This should make the best use of existing space.

2.19 Where conversions of heritage assets are being considered, it is also particularly important to consider the contribution soft landscaping makes to the heritage importance of the building.

Trees and Green space⁵

⁴ Heritage Asset – building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets (including Listed Buildings, Conservation Areas and Historic Parks and Gardens) and assets identified by the local planning authority (including local listing).

⁵ Sefton Council - Unitary Development Plan (UDP) (2006) – see <http://www.sefton.gov.uk/udp>, chapter 16.

Sefton Council – Green space, trees and development Supplementary Planning Document (SPD), (July 2008) – <http://www.sefton.gov.uk/greenspacespd> .

2.20 The Council policy on trees and greenspaces is found in UDP policies DQ3 'Trees and development' and DQ4 'Public greenspace and development' and in the supplementary guidance, 'Green space, trees and development' (2008). The guidance sets out the standards for new trees and green space that are expected to be provided in association with development.

Trees

2.21 Developers should plant 3 trees on site for every (net) new home created, (see below). Applications should be accompanied by a landscaping scheme that includes the layout, location, size and species of trees to be planted. Where it is not possible for all of these trees to be planted on site then the developer should enter a legal agreement with the Council to pay a contribution to have the trees planted elsewhere. The current sum for 2012/13 for off site contributions is **£506.50** per tree, plus legal costs of making the agreement. The sum rises annually, as set out in the supplementary guidance.

2.22 The trees policy applies to residential conversions as well as for new developments. The following approach is used to decide how many new units are created by a development:

The number of new homes is 'net', that is - the number of new homes minus the number of pre-existing homes, subject to the following:

- Where an HMO comprises only bedsit units sharing facilities, it will be classified as being 1 home.
- Where an HMO comprises a mix of bedsit units sharing facilities and self-contained flats, the bedsits will together be considered as one home and each flat will be counted as a separate home.
- Where a building comprises just self-contained flats then each flat will be counted as a separate home.

Example

A conversion from a single dwelling house (one home) into 4 bedsit units sharing facilities and 5 self contained flats :

The 4 bedsit units sharing facilities count as 1 home.

The 5 self-contained flats count as 5 homes.

In total this makes 6 homes. This is a net gain of 5 homes from the original single dwelling house.

The total trees required would therefore be 5 additional homes x 3 trees per home = 15 trees to be planted on site, or off-site through a financial contribution.

i.e. 15 x £506.50 = £7,597.50 plus legal costs (2012/2013 sums)

2.23 Where a development would be made unviable through the cost of financial contributions for trees off site, we may make an exception. It is up to

a developer to demonstrate that the contribution for the trees would make their development unviable.

Green space

2.24 New residential development is expected to provide green space for the occupiers of the site. It is recognised that having adequate outdoor green space is essential for healthy communities.

2.25 Our guidance usually expects new green space to be provided within the development site only where the development scheme is for 50 or more homes, although it also sets out the kinds of situation where providing green space within the site may not be appropriate. An HMO scheme is unlikely to create this number of homes. However, where 5 or more homes are created by a development, developers should enter a legal agreement with the Council to pay a contribution to provide the greenspace elsewhere. The current sum for 2012/13 for off site contributions is **£1908.50** per home, plus legal costs of making the agreement. The sum rises annually, as set out in the supplementary guidance. As with the approach to trees, this is based on net gain of homes (see above).

2.26 Where a development would be made unviable by having to pay to provide greenspace off-site, we may make an exception. It is up to a developer to demonstrate that green space contribution would make their development unviable.

Bin Stores⁶

2.27 A suitable space for refuse and recycling bins must be provided, for all of the occupants of the building. The bin storage area must be within 25m of a publicly accessible pavement for ease of collection. Where possible, the bin store should be to the side or rear of the property out of public view and where it will not be a nuisance. Where it is necessary for bins to be stored at the front of the property, the bin store should be designed to fit in with the street scene. Bin stores should not create dark recessed areas which could encourage misuse, vandalism or pest control problems.

2.28 Where a development affects a heritage asset, the bin store should, where possible, be out of sight from the road.

2.29 Developers should also note that the Building Regulations includes maximum distances people should have to waste and also waste storage advice on high rise domestic developments. See Building Regulations contact details in section 4 for further details.

Car Parking and Travel Choice⁷

2.30 The residents of HMOs are less likely to own a car than the average resident, and so it is important that HMOs are located in areas that have good

⁶ Sefton MBC – Supplementary Planning Guidance in Sefton, New Housing Development. (November 2003) – see <http://www.sefton.gov.uk/spg> .

⁷ Sefton MBC – Ensuring Choice of Travel Supplementary Planning Document (SPD) (2009) – see <http://www.sefton.gov.uk/travel>

access to a variety of means of travel including walking, cycling and public transport. The Council's guidance 'Ensuring Choice of Travel' sets out the principles of making sure that new developments are accessible by different means of transport, which in turn encourages more sustainable travel choices.

2.31 The guidance does not include specific car and cycle parking standards for HMOs, although the Ensuring Choice of Travel SPD does provide standards for flats and dwelling houses. The Applicant will need to consider how many car parking spaces, if any, are required, and provide a plan of the site showing the layout of the spaces as part of any planning application.

2.32 The Applicant must also include secure cycle parking facilities within the site. This is especially important due to the low levels of car ownership associated with HMOs. Unless the developer demonstrates to the Council's satisfaction that this is not possible, one secure cycle parking space should be provided for every HMO bedsit unit or self-contained flat within the building. Again, details should be provided as part of any planning application.

2.33 Car parking areas can spoil the appearance of heritage assets, particularly where they are at the front of buildings. Where this is unavoidable, car parking should be sensitively designed and kept to the minimum. In accessible locations, on site parking would not normally be appropriate. You may wish to speak to the Council's Conservation team to discuss your proposal (see section 4 for contact details).

Inclusive Accessibility

2.34 Where a development is for a HMO or a flats, or extensions to HMOs or flats, the development must comply with Building Regulations to make it accessible for all people regardless of their mobility. (See Building Regulations contact details in section 4 for further details).

Conversions of Heritage Assets

2.35 External alterations to heritage assets should be kept to a minimum. New window and door openings and roof lights should generally be avoided. Where they are considered necessary, they should be designed carefully to fit in with the building's architecture and features. The development should not normally include extensions, as this is likely to detract from the features of the property and/or the character of the area. For the definition of a Heritage Asset please see Appendix B.

Flood Risk

2.36 Flood risk includes tidal or river flood risk, surface water flood risk and groundwater flood risk. Conversions or new built basement self accommodation will not normally be acceptable in Flood Zone 3, and in Flood Zone 2 the sequential test and exceptions test must be passed⁸.

⁸ National Planning Policy Framework (2012) and Technical Guide (2012), Department of Communities and Local Government - see <http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

2.37 For conversions to basement self contained flats or HMO accommodation in Flood Zone 3, and in Flood Zone 2, and where there is other risk of flooding, the developer must show that the basement accommodation (and indeed the whole development) is safe from risk of flooding, that surface water is dealt with satisfactorily within the site and that the development does not increase the risk of flooding elsewhere.

Fire Safety and Security

2.38 Fire safety and security is very important for the occupants in HMOs and flats. Requirements will vary from site to site depending upon size, layout, number of storeys and location. Whilst this document will not set out specific standards, safety is an important planning consideration. Guidelines as to what fire precautions might be included can be found in Appendix C. Appendix D sets out the standards for security.

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3. Amenity of Neighbouring Properties

Comings and Goings⁹

3.1 HMOs and flats are generally used by more people than residential dwelling houses. This can result in a large number of comings and goings from a property throughout the day and night. This can cause disturbance to those living near to those properties.

3.2 These issues can become more acute where the building has a large number of occupants, or where there is a localised cluster of these uses. The developer should consider these issues from the outset. The impact upon neighbouring properties of comings and goings and the cumulative affect on a local community will be taken into account by the Council when making a decision on an application.

3.3 We strongly encourage anyone proposing to create an HMO to consult with neighbouring properties and to take into account any concerns that they may have before making a planning application. Please see section 4 (below) for further details.

Privacy of neighbouring properties¹⁰

3.4 It is important that conversion to an HMO does not result in the loss of privacy for neighbouring properties.

3.5 Sefton Council's standards for overlooking and privacy are set out in the guidance on New Housing Development. We will use these standards as a starting point for assessing proposed HMO and flat developments. It is accepted that in some of the older urban areas within Sefton conversions may not be able to strictly meet these standards. We will assess these situations case by case.

Party Walls and Internal Layouts

3.6 The criteria we use to assess a proposed conversion to an HMO are set out in UDP policy MD3 'Houses in multiple occupation'. We normally only allow conversions to an HMO where the building does not share a party wall with another dwelling. This is to stop the occupants of an HMO creating too much noise and disturbance for neighbouring uses.¹¹

3.7 However this will not always be possible or realistic. In these cases a developer should where possible, design the internal layout so that:

- kitchens and communal lounges are not situated next to party walls.
- Kitchens, bathrooms and communal lounges are not situated, below or next to bedrooms within the same building.

⁹ Sefton Unitary Development Plan paras 18.7 and 18.11 – see <http://www.sefton.gov.uk/udp>, chapter 18 .

¹⁰ Sefton MBC – Supplementary Planning Guidance in Sefton, New Housing Development. (November 2003) – see <http://www.sefton.gov.uk/spg>

¹¹ Sefton MBC – Supplementary Planning Guidance in Sefton, New Housing Development. (November 2003)

- Circulation areas (including stairs, hallways and landings) are not situated next to the walls of bedrooms and living rooms of neighbouring properties.

3.8 Where it is not possible to achieve (3.6 and 3.7 above), adequate sound proofing will be required to protect residents. Internal floor plans must be submitted as part of the application.

3.9 All HMO and Flat developments should also include sound insulation internally both in walls and between floors, to minimise noise to the other occupants of the property. The developer may wish to seek guidance from Building Regulations (see contact details in section 4, below).

3.10 Where fire and/or sound insulation is being carried out to a listed building, the details need to form part of the application.

3.11 Conditions may be used where granting planning permission to ensure that adequate sound insulation is used in HMOs and flats.

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4. Contacts and Useful Links

Useful Contacts

| | |
|---|----------------------|
| For Development Management | 0151 934 3569 |
| For Planning Policy (including flood risk) | 0151 934 3558 |
| For Heritage and design issues (Conservation team) | 0151 934 3574 |
| For Building Control | 0151 934 4618 |
| For Highways Development Control | 0151 934 4175 |
| For Environmental Protection | 0151 934 2271 |
| For Housing Standards & HMO Licensing (Investment Programmes & Infrastructure) | 0151 934 2273 / 3927 |

The postal address for all of the above is:

Sefton Council
Magdalen House
30 Trinity Road
Bootle, L20 3NJ

E-mail: planning.department@sefton.gov.uk

Procedures

1. Consulting with the community before making your application

You are encouraged to consult local residents and other key interests before making an application. A step-by-step guide is available on Sefton Council's website entitled 'Involving the Community in your application: A Guide for Developers'. This can be found at: <http://www.sefton.gov.uk/SPG>.

2. Pre-application advice

As discussed above, this type of development involves a number of issues that will need to be addressed with a planning application. An applicant is therefore strongly encouraged to seek advice before making the application from the Council. Information about what service we offer, what information is needed and what fees we charge for pre-application advice can be found at: <http://www.sefton.gov.uk/default.aspx?page=11098>

3. Design and access statement

A design and access statement will need to be submitted with any Planning Application. More information about this is available on Sefton's web site at: <http://www.sefton.gov.uk/default.aspx?page=6213>

4. Validation Checklist

This sets out the information needed before applications for planning permission are considered to be valid. These are available to download from our website at: <http://www.sefton.gov.uk/default.aspx?page=7487>

Key Sefton planning policy web-sites

The Sefton Unitary Development Plan (UDP) (2006) – see <http://www.sefton.gov.uk/udp>

New Housing Development Supplementary Planning Guidance (SPG) (November 2003) – see <http://www.sefton.gov.uk/spg>

Green space, trees and development Supplementary Planning Document (SPD), (July 2008) – <http://www.sefton.gov.uk/greenspacespd> .

Ensuring Choice of Travel Supplementary Planning Document (SPD) (2009) – see <http://www.sefton.gov.uk/travel>

National Planning Policy Framework

National Planning Policy Framework (2012), Department of Communities and Local Government – see: <http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

Appendix A

HMO Definitions / Different Use Classes – the Need for Planning Permission

Whether you require planning permission is most likely to depend upon what use class the HMO property falls within. The Town and Country Planning (Use Classes Order) 1987 (as amended, 2010) places different types of development into different Use Classes. Changes of use within a particular use class will not require planning permission, however, a material change of use from one class to another will require planning permission unless stated otherwise. The relevant Use Classes for HMOs are listed below.

C3 – dwellinghouse - occupied by people living together as a family – usually up to 6 persons, but can be more. People living in a C3 dwellinghouse do not have to be related and this can include, for example, people being cared for. C3 includes self-contained flats. Planning Permission will not normally be required for a change of use to C4 HMO (below).

C4 – a small-scale House in Multiple Occupation (HMO), occupied by up to 6 persons. This may be arranged wholly as shared accommodation, or a mixture of shared accommodation and self-contained bedsit units – see Section 254 of the Housing Act 2004. Planning permission will not generally be required for a change of use from a dwellinghouse (C3) to a C4 HMO.

***Sui generis* House in Multiple Occupation (HMO)** – this is an HMO with more than 6 occupants. Again this can be arranged as wholly shared accommodation or a mixture of shared accommodation and self-contained units. A *Sui generis* HMO will in all cases require planning permission.

The use of any property will have to be considered on its merits as to whether a planning application is required.

Planning Permission will be required:

- For any *Sui generis* HMO.
- A change of use from any use other than a C3 dwellinghouse (see above) to a C4 HMO.
- A legal covenant or planning condition exists on a property specifically requiring planning permission for a change of use.
- The Local Planning Authority has imposed an “Article 4 direction” where a Change of Use from C3 to C4 will no longer benefit from permitted development rights. No area in Sefton has, at the time of writing, been designated as an “article 4 area”.

If you want to be sure whether planning permission is required, you can submit an application for a Certificate of Lawfulness to establish what Use Class your proposal falls into. In this case, it is up to you to provide adequate evidence to prove your case ‘on the balance of probabilities’.

Appendix B

Heritage Assets

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets (including Listed Buildings, Conservation Areas and Historic Parks and Gardens) and assets identified by the local planning authority (including local listing).

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Appendix C

Fire Safety

All multi-occupied residential premises require adequate fire precautions to protect the occupants in the event of a fire. The exact requirements will be dependent upon the risks relating to the particular premises and will take into account such matters as the size, layout, construction and usage of the property and also on the nature and level of occupancy.

The following ‘benchmark standards’ are based upon current National guidance as given in the ‘Lacors Guide’ and is applicable to existing residential premises of any tenure. It includes buildings that have been converted to HMO’s and / or Self-Contained Flats and where the standard of conversion does not meet that of 1991 Building Regulations.

Please note that the standards below only provide an indication of the typical level of fire precautions required but that this might vary particularly in situations that present higher levels of risk.

Obviously, in the case of conversion or new development of flats and bedsits Building Regulations approval will be necessary. Flats and HMO that have been built or converted (and maintained) fully in accordance with 1991 or later Building Regulations, should not require additional fire safety measures unless they are occupied in a manner other than originally intended or where unauthorised alteration or subsequent damage has adversely affected fire safety.

1. Bedsit-type HMO (lets) of no more than two storeys

| Recommended Fire Safety Standards in Bedsit HMO’s (lets) of up to 2 storeys | |
|--|---|
| Escape routes | 30 minute protected route* <ul style="list-style-type: none"> • 30 minute fire resisting construction • FD30S doors to all risk rooms • Travel distances must not be excessive |
| Fire separation | No requirement for additional fire resistance generally <ul style="list-style-type: none"> • Walls and floors of sound, traditional construction • If a basement / cellar is present, 30 minute separation between the cellar and the ground floor escape route |
| Fire detection and Alarm systems | <i>Mixed System</i> Grade D, LD2 system <ul style="list-style-type: none"> • Interlinked mains wired smoke alarms with integral battery |

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|---|---|
| | <p>back-up located throughout the escape route</p> <p>Where cooking facilities are sited within the bedsits</p> <ul style="list-style-type: none"> • Interlinked heat alarms with integral battery back-up located in each bedsit • Additional Grade D non-interlinked smoke alarm with integral battery back-up located in each bedsit <p>Where cooking facilities are sited in shared kitchen, not within bedsits</p> <ul style="list-style-type: none"> • Interlinked smoke alarms with integral battery back-up located in each bedsit • Interlinked heat alarms with integral battery back-up located in each kitchen • Additional interlinked smoke alarms with integral battery back-up located in any cellar |
| Lighting of escape routes | <p>Emergency escape lighting required only if the route is long or complex or where there is no effective borrowed light</p> <p>Conventional artificial lighting required</p> |
| Fire-fighting equipment | <ul style="list-style-type: none"> • Fire blanket to be provided in each bedsit with cooking facilities and in shared kitchens. • Recommended that simple multi-purpose fire extinguisher be provided on each floor of the common parts. |
| Fire safety signs and notices | Signage along escape route, if the escape route is complex |
| Surface finishes and floor coverings | <ul style="list-style-type: none"> • See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none"> • See Fire Safety Annex 1 |

* A full 30 minute protected route is the preferred (ideal) option. However, in certain 2 storey, normal risk HMO's the provision of suitable escape windows from all bedsit rooms may be acceptable in lieu of a full protected route.

2. Bedsit-type HMO (lets) of 3 or 4 storeys

| Recommended Fire Safety Standards in Bedsit HMO (lets) of 3 or 4 storeys | |
|---|---|
| Escape routes | <p>30 minute protected route</p> <ul style="list-style-type: none"> • 30 minute fire resisting construction • FD30S doors to all risk rooms • Travel distances must not be excessive |
| Fire separation | <p>No requirement for additional fire resistance generally</p> <ul style="list-style-type: none"> • Walls and floors of sound, traditional construction • If a basement / cellar is present, 30 minute separation between the cellar and the ground floor escape route |
| Fire detection and Alarm systems | <p>Mixed System Grade A, LD2 system</p> <ul style="list-style-type: none"> • Smoke detectors located throughout the escape route <p>Where cooking facilities are sited within the bedsits</p> <ul style="list-style-type: none"> • Interlinked heat detectors located in each bedsit • Additional Grade D non-interlinked smoke alarm with integral battery back-up located in each bedsit <p>Where cooking facilities are sited in shared kitchen, not within bedsits</p> <ul style="list-style-type: none"> • Interlinked smoke detectors located in each bedsit • heat detectors located with integral battery back-up located in each kitchen, and • Additional interlinked smoke detectors located in any cellar |
| Lighting of escape routes | <p>Emergency escape lighting may be appropriate if route is complex or there is no effective borrowed light. Conventional artificial lighting required</p> |
| Fire-fighting equipment | <ul style="list-style-type: none"> • Fire blanket to be provided in each bedsit with cooking facilities and in shared kitchens. • Recommended that simple multi-purpose fire extinguisher be provided on each floor of the common parts. |

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| Fire safety signs and notices | Final exit sign Signage along escape route if the escape route is complex |
| Surface finishes and floor coverings | <ul style="list-style-type: none">• See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none">• See Fire Safety Annex 1 |

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3. Bedsit-type HMO (lets) of 5 or 6 storeys

| Recommended Fire Safety Standards in Bedsit HMO (lets) of 5 or 6 storeys | |
|---|---|
| Escape routes | <p>30 minute protected route</p> <ul style="list-style-type: none"> • 30 minute fire resisting construction • FD30S doors to all risk rooms • Travel distances must not be excessive <p>5 Storey</p> <p>Lobby protection to all floors except the top floor <u>or</u> secondary means of escape from top floor</p> <p>6 Storey</p> <p>Lobby protection to all floors except the top floor <u>and</u> secondary means of escape from top two floors</p> |
| Fire separation | <p>30 minute fire separation between units of accommodation throughout</p> <p>30 minute fire separation across the stairway between second and third floors <u>and</u> between fourth and fifth floors</p> |
| Fire detection and Alarm systems | <p>Mixed System</p> <p>Grade A, LD2 system</p> <ul style="list-style-type: none"> • Smoke detectors located throughout the escape route <p>Where cooking facilities are sited within the bedsits</p> <ul style="list-style-type: none"> • Heat detectors located in each bedsit • Additional Grade D, non-interlinked smoke alarm with integral battery back-up located in each bedsit <p>Where cooking facilities are sited in shared kitchen, not within bedsits</p> <ul style="list-style-type: none"> • Smoke detectors located in each bedsit • Heat detectors located in each kitchen, and • Additional interlinked smoke detectors located in any cellar |
| Lighting of escape routes | <p>Emergency escape lighting required</p> <p>Conventional artificial lighting required</p> |

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| Fire-fighting equipment | <ul style="list-style-type: none"> • Fire blanket to be provided in each bedsit with cooking facilities and in shared kitchens • Recommended that simple multi-purpose fire extinguisher be provided on each floor of the common parts. |
| Fire safety signs and notices | Final exit sign Directional signage along escape route |
| Surface finishes and floor coverings | <ul style="list-style-type: none"> • See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none"> • See Fire Safety Annex 1 |

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4. 2 storey building converted into self-contained flats

| Recommended Fire Safety Standards in 2 storey Building converted into self-contained flats | |
|---|---|
| Escape routes | 30 minute protected route** <ul style="list-style-type: none"> • 30 minute fire resisting construction • FD30S doors to rooms opening onto escape route • No requirement for fire doors within flats but sound, well constructed and close fitting, conventional doors are required • Travel distances must not be excessive |
| Fire separation | 30 minutes between flats throughout is the ideal, but on risk assessment there may be no requirement for additional fire-resisting separation between units providing the walls and floors are of sound, traditional construction and additional compensatory detection is fitted |
| Fire detection and Alarm systems | A mixed system*: <ul style="list-style-type: none"> • Grade D: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked); and • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby opening onto the escape route) to protect the sleeping occupants of the flat • Subject to fire separation as above |
| Lighting of escape routes | Emergency escape lighting required if the route is long or complex or where there is no effective borrowed light. Conventional artificial lighting required |
| Fire-fighting equipment | <ul style="list-style-type: none"> • Fire blanket to be provided in each flat kitchen • Recommended that simple multi-purpose fire extinguisher be provided on each floor of the common parts (ground floor hallway only if no first floor |

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| | common parts) |
| Fire safety signs and notices | No requirement |
| Surface finishes and floor coverings | <ul style="list-style-type: none"> • See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none"> • See Fire Safety Annex 1 |

**In certain 2 storey, normal risk HMO's the provision of suitable escape windows from all bedrooms may be acceptable, in lieu of a full protected route.

* Where the fire risk assessment identifies higher than normal risk, the BS 5839:Part 6, LD2 interpretation of 'rooms or areas that present a high fire risk to occupants' may include living rooms, bedrooms and kitchens within the flats, thereby providing automatic detection in these rooms in addition to the common parts and internal entrance hall/lobby within flats. Where this is the case, this additional detection would be an additional Grade D system within the flat (i.e. mixed system overall) so as to avoid whole-house false alarms.

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5. 3 or 4 storey building converted into self-contained flats

| Recommended Fire Safety Standards in a 3 or 4 storey building converted into self-contained flats | |
|--|--|
| Escape routes | 30 minute protected route <ul style="list-style-type: none"> • 30 minute fire resisting construction • FD30S doors to rooms opening onto escape route • No requirement for fire doors within flats but sound, well constructed and close fitting, conventional doors are required • Travel distances must not be excessive |
| Fire separation | 30 minutes between flats throughout is the ideal, but on risk assessment there may be no requirement for additional fire-resisting separation between units providing the walls and floors are of sound, traditional construction and additional compensatory detection is fitted |
| Fire detection and Alarm systems | A mixed system*: <ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked); and • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby opening onto the escape route) to protect the sleeping occupants of the flat Subject to fire separation as above |
| Lighting of escape routes | Emergency escape lighting required if the route is long or complex or where there is no effective borrowed light. Conventional artificial lighting required |
| Fire-fighting equipment | <ul style="list-style-type: none"> • Fire blanket to be provided in each flat kitchen • Recommended that simple multi-purpose fire extinguisher be provided on each floor of the common parts |
| Fire safety signs and notices | Final exit sign Signage along escape route if the |

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| | escape route is complex |
| Surface finishes and floor coverings | <ul style="list-style-type: none">• See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none">• See Fire Safety Annex 1 |

* Where the fire risk assessment identifies higher than normal risk, the BS 5839:Part 6, LD2 interpretation of 'rooms or areas that present a high fire risk to occupants' may include living rooms, bedrooms and kitchens within the flats, thereby providing automatic detection in these rooms in addition to the common parts and internal entrance hall/lobby within flats. Where this is the case, this additional detection would be an additional Grade D system within the flat (i.e. mixed system overall) so as to avoid whole-house false alarms.

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6. 5 or 6 storey building converted into self-contained flats

| Recommended Fire Safety Standards in a 5 or 6 storey building converted into self-contained flats | |
|--|--|
| Escape routes | 30 minute protected route <ul style="list-style-type: none"> • 30 minute fire resisting construction • FD30S doors to rooms opening onto escape route • FD30 doors (self closers not required) to risk rooms within flats • Travel distances must not be excessive |
| Fire separation | 30 minute fire separation between units of accommodation throughout 30 minute fire separation across the stairway between second and third floors <u>and</u> between fourth and fifth floors |
| Fire detection and Alarm systems | A mixed system*: <ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked); and • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby opening onto the escape route) to protect the sleeping occupants of the flat |
| Lighting of escape routes | Emergency escape lighting required Conventional artificial lighting required |
| Fire-fighting equipment | <ul style="list-style-type: none"> • Fire blanket to be provided in each flat kitchen • Recommended that simple multi-purpose fire extinguisher be provided on each floor of the common parts |
| Fire safety signs and notices | Final exit sign Directional signage along escape route |
| Surface finishes and floor coverings | <ul style="list-style-type: none"> • See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none"> • See Fire Safety Annex 1 |

* Where the fire risk assessment identifies higher than normal risk, the BS 5839:Part 6, LD2 interpretation of ‘rooms or areas that present a high fire risk to occupants’ may include living rooms, bedrooms and kitchens within the flats, thereby providing automatic detection in these rooms in addition to the common parts and internal entrance hall/lobby within flats. Where this is the case, this additional detection would be an additional Grade D system within the flat (i.e. mixed system overall) so as to avoid whole-house false alarms.

7. Flat in Multiple Occupation occupying a single storey

| Recommended Fire Safety Standards in a Flat in Multiple Occupation occupying a single storey | |
|---|--|
| Escape routes | <p>No requirement for full 30-minute protected route within flat *, but the escape route should have</p> <ul style="list-style-type: none"> • Sound, traditional construction • Travel distances should not be excessive • Should not pass through risk rooms <p>No requirement for fire doors within flat, but</p> <ul style="list-style-type: none"> • Sound, well constructed and close fitting, conventional doors required • FD30S door to flat entrance door (self-closer and smoke seals required) <p>Note: in converted or purpose built flats, 30-minute construction and fire doors are likely to be in place</p> |
| Fire separation | |
| Fire detection and Alarm systems | <p>Grade D: LD3 coverage</p> <ul style="list-style-type: none"> • Interlinked mains wired smoke alarms with integral battery back-up located in the flat internal hallway; and • Additional interlinked heat alarm with integral battery back-up located in kitchen |
| Lighting of escape routes | Conventional artificial lighting required |
| Fire-fighting equipment | Fire blanket to be provided in the shared kitchen |
| Fire safety signs and notices | No requirement |
| Surface finishes and floor coverings | <ul style="list-style-type: none"> • See Fire Safety Annex 2 |

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|---|---|
| Management and maintenance of fire safety | <ul style="list-style-type: none">• See Fire Safety Annex 1 |
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*Where construction standards are poor, travel distances are long or other higher risk factors are present, a 30 minute protected route may be required and / or LD2 fire detection may be appropriate.

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8. Flat in Multiple Occupation occupying two storeys

| Recommended Fire Safety Standards in a Flat in Multiple Occupation occupying two storeys | |
|---|--|
| Escape routes | <p>No requirement for full 30-minute protected route within flat *, but the escape route should have</p> <ul style="list-style-type: none"> • Sound, traditional construction • Travel distances should not be excessive • Should not pass through risk rooms <p>No requirement for fire doors within flat, but</p> <ul style="list-style-type: none"> • Sound, well constructed and close fitting, conventional doors required • FD30S door to flat entrance door (self-closer and smoke seals required) <p>Note: in converted or purpose built flats, 30-minute construction and fire doors are likely to be in place</p> |
| Fire separation | - |
| Fire detection and Alarm systems | <p>Grade D: LD3 coverage</p> <ul style="list-style-type: none"> • Interlinked mains wired smoke alarms with integral battery back-up located in the escape route at each floor level • Additional interlinked heat alarm with integral battery back-up located in kitchen; and • Additional interlinked smoke alarm with integral battery back-up located in any communal lounge |
| Lighting of escape routes | <p>Conventional artificial lighting required</p> <p>Emergency escape lighting required if there is no effective borrowed light</p> |
| Fire-fighting equipment | Fire blanket to be provided in the shared kitchen |
| Fire safety signs and notices | No requirement |
| Surface finishes and floor coverings | <ul style="list-style-type: none"> • See Fire Safety Annex 2 |
| Management and maintenance of fire safety | <ul style="list-style-type: none"> • See Fire Safety Annex 1 |

Fire Safety Annex 1

Management and maintenance of fire safety

Whatever physical fire safety measures are provided in residential accommodation, their effectiveness will only be as good as their management and maintenance.

While single household dwellings will generally be self-managing, HMO accommodation will require ongoing attention to ensure fire safety measures remain effective.

This section outlines management and maintenance measures applicable to HMOs. The responsible person (the licensee, landlord or managing agent) has a duty to ensure that the day-to-day management of fire safety in the premises is properly undertaken and that essential routine maintenance and emergency repairs are properly carried out. This is not only common sense and good practice, but also an obligation in law for those premises to which The Management of Houses in Multiple Occupation Regulations 2006 and the Regulatory Reform (Fire Safety) Order 2005 apply.

The level of management attention required will be determined as part of the fire risk assessment. Detailed recommendations are to be found in the HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide. These recommendations may be appropriate in very large and complex buildings, but not all will apply fully for the average residential accommodation of normal risk covered by this guide.

Guidance on best practice in fire safety management can be found in BS 5588, part 12: 2004 Fire Precautions in the Design, Construction and use of Buildings – Managing Fire Safety, but the points outlined below should be expected in any acceptable fire risk assessment as a minimum.

Escape routes

- must be free from obstruction at all times, and regular checks should be made to guarantee this;
- there should be no free storage on the escape routes;
- there should be no trip hazards such as trailing electrical leads or worn carpets;

- in most cases fire-resisting doors should be effectively self-closing to engage their latches with no obstructions or hindrances such as catching carpets.

This will always be the case in bedsit-type HMOs. However, the requirement for self-closers is considered unnecessary in some situations, such as individual room doors within flats (the flat entrance door will still require one), within single household occupancies, and in smaller low-risk shared houses. The use of self-closers in these situations has proved impracticable and has often rendered the doors ineffective;

- all doors should be close fitting as designed.

Fire doors should never be propped or wedged open. Any damage to fire doors should be noted and repaired. Any damaged or missing smoke seals must be replaced like-for-like.

Automatic fire detection (AFD) and warning systems

BS 5839: part 1, section 6 contains recommendations for regular, routine testing of AFD systems as follows: Grade A systems

- Routine testing – at least one detector or call point in each zone should be tested weekly to ensure correct operation of the system. Any defect should be recorded in the log book and action taken to correct it.
- Routine maintenance – a six-monthly service should be carried out by a competent person, usually a specialist alarm engineer, under a maintenance contract. It entails a full test to ensure compliance as specified in with BS 5839: part 1, section 6. It should be recorded in the log book and a periodic inspection and test certificate issued.

Grade D and E systems

- Routine testing – these systems should be tested every month by use of the test button on the smoke alarm.
- Routine maintenance – all alarms should be cleaned periodically in accordance with the manufacturer's recommendations.

All systems

- It is recommended that all detectors should be tested at least once a year to ensure that they

respond to smoke. Tests should not involve the use of open flame or any form of smoke or non-specific aerosol that could contaminate the detection chamber or the electronics of the detector. Suitable specific test aerosols are available. The test is usually carried out by a specialist alarm engineer under a maintenance contract and should be recorded in the log book, with a periodic inspection and test certificate issued.

It is recognised that the above arrangements represent the ideal. While they may be possible in buildings with a resident landlord or a dedicated caretaker or housekeeper, in most situations for premises covered by this guide such arrangements may be impracticable.

Where this proves to be the case tenants should be given clear instructions on how to test grade D or E alarms within their dwelling using the test button, along with clear recording and reporting instructions for any faults or false alarms on the system.

Grade A systems are more specialist and resident testing will be inappropriate unless there is a trained individual in the property. Clear fault and false alarm reporting arrangements should be put in place, and the responsible person or his/her agent should respond to reports at the earliest opportunity.

Fire blankets and extinguishers

- where provided, these should be checked periodically to make sure they are in place and available for use. Extinguishers must be tested and maintained on an annual basis in accordance with BS 5306-3 and with the manufacturer's instructions.

Artificial lighting:

- conventional staircase lighting must be working properly at all times. Any blown bulbs should be replaced and all switches should be working. If timer switches are fitted then the duration should be checked and adjusted if necessary; and
- any emergency escape lighting should be serviced and maintained in accordance with BS 5266-8: 2004 (BS EN 50172: 2004) Emergency escape lighting systems. This contains detailed recommendations which include inspections and tests to be carried out, down to a daily basis. For large, complex HMOs (such as those with five or six storeys) or premises with a

specific high-risk factor (persistent vandalism problems, for example, or complex escape routes and no effective borrowed light), the full recommendations may be appropriate. However, in most average sized premises with normal risk, the following regime with a procedure for responding to reports of defects, should be adequate:

- an annual discharge test in accordance with the requirements of BS 5266: part 8. This must be carried out by a competent person, usually a lighting engineer under a maintenance contract. It entails a full test to ensure compliance with the standard and should be recorded in the log book, with a periodic inspection and test certificate issued.

Water suppression systems

- where provided, the responsible person must ensure that any water suppression system is fully maintained and ready for use at all times. The landlord should enter into a maintenance contract with a competent person or company to maintain the system in accordance with clause 7 (maintenance) of BS 9251;
- the responsible person must ensure that the system is fully functional at all times and that any defects are rectified as soon as possible;
- the responsible person should check the pressure gauge readings monthly and record these readings in the systems log book. Any significant fluctuations or pressure readings below the agreed system design must be rectified immediately; and
- the system log book must be used to record all actuations, testing, maintenance, system faults and any remedial action.

Gas installations

- The Gas Safety (Installation and use) Regulations 1998 require that gas installations and appliances are maintained in safe condition and good working order and receive a gas safety check annually. The gas safety check and any other work to the installation may only be carried out by a competent and registered engineer. The findings must be recorded and the records kept for at least two years.

Electrical installations

- the electrical installation should be installed and maintained by a competent person and should be inspected periodically by a competent electrical engineer. An inspection every five years is recommended for all types of premises and is a legal requirement in HMOs under the Management of Houses in Multiple Occupation (England) Regulations 2006.

Electrical appliances:

- letting agents and landlords should check all electrical appliances at the start of each new tenancy for defects (for example frayed wiring or badly fitted plugs) and remove any unsafe items;
- it is good practice to have the equipment checked at regular intervals thereafter, but there is no legal requirement to do so unless appliances are used by employees;
- records should be kept of the checks carried out;
- instruction booklets should be available at the property for all appliances and any necessary safety warnings should be given to tenants; and
- second-hand electrical appliances should not be supplied, but if they are then they should be checked by a competent electrical engineer.

Furniture and furnishings regulations

- all furniture within lettings commencing after 1 January 1997 must meet fire resistance requirements. However, the regulations do not apply to furniture made before 1950 and re-upholstered furniture made before that date;
- all new furniture (except mattresses and bed bases) must carry a permanent label stating that it complies with the fire resistance standards. However, absence of such a label does not mean that the furniture does not comply, as the label may have been removed after the furniture was supplied. Some furniture manufactured before the regulations were applied may comply with the requirements anyway; and
- landlords and managing agents must ensure that the furniture supplied meets the fire resistance requirements, and the only practical way of doing so is to ensure that the furniture is labelled by the manufacturer in this way. If this cannot be ascertained then the furniture should be replaced.

Information and training:

- each occupier should be given specific advice on fire prevention and fire safety in the home. This should be provided at the start of each new tenancy and reviewed periodically. Suitable advice can be found in annex one of BS 5588: part 12, advice to occupiers of domestic residential buildings, and advice is also available from local fire and rescue authorities. Information should include:
- an explanation of the escape routes, particularly where secondary means of escape is provided;
- how the fire detection and alarm system operates and what to do if it activates;
- how and when to re-set the fire alarm system;
- if extinguishers or fire blankets are provided, training in their application and safe use;
- avoidance of false alarms;
- how and when to call the fire brigade;
- how to report defects;
- the importance of maintaining clear escape routes, free of storage;
- the importance of keeping fire doors closed, not propped or wedged open;
- smoking and cooking safety;
- gas safety advice;
- safe storage and disposal of refuse; and
- the safe use of escape windows where appropriate.

Record keeping:

- it is recommended that a property log book is kept and all routine maintenance and servicing activity (as recommended in this guide) is recorded in it, along with all reported defects and remedial action taken – including false alarms. Model log books may be available from landlords associations or through landlord accreditation schemes.
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Fire Safety Annex 2

Surface Finishes

In the early stages of a fire, the safety of a building's occupants can be affected by the properties of surface linings and the finishes of walls, ceilings and soffits.

Rapid spread of flame across surfaces allows the fire to spread more quickly through the building, thereby reducing the time for escape. This is of particular concern in escape routes, especially in single staircase buildings.

Arson is a particular problem in this respect: fires started deliberately can be particularly dangerous because they generally develop much faster. In multi-occupancy buildings they are often started in escape routes, as access is more easily gained to these areas.

In single household occupancy and some shared houses where the occupiers have exclusive control of the escape route, the risk may be low. No specific measures will therefore be required in respect of surface finishes. However, good practice would be to reduce the risk further by avoiding combustible surface finishes within the escape route.

In multiple-occupancy buildings the risk is usually higher. Combustible surface finishes should not be permitted within the escape route and should, as far as is practicable, also be avoided in other locations.

However, in some HMOs the risk may be lowered by other fire precautions, such as in:

- two-storey buildings with suitable escape windows from all risk rooms (see paragraph 14);
- buildings where there is a second staircase or secondary means of escape which meets certain standards; and
- buildings with additional fire safety measures such as a water suppression system.

In such cases the premises may be considered lower risk and the precautions outlined below in respect of surface finishes and floor coverings could be varied accordingly.

Materials are classified for combustibility and surface spread of flame by BS 476: parts 6 and 7 or under the European system by BS EN 13501-1.

Fire spread across surface finishes is classified as set out in the table below, with class 0 being the most resistant and class 3 the least. Classes 0-3 (or A-D) are suitable in multi-occupied residential accommodation, but should be restricted in some locations.

The following Table outlines their suitability for different locations within a multi-occupied property.

Suitable classes of surface finish in certain locations in multi-occupied residential buildings

Class 0, B s3, d2

These are non-combustible materials and materials of limited combustibility such as brickwork, concrete, plasterboard and plastered finishes.

Acceptable in all locations including protected routes, circulation routes, escape routes and stairways.

Class 1, C s3, d2

These include timber, particleboard, hardboard and surfaces covered with heavy flock wallpaper, provided they have been treated with flame retardant materials.

Acceptable in rooms.

Class 3, D s3, d2

These include those specified in class 1 with the addition of thermosetting plastics and surfaces covered with polystyrene wall and ceiling tiles.

Not acceptable on escape routes and stairways.

Acceptable in small rooms and parts of other rooms if the total area does not exceed more than one half of the floor area up to a maximum of 20m².

Not acceptable on escape routes and stairways.

It is very difficult to identify the classification of existing coverings on-site unless the trade name of the product can be traced. The above Table illustrates acceptable locations for materials and products commonly encountered.

Multiple layers of gloss paint: surfaces may be found where multiple layers of gloss paint have been applied. These surfaces may present a risk of fire spread. Therefore it is recommended that the paint is removed from locations requiring a class 1 (or C s3, d2) or class 0 (C s3, d2) classification. Proprietary products may be available which can cover the paint, thereby providing an acceptable classification for the surface. These should only be used subject to a satisfactory fire test report, but may not be suitable for areas subject to heavy wear and tear.

Floor coverings

Floor coverings throughout the protected route (i.e. stairways, hallways, landings and lobbies) of all categories of HMO should conform to low radius of fire spread (up to 35mm) when tested in accordance with BS 4790 or the European equivalent. It is good practice to adhere to this in all categories of HMO, although in lower risk shared houses this requirement may be relaxed. BS 5287 Specification for assessment and labelling of textile floor coverings tested to BS 4790, specifies how these tested floor coverings should be labelled.

It is, of course, difficult to assess existing floor coverings in HMOs unless the supplier/manufacturer can be traced. As a general guide for existing carpets, those comprising a mix of 80% wool and 20% synthetic fibre (commonly referred to as 80/20 carpets) will comply.

Many vinyl, linoleum and laminate floor coverings may not be suitable and will need replacing.

When considering the suitability of new floor coverings for protected routes it is sufficient to ensure they are labelled to BS 5287 or the European equivalent as low radius of fire spread (up to 35mm).

Suppliers/manufacturers will be able to verify this (or otherwise).



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Appendix D

Security

1. The building and each unit of accommodation should have adequate security measures.
2. Ground floor and other accessible windows should be protected by suitable window locks. In the case of key operated window locks, such keys must be so located as to be readily available at all times.
3. The front and rear doors must be of sound construction, be well maintained and fitted with a suitable viewer if the door does not have a useable vision panel.
4. The main front door and that of each individual letting should be provided with a suitable safety chain.
5. Front and rear final exit doors must be provided with a secure lock however as these doors are the final point of exit in the event of a fire, they must be capable of being opened from the inside without the use of a key. Any rear door should in addition be provided with a minimum 200mm barrel bolts at top and bottom (unless the door is of a type already fitted with a shoot bolt mechanism providing 3 or 5 point locking).
6. Where locks are fitted to bedroom doors they must be capable of being opened from the inside without the use of a key to facilitate escape in the event of a fire.
7. Where electronic door entry systems are provided these must be in good working order and regularly maintained.
8. Where necessary, pedestrian routes and approaches to the main entrance of the property should be fitted with adequate security lighting.
9. Where the property is fitted with an intruder alarm, key holder details should be notified to the Council's Environment Team.

Appendix E

Building Regulations

The following are types of building work that may require consent under the Building Regulations:

- Structural alterations to load bearing walls.
- Changes to escape routes and alterations fire detection systems.
- Alterations to fire protection elements within the building.
- Creation of new rooms for residential purposes and conversions.
- Extensions to existing buildings, including extending into roof spaces or basements.
- Sound insulation to party separating walls or separating walls/floors to habitable rooms.
- Any work affecting thermal elements. (New roof coverings, re-plastering external walls and installing new ground floors)
- Any work/alteration to the existing drainage system above or below ground.
- Installation/replacement of windows, doors and roof lights)
- Installation/extending controlled services.(heating & hot water systems)
- Electrical work.
- Alterations which detrimentally affect existing access/use provisions of building by people regardless of their levels of mobility.

The Council's Building Regulations team can help with advice on any of the above matters. Contact details are shown in section 4 (above).

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Table of Comments received during HMO consultation August – November 2012**Appendix 5**

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|--------------------------|--|---|
| The Environment Agency | 2.37 – 2.38 | The SPD would appear to be pursuant with the NPPF with regards to flood risk/constraints and therefore agree with the contents. | Noted |
| Merseyside Fire and Rescue | All | No objections | Noted |
| Mr John Attwater | All | Proposals well thought out. | Noted |
| Mr John Attwater | All | Room sizes are <u>minimum</u> to allow reasonable space for occupants. | Noted – will change report to emphasise that these are minimums and not the expected standards. |
| Mr John Attwater | 2.21 – 2.27 | Trees and Greenspace contribution is excessive. The legal costs should be set out too. | The trees and greenspaces policy is existing policy in the Sefton Unitary Development Plan (UDP). The Council has not revoked this policy. The Community Infrastructure Levy (CIL) Regulations may phase out this policy in the medium term. The legal costs can vary from case to case so it is not possible to set out in the SPD what they are. |
| Neil Davies Service Manager, Sefton Council, Housing Strategy and investment. | 1.2 | Should consider inserting a comment to the effect that “The Council recognises there is a shortage of good quality affordable accommodation in the borough, particularly Southport”. | Agreed. Will amend accordingly on all three points. |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|--|--|
| | | Should mention how welfare reform could increase demand for single room flats. Should mention how HMOs can meet the needs of some people in housing needs. | |
| Neil Davies Service Manager, Sefton Council, Housing Strategy and investment. | After 1.7 | After 1.7 you may want to consider saying that the Council will encourage provision of appropriate HMOs that comply with this SPD, and in particular would "prefer" the provision of new HMOs that provide self contained units, rather than those with shared kitchen or bathing facilities. The Council would encourage the provision of good quality HMOs, that meet the needs and aspirations of households. | Agreed. Will amend accordingly. |
| Neil Davies Service Manager, Sefton Council, Housing Strategy and investment. | 2.1 | Would state that these are minimum standards and we would encourage provision of accommodation that exceed these standards - particularly through provision of self contained units. | Agreed. Will amend. |
| Neil Davies Service Manager, Sefton Council, Housing Strategy and investment. | 2.21 – 2.27 | I noticed that the SPD includes an expectation of on-site provision of trees and green space, 'or' S106 contribution for these items [the latter being more likely with HMOs]. From a Strategic Housing point of view, we are more concerned with the provision of good quality, affordable accommodation. We are also seeking to introduce a Landlord Accreditation scheme, and get landlords to | The Trees and Greenspaces contributions are in the UDP as policy. Whilst in principle, the Council accept that in some instances meeting an identified affordable housing need may outweigh the need for Trees and Greenspace contributions, this will have to be considered on a case by case basis with individual applications. |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|------------|-------------------|--|---------------------|
| | | <p>join, with membership conditions based upon physical property standards and good management, we will also look to enter into arrangements with accredited landlords to let their properties to clients from the councils waiting list, so in addition to the above standards we may also seek assurances that rents are kept affordable, or within LHA rates for benefits where we enter into any letting arrangements.</p> <p>Hence I wondered whether the SPD could include a 'trade-off' position?</p> <p>So, 'if or when' we introduce a LAcc scheme could Sefton, in lieu of trees and green space, if the landlord agreed to join a future L-accreditation scheme and also agree to let their properties [for a minimum period, say of 5 years?] at rents within LHA rates and to clients from the Councils waiting list [formal arrangements to be put in place], we would waive the other requirements?</p> | |
| NHS Sefton | All | <p>Sefton's Department of Public Health supports the identification of health impacts of local policies in order to facilitate improvements in health and wellbeing within the borough.</p> <p>Good quality housing is important for health</p> | Noted |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|------------|-------------------|--|---|
| | | <p>and wellbeing. There are a broad range of housing issues that impact on health such as ventilation and insulation, overcrowding, indoor air quality, property maintenance and external environments.</p> <p>Overall, the SPD has taken into consideration much of the physical impacts of HMOs and flats, both to potential residents and those living in neighbouring properties. Additionally wider issues such as the need for trees, green space and outdoor amenities are accounted for. There is consideration of environmental issues such as noise and transport.</p> | |
| NHS Sefton | All | Shopping facilities and energy usage are however not considered. Also the requirement for, and the potential impact on public services such as health care, child care, policing, schools has been omitted. | These issues will need to be considered within the Local Plan process, especially where there are areas where there is a concentration of changes of use to HMOs and flats. |
| NHS Sefton | All | <p>NHS Sefton also noted a number of areas that have been addressed by the SPD. These include:</p> <ul style="list-style-type: none"> • Biological factors • Personal/family circumstances and lifestyle • Social Environment • Physical Environment • Public Services | Noted. |
| NHS Sefton | All | There are a few areas that NHS Sefton have | |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|---|--|
| | | said that the SPD hasn't covered. These include the following: | |
| | | The overall age distribution in the population may be affected by changes in the availability of multiple occupancy housing | Noted. This is a strategic issue that would need to be considered in the Local Plan rather than an SPD. |
| | | There is no specific consideration within the SPD of factors which may prevent or encourage risk-taking behaviour such as smoking, use of alcohol or substance misuse | There is no consideration in the SPD on alcohol, smoking or substance mis-use as these issues do not fall within the remit of the SPD. |
| | | There is no discussion of increased energy usage associated with HMO, or of ensuring access to a range of quality shopping facilities. | Energy usage and access to a range of quality shopping facilities are not discussed within the SPD as it is not considered to be the appropriate tool for addressing these issues. |
| | | There is no consideration within the documentation of ensuring the quality of access to health care, child care, policing, schools, or other public services. The document does not consider the impact on these services of increased HMOs. | This is beyond the remit of the SPD. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | Unless Sefton Council have adopted an Article 4 Designation Area removing permitted development rights that allow movement between C3 dwellings and C4 HMO (up to 6 residents) this guidance can only apply to Sui Generis HMO i.e. those with 7 or more tenants as change of use to C4 from C3 does not require planning permission. | Changes of Use from any Use Class other than C3 will require planning permission for a C4 HMO. Note will be added that these standards only apply where planning permission is required. |
| Planning and Development | | ALL references to HMO and any standards or restrictions relating to them must specifically | Not the case. Changes of Use from any Use Class other than C3 will require planning |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|--|---|
| Consultants (on behalf of Mr Steve Latham) | | state that they apply to Sui Generis HMO only. Clearly none of these restrictions / standards relating to car parking, bins, noise insulation, type of property (terraced), building regs, impact on neighbours, size of windows / roof lights etc are relevant to a change between C3 and C4 and any suggestion that they do are misleading at best and ultravires as the planning department has no right to require such standards to be adhered to. C4 and C3 dwellings may provide en-suite accommodation within bedrooms and / or tea making facilities - kettles /toaster / microwave. Indeed many tenants / young people in families have some element of independence and many tenants introduce these into their rooms. This is especially the case where tenants / family members are older. This does not remove the use from C3 / C4. | permission for a C4 HMO. Note will be added The SPD will be referred to when it is considered works require the benefit of planning consent it is not the mechanism for determining whether works require planning consent. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | The guidance must make it clear that a sui generis HMO that has been established for 10 years is immune from enforcement action and effectively has consent. ALL reference to standards and restrictions outside of those required under the licensing of the property and relating to planning are not applicable. The planning department cannot apply policies retrospectively to established HMOs. | Noted |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|--|--|
| | | Indeed any self contained flats created over 4 years ago do not need express consent. | |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | The SPD should explicitly relate to Sui Generis HMO and C3 Self Contained Flats which have not already become established. The council may request owners of property considering a mixture of shared/bedsit accommodation within C4 and self contained C3 units to discuss this development as the C3 element requires express consent. | Noted. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | As of 10 April 2010 all HMOs of 6 tenants became C4 dwellings. Any C3 dwelling altered to a C4 HMO since October 2010 did not and does not require express consent. A licence may be required and building regulations approval may be needed under separate legislation. | Noted |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | As set out, HMO licensing is conducted under separate legislation by a different department and whilst planning permission is not required for C4 HMO, licensing may depend on the number of occupiers and number of floors. This distinction should be made clear. | Noted |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | It is unhelpful to suggest that different standards for Sui Generis HMO development will be applied by the planning and licensing authorities. The opportunity should be taken to provide 1 set of guidelines in terms of room sizes and facilities. | Noted. The Planning, Building Regs and HMO licensing are different consent regimes based on differing legislation. Where possible and reasonable, this SPD tries to make the regulations consistent with other regimes. In some cases this is not possible or realistic. |
| Planning and | | Permitted Development Rights (GPDO) relate | The SPD makes it clear that all occupiers |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|--|--|
| Development Consultants (on behalf of Mr Steve Latham) | | equally to C4 and C3 dwellings. Permission is not required for a range of development whether in C3 or C4 use at that time. PD rights do not apply to Sui Generis HMO properties as these are not dwellings. The PD rights allow roof lights in both C3 and C4 to serve living rooms. | should have ready access to a room with a satisfactory outlook. Therefore some rooms may use roof lights if they have a good outlook in at least one habitable room accessible to them. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | <p>Definitions should be set out. These terms are used throughout the document with varying meanings. A unit of accommodation is either a C4 HMO not requiring planning permission; Sui Generis HMO requiring planning permission unless established for 10 years; C3 dwelling; Bed Sit / Bedsitting rooms within C4 and Sui Generis HMOs; self contained flat.</p> <p><u>HMO</u> – A HMO may contain a mixture of rooms sharing all facilities and bedsitting rooms and bedsits. In terms of the housing act a property comprising a mixture of self contained flats and shared accommodation may be a licensable HMO.</p> <p><u>Bedsitting rooms</u> - These are included within the Housing Act definition of a HMO and apply to both C4 and sui generis uses as regards the planning act. Bedsitting rooms may contain ensuite accommodation or kitchen facilities. The test is self contained</p> | <p>Noted. The definitions will be explained more clearly in the first section.</p> <p>However the SPD cannot be overly prescriptive with definitions which may be amended or changed through amendments to legislations, case law etc.</p> |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|------------|-------------------|---|---------------------|
| | | <p>providing ALL facilities. Tenants in HMOs may provide kettles, toasters, fridges, microwaves to supplement those facilities provided by the landlord in the shared kitchen. This does not make the room a self contained flat. Planning permission is not required to put ensuite accommodation into any HMOs to upgrade facilities and does not change its use.</p> <p><u>Bed Sit</u> - A bedsit is not a self contained flat - it has a higher standard of facilities not least with the trend for increasingly older tenants in HMOs, however the tenants still rely on all or some of the following communal kitchens, laundry, bathrooms, living rooms to provide all facilities. The main cooking facilities are provided in the main kitchen. A bedsit falls within the definition of C4 HMO and Sui Generis HMO and is not a self contained flat.</p> <p><u>Self Contained Flat</u> - A clear definition MUST be set out. A self contained flat / C3 dwelling provides in addition to living accommodation to the adopted standard, bathing facilities and kitchen facilities. Kitchen facilities must be defined - full cooking facilities - including a cooker, work surfaces, and sink as set out in licensing standards. A selection of any or all of the following: kettle, microwave, toaster,</p> | |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|--|-------------------|---|---|
| | | <p>fridge does not constitute full cooking facilities. This is especially the case where a full communal Kitchen is provided. Other enforcement teams across the county have agreed that some facilities provided in addition to the main kitchen within individual rooms either by the tenant or the landlord does not move shared rooms / bedsitting rooms / bedsits into the category of a Self Contained Flat / C3 dwelling.</p> <p>A C3 self contained flat DOES NOT include bedsits. There is confusion throughout the document where the 2 separate uses appear to be used as interchangeable or meaning the same thing.</p> | |
| <p>Planning and Development Consultants (on behalf of Mr Steve Latham)</p> | | <p><u>Policies and standards specific to sui generis HMO</u></p> <p>It appears that the council are requiring dramatically different standards of accommodation for shared houses over 7 people than is required under PD right for up to 6 residents. And indeed the legislation regarding C4 states that 7 or so tenants may not be a material change of use taking it</p> | <p><i>These standards are generally existing standards already set out in policies.</i> If an application requires permission then they will need to consider these standards.</p> <p>National government introduced C4 into the use classes order in the spirit of capturing the spirit of a shared house. Case law may determine in some cases that there is no material change between 6 or 7 tenants. Such a determination would be made on a case by</p> |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|--|-------------------|---|--|
| | | <p>outside the C4 use class. The requirements for parking, noise insulation, bins, windows and use of roof lights etc over and above that for C3 / C4 dwellings would need to be demonstrated. The SPD fails to justify these increased standards when seeking to accommodate additional people in a HMO. Indeed PD rights for C4 and C3 allow accommodation in the roof with roof lights. The council may well find themselves in a situation where they are trying to justify that existing bedrooms with roof lights and 6 tenants in houses and smaller HMOs are somehow unacceptable once the number of tenants increases. There is no reference to windows in the licensing requirements which set standards of acceptable living accommodation. Building regulations does not prevent bedrooms and flats having roof lights.</p> | <p>case basis. Where it was determined that a development did require the benefit of planning consent then the LPA would be able to apply the standards as set out in the SPD. This would be entirely in accordance with the thrust to the use classes order which is set out to require LPA to assess planning applications for Sui Generis HMOs where necessary and apply any relevant policy standards</p> |
| <p>Planning and Development Consultants (on behalf of Mr Steve Latham)</p> | <p>Section 3.</p> | <p><u>Neighbour Amenity</u></p> <p>Sui Generis HMOs by definition relate to large properties that can accommodate 7+ tenants. These houses are also occupied typically by large families, have previously been altered into self contained flats, are used within C2 or are established HMOs. There are no grounds for assuming that an additional person or 2 above a C4 use</p> | <p>Disagree. It is a long established principle that HMOs can result in increased comings and goings and disturbance for neighbours. National government set the use classes order to distinguish between 6 or more tenants and therefore reflecting the case for potential greater noise and disturbance from such development, by virtue of the use classes order an LPA are then required to seek an application to consider the impact of any such</p> |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|---|--|
| | | suddenly generates more coming and going and 'at all times of night' is without grounds or evidence. Should there be areas of the District that have clusters of higher occupancy an article 4 designation ought to be considered. However most rational people and landlords understand that non student tenants live quietly and keep normal hours and there is little difference between 6 tenants and 7 or 8 or so. To suggest that tenants create more noise has not been borne out by appeal decisions where it is concluded that large families with younger and older members may indeed cause noise and nuisance irrespective of the neighbours. | development. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | 3.6 – 3.11 | There are no grounds to justify C4 use of terraced houses under the GPDO and prohibiting the use of very large terraced houses for sui generis HMO use. | UDP policy MD3 (b) provides the basis for this part of the SPD. The SPD indeed is more flexible, reflecting the circumstances described since the creation of the C4 use class. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | The implications of the changes to the national benefit system must be understood to provide a context for this legislation and SPD. In future benefit will no longer be paid for under occupation of houses. As such many large terraced houses will by necessity become large shared houses. Benefit tenants will have to find smaller unit accommodation and indeed those single people under 35 will be required to find shared accommodation. | Noted. The SPD will reference the change to housing benefits in section 1. Disagree that the SPD frustrates public and private landlords. In many areas it will make standards more flexible and responsive to circumstances and the proposed minimum size standards are both reasonable and will help provide clarity. |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|---|-------------------|--|--|
| | | The proposed SPD further frustrates both private and public landlords in satisfying the increase in demand, need to alter larger houses and facilitate the Government's aim to bring properties back into full use. Within this context it is without grounds to assume that large terraced houses will have less occupiers either in terms of individuals or families than sui generis HMOs or that they will have less impact on neighbours. | |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | There are no grounds for requiring Sui Generis HMO properties to provide noise insulation over and above that required between residential properties through the building regulation standards. There are no grounds for requiring this work without first, at the very least, conducting independent noise surveys to test the party wall. There are no grounds to require noise insulation works between rooms and neighbouring properties where there are 7 tenants but not 6 tenants (C4). Noise issues are dealt with under separate legislation under Environmental Health legislation. | If an application is considered to create extra noise and insulation is necessary then it is justified. Residential amenity is an important consideration. The planning application process will consult building control and environmental health on all such applications. The SPD has the benefit of setting out clear expectations which may be required of the developer. The consultation process will clearly identify what standard Building Control and Environmental Health will require. This process will provide certainty and clarity to the developer. |
| Planning and Development Consultants (on behalf of Mr Steve Latham) | | Whilst the council's wish to provide guidance on the interpretation of recent legislation changes is welcomed, this must be soundly based. | Noted |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|--|---|--|--|
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | All | Concerned about the draft SPD for the reasons of long experience of inadequate, dangerous and poor quality HMO accommodation that provides poor living conditions and can be dangerous. | The draft SPD seeks to provide a minimum size in order to prevent very poor accommodation being created. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | 1.2 & 2.1 | Standards for HMOs have hardly changed over the years. The HMO should have a valuable contribution in improving standards especially as the changes to Housing Benefits may push more under 35s into HMOs. | Pushing up the standards would risk creating an unnecessary burden on development. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | The SPD should be clear, precise and unambiguous. It isn't, It needs to be re-ordered, simplified and re-written as it is confusing, lacking in information, inaccessible and difficult to understand. | Noted. The SPD will be simplified and re-ordered where possible whilst recognising that this is a complex subject area. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | 1.1/1.2/1.3/2.9/2.19/2.23/2.31/2.34/2.35/3.5/3.9/3.11 | Confusion on HMOs that may contain self-contained flats and flatted developments that are not HMOs. SPD should solely relate to HMOs and flats within HMOs. | The SPD gives minimum standards and will bring consistency to the decision making process. The SPD applies to both flats and HMOs. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | 1.4 – 1.7 and Appendix A | Definition and characteristics of HMOs is crucial across 1.4 – 1.7 and Appendix A. Should be together in one location. This should go at the front of the document and be clear and address the definition and main characteristics. | Agreed. The definition will be brought further forward to the top of the first section. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | Whilst recognising the complexities of different regulations, why can't the Building Regulations/HMO Licensing, be considered as material considerations in determining | Building Regs and Licensing are separate regulations and so will not be used in determining applications. However this document does, where possible and realistic |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|--|-------------------|---|--|
| | | HMO applications? | try and bring some consistency. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | Why update standards to Merseyside HMO Licensing standards which are unacceptable? Why can't we come up with better twenty-first century standards? | The SPD needs to reflect current circumstances including the Governments growth agenda and also the changes to benefits. The size standards are minimum and not the sizes expected. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | 2.2 & 2.5 | The advice that planning assessment is independent from other regs should be incorporated into an enlarged 1.8 "getting advice". | Noted. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | Tables 1, 2 & 3 | Totally confused by what is in those tables. Misleading and hard to understand. | The tables have been simplified to make them clearer to understand. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | Section 2. | Suggest that Greenspace and trees should relate only to HMOs. | The trees and greenspace contribution provide an explanation on how the existing greenspace and trees policies (DQ3 and DQ4) and the Trees and Greenspace SPD work. The policy has not been altered. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | 3.6 & 3.7 | Support 3.6 and against any relaxation shown in 3.7 re: party walls. | The SPD reflects changing circumstances. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | Comment that HMRI was disastrous and resulted in a high number of demolitions of heritage assets that were justified by the high number of conversions, unstable population and the associations with criminal and anti-social behaviour. | Noted. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | In the interests of transparency the other HMOs and flats, rules and regs are listed as references. Even better, perhaps a combined booklet should be produced for the Liverpool City Region. | Noted. |

| Respondent | Chapter/Paragraph | Comment | Sefton MBC Response |
|--|-------------------|---|---|
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | Appendix A – Use Classes is difficult to follow. Should clearly show the differences between different use classes. | Will update this section to make it clearer. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | Acknowledge complexities with dealing with HMOs and believe that the SPD should be single focused and focused only on HMOs. | Noted. |
| Mrs Mary-Jo Joyce and Mrs Juliet Edgar | | The SPD needs to be clear, phrased well and accessible to all. This is not. | Noted. The SPD will be simplified and re-ordered where possible whilst recognising that this is a complex subject area. |

Agenda Item 5

Report to: Overview and Scrutiny Committee (Regeneration and Environmental Services) **Date of Meeting:** 19th March 2013

Subject: Review of the Calendar of Meetings 2013/14

Report of: Director of Corporate Commissioning

Wards Affected: All

Is this a Key Decision? No

Is it included in the Forward Plan?
No

Exempt/Confidential

No

Purpose/Summary

To seek Members' views on the frequency of meetings of Overview and Scrutiny Committees.

Recommendation:

That the views of Members be included in the consultation responses.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|------------------------|-----------------------|------------------------|
| 1 | Creating a Learning Community | | x | |
| 2 | Jobs and Prosperity | | x | |
| 3 | Environmental Sustainability | | x | |
| 4 | Health and Well-Being | | x | |
| 5 | Children and Young People | | x | |
| 6 | Creating Safe Communities | | x | |
| 7 | Creating Inclusive Communities | | x | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | | x | |

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Reasons for the Recommendation:

To consult Members on the frequency of meetings.

What will it cost and how will it be financed?

(A) Revenue Costs

There are costs associated with all meetings, although this varies widely from meeting to meeting.

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| |
|---|
| Legal There is no statutory guidance on the number of overview and scrutiny meetings held. |
| Human Resources None |
| Equality 1. No Equality Implication <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains <input type="checkbox"/> |

Impact on Service Delivery:

None as a consequence of this report.

What consultations have taken place on the proposals and when?

This report forms part of a consultation exercise.

Are there any other options available for consideration?

This report forms part of a consultation exercise.

Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer: Andrea Watts

Tel: 0151 934 2030

Email: andrea.watts@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

1.0 Introduction/Background

- 1.1 The Council's Calendar of meetings is approved by the Council each year and includes the schedule for Overview and Scrutiny Committee meetings.
- 1.2 Members will be aware that one of the budget options the Cabinet has approved for consultation is around reducing the number of meetings and this report forms the basis of consultation with Overview and Scrutiny Committee members on the frequency of their Committee meetings.

2.0 Overview and Scrutiny activity 2012/13

- 2.1 In the calendar of meetings for 2012/13, each Overview and Scrutiny Committee met on 5 occasions with an additional meeting scheduled for Overview and Scrutiny Committee (Performance and Corporate Services) to consider the budget.
- 2.2 In addition, site visits for Committees were supported – Overview and Scrutiny Committee (Health and Social Care) has carried out 3 site visits with 2 further planned for this municipal year, Overview and Scrutiny Committee (Regeneration and Environmental Services) has carried out 1 site visit.
- 2.3 In addition, working groups have been supported this year in 3 areas. The Port Master Plan Working Group met 8 times in this Municipal Year and reported to Cabinet in August 2012. Working Groups have also been established around young people not in education, employment or training (NEETS) and employment development and development of local town centres and economies. Both of these Working Groups have met 6 times each with a further 2 meetings planned.

3.0 Consultation on calendar of meetings for 2013/14

- 3.1 Given the level of activity around Overview and Scrutiny, Members are asked for their views on the frequency of Committee meetings in 2013/14.

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Agenda Item 6

Report to: Overview and Scrutiny Committee (Regeneration and Environmental Services) **Date of Meeting:** 19th March 2012

Overview and Scrutiny Committee (Children's Services) 26th March 2013

Cabinet 28th March 2012

Subject: NEETS Working Group – Final Report

Report of: Director of Corporate Commissioning **Wards Affected:** All

Is this a Key Decision? Yes **Is it included in the Forward Plan?** Yes

Exempt/Confidential No

Purpose/Summary

. To formally present the final report of the NEETS Working Group.

Recommendation(s)

The Overview & Scrutiny Committees are requested to support the following recommendations and commend them to the Cabinet for approval:-

The Cabinet is requested to approve the following recommendations:-

That the Director of Young People and Families be authorised:-

1. to request head-teachers, and chairs of governors of high schools (including academies and free schools) within the Borough to consider increasing the breadth, range and quality of impartial advice and guidance provision for young people in schools, prior to leaving year 11, to receive advice on the full range of options available to them, and for information to also be made available to parents.
2. to request head-teachers of high schools and principals of colleges within the Borough to consider increasing the level of mentoring support and guidance for young people, in order for them to be better supported in learning about the range of options available to them, prior to leaving school and college.
3. to produce a follow-up report, to be submitted to the relevant Overview and Scrutiny Committee (s) in twelve months time, to include (i) whether the Council is receiving best value for money in terms of services provided within the NEETS area; and (ii) monitoring of looked after young people leaving Council care and their achievements or whether they subsequently fall into the NEETS category.
4. to produce six monthly reports, to be submitted to the relevant Overview and Scrutiny Committee, outlining the latest position with regard to the

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NEETS.

- to ensure that the Council and its partners be encouraged to use all available statistical evidence to identify NEET hotspots and agree robust intervention targets to reduce numbers in these areas, together with agreed robust systems for monitoring and evaluating the impact of joint interventions.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|------------------------|-----------------------|------------------------|
| 1 | Creating a Learning Community | √ | | |
| 2 | Jobs and Prosperity | √ | | |
| 3 | Environmental Sustainability | | √ | |
| 4 | Health and Well-Being | √ | | |
| 5 | Children and Young People | √ | | |
| 6 | Creating Safe Communities | | √ | |
| 7 | Creating Inclusive Communities | √ | | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | √ | | |

Reasons for the Recommendation:

The Working Group has made a number of recommendations that require approval by the Overview & Scrutiny Committee (Regeneration and Environmental Services), the Overview & Scrutiny Committee (Children's Services) and the Cabinet.

What will it cost and how will it be financed?

There are no financial implications arising for the Council as a direct result of this report.

Implications: N/A

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | |
|---|-------------------------------------|
| Legal | |
| Human Resources | |
| Equality | |
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact on Service Delivery: N/A

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has been consulted and has no comments on this report because the contents of the report have no financial implications for the Council. (FD: 2187/13).

The Head of Legal Services has been consulted and has no comments on this report as there are no legal implications arising from the contents of this report. (LD: 1503/13).

The Director of Young People and Families has been consulted on the recommendations contained within this report.

The training providers named within the final report have been advised of the proposals via receipt of the final report.

Are there any other options available for consideration? The Cabinet could refuse approval of the recommendations.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet.

Contact Officer: Debbie Campbell

Tel: ext. 2254

Email: debbie.campbell@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

BACKGROUND:

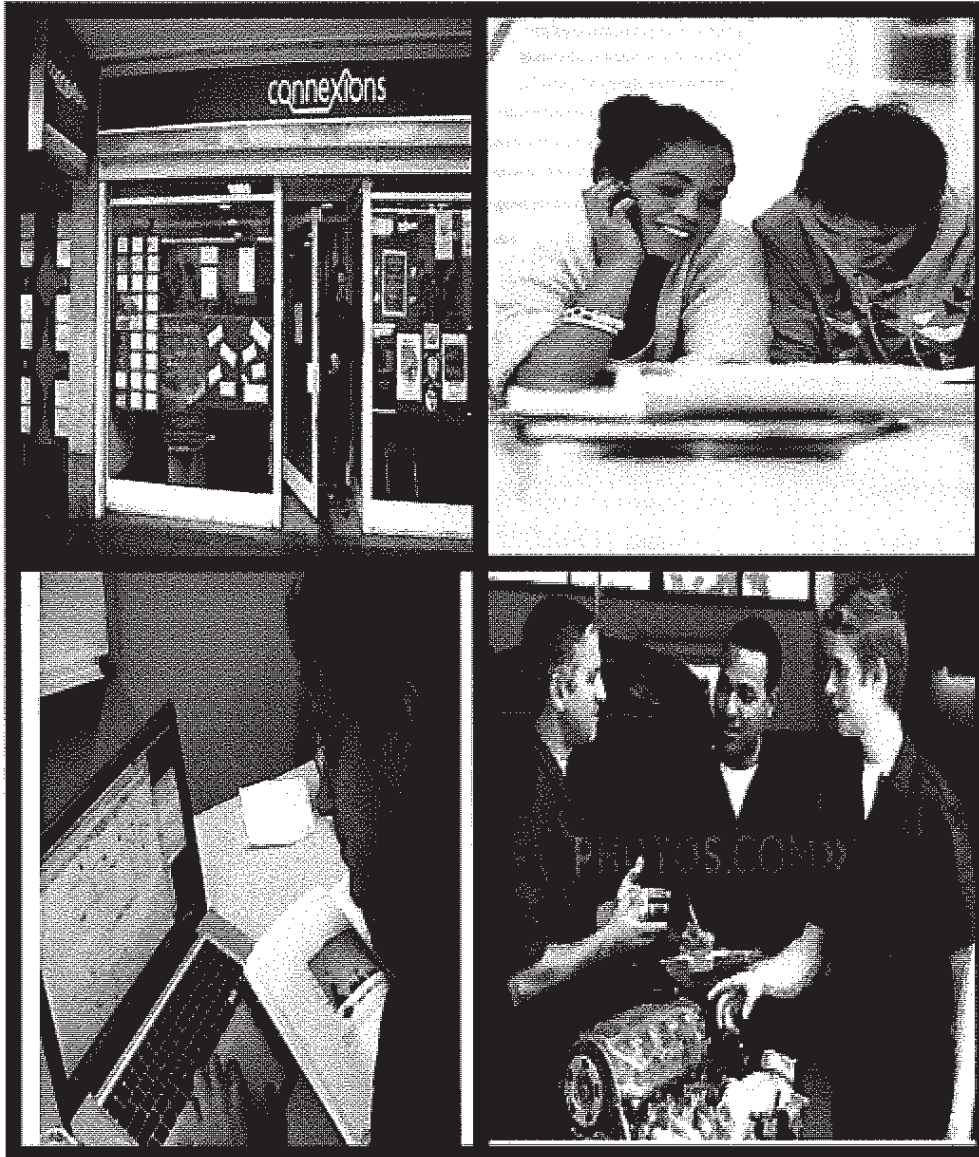
The NEETS Working Group, jointly established by the Overview & Scrutiny Committee (Regeneration & Environmental Services) and the Overview & Scrutiny Committee (Children’s Services), have undertaken a review on issues surrounding the delivery of the NEETS (not in education, employment and training) service within the Borough and its final report is attached for consideration.

The Overview and Scrutiny Committees are requested to support the recommendations and commend them to the Cabinet for approval.

The Cabinet is requested to approve the recommendations.

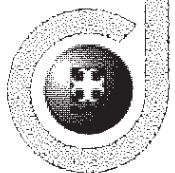
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**OVERVIEW AND SCRUTINY COMMITTEE
(CHILDREN'S SERVICES)
and
OVERVIEW AND SCRUTINY COMMITTEE
(REGENERATION & ENVIRONMENTAL SERVICES)**



**NEETS
JOINT WORKING GROUP**

**FINAL REPORT
MARCH 2013**



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LEAD MEMBER'S INTRODUCTION

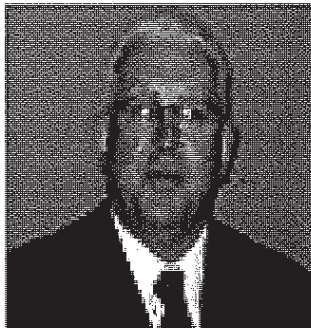
I am very pleased to introduce this joint Overview and Scrutiny report, between Children's Services and Regeneration and Environmental Services, on NEETS (not in education, employment or training).

This report seeks to inform Elected Members and Officers of the problems surrounding NEETS through the Working Group's discussions, interviews and visits and the ensuing recommendations should improve on the existing excellent service.

The recommendations are not heavily dependent on additional resources and we believe they are realistic and achievable. If these recommendations are accepted, the young people of Sefton will enjoy a continuously improving and more efficient service and are less likely to fall into the NEET category.

I wish to thank all those people who took part in interviews and facilitated visits and for giving up their valuable time to inform the Working Group. I am tremendously grateful to my fellow Working Group Members for their commitment to our young people and for their ideas and contributions.

I sincerely hope that this report will not be merely shelved, but that its recommendations are taken forward to enhance the lives of the young people in our Borough who are, after all, our future.



Councillor Bobby Brennan
Lead Member of the NEETS Joint Working
Group
Overview and Scrutiny Committee
(Children's Services) and
Overview and Scrutiny Committee
(Regeneration & Environmental Services)

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BACKGROUND

At its meeting on 18 September 2012, the Overview and Scrutiny Committee (Regeneration and Environmental Services) resolved that:-

“the Overview and Scrutiny Committee (Children’s Services) be advised that this Committee recommends the establishment of a Joint Working Group to investigate NEET (Not in Education, Employment or Training)”.
(Minute No. 11(5) refers).

The Overview and Scrutiny Committee (Children’s Services) at its meeting on 25 September 2012 resolved that:-

“a Joint Working Group be established with the Overview and Scrutiny Committee (Regeneration and Environmental Services) to investigate NEET (Not in Education, Employment or Training); and

Councillors Brennan, Dorgan, Keith, Killen and McKinley and Parent Governor Representative Mrs S. Cain be nominated to serve on the NEET (Not in Education, Employment or Training) Working Group.”
(Minute No. 13 (7) and (8) refers).

On 13 November 2012, the Overview and Scrutiny Committee (Regeneration and Environmental Services) resolved that:-

“Councillors Welsh and Roche be nominated to serve on the NEET Working Group”.
Minute No. 21 (3) refers).

Details of Working Group meetings are as follows:-

| Date | Activity |
|--------------------|---|
| • 03 December 2012 | Scoping & discussion of issues; |
| • 15 January 2014 | Interview of witnesses from MAD (Making a Difference 4 Children in Care) Group & Sefton Young Advisors; |
| • 25 February 2013 | Discussion of findings & determination of recommendations. |

In addition, Working Group Members undertook site visits, as follows:-

- 23 January 2013 Site visit to Basetech, a training provider;
- 30 January 2013 Site visit to Intraining, a training provider;



- 05 February 2013 Site visit to Hugh Baird College;
- 08 February 2013 Site visit to Southport College;
- 15 February 2013 Site visit to Connexions, provider of independent information, advice & guidance for all young people.

DEFINITION

NEETS (not in education, employment or training) covers young people within the age range 16 to 18/19.

TERMS OF REFERENCE AND OBJECTIVES

The Working Group was advised that, as from September 2013, the Council has a statutory duty to implement the Raising of the Participation Age to 17. In short, this means that all young people leaving school from Year 11 in 2013 will no longer be able to undertake employment without training.

Most of our young people do progress at 16 to some form of education or employment with training, but some (not many) enter the NEET cohort in autumn each year, and of those some are harder to place and move on than others.

The NEET figure generally rises when it comes to 17 year olds and rises further still for 18 year olds.

Against the above background, the Working Group considered:-

- some of the provision the Council has for harder to reach young people,
- the support and challenge systems available, within a very limited financial resource envelope, to fulfil the Council's duties; and
- what measures might be needed to mitigate against barriers to participation;

with a view to making recommendations.

In addition, an analysis of NEETS within five wards in the Borough was undertaken.

METHODS OF ENQUIRY

The Working Group collected information by means of interviewing individuals identified as relevant and by conducting site visits to relevant organisations



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KEY WITNESSES – SUMMARY OF STATEMENTS

The following points are a summary of the discussions held with key witness invited to Working Group meetings:-

Corporate Parenting Officer, People Directorate, Sefton MBC, together with members of the MAD Group (Making a Difference for Children in Care)

- Cost to obtain training a barrier, no help with meals, drinks, etc.
- Employers want experience for vacant jobs.
- Care leavers being asked to live independently much earlier than other young people. This brings its own problems, eg. No parents to encourage them to get organised, routines, etc.
- Care leavers can be a target for drug pushers. Difficult to move away from the culture of drug & alcohol abuse.
- Being in/having been in care can be a barrier to getting on in life.
- Communities tend to have low expectations of people who have left care. Need to turn perceptions around.
- Core skills such as communication and functional skills seen as important.
- Pathway to Employment for care leavers been developed.
- Placement Mentors within the Council have been trained, includes staff in Cleansing.
- Mental health issues can be a problem with young care leavers, eg. depression, unresolved issues, loneliness, etc. Social workers can be contacted but not the same as being in a family;
- 1 care leaver undertaken charity work abroad.
- Criminal record for petty crime during adolescence a barrier to employment.

Young People's Engagement & Participation Lead, Sefton CVS, together with Sefton Young Advisors & the Co-Ordinator of the Noted project

- Mental health a barrier to overcoming NEET.
- Gap between young and adult mental health services.
- Documents on options/information can be inaccessible, also job application forms.
- Hard to find things to put on CVs. "Experience essential" a barrier. Difficult to get a job without experience.
- Past minor criminal record can be a problem, particularly when applying for a job that handles cash.
- Practitioners don't talk to young people about self-employment.
- More co-ordination of different activities would be useful.
- Greater opportunities to share with different practitioners would help.
- Case studies provided be shared, huge amounts of information are provided but not known where it ends up. Could be shared more, good practice.



- Could potentially invite employers to annual events to share information and good practice.
- Need to change perceptions amongst employers.
- Early preventative side to NEETS – mentoring model, peer mentoring in schools, confidentiality can be an issue.

SITE VISITS – SUMMARY OF FINDINGS

The following points are a summary of the discussions held with individuals met during site visits undertaken:-

Basetech

Members met with training providers & young people participating on the programme.

- Basetech is an example of good practice amongst foundation learning providers.
- Basetech provides training and development programmes for young people aged between 13 and 18 years-of-age and who may not be in Education, Employment or Training (NEETS).
- Basetech provides training and development in classic car restoration.
- The Intraining Group sends young people to Basetech for car engineering experience.
- Basetech engages hard to reach young people categorised as NEETS.
- Young people are engaged by providing motivational training and practical experience.
- Only good behaviour and success is rewarded.
- The young people are taught as adults getting ready for work.
- Basetech is funded only £45 per day and guarantees a job to students who complete the programme.
- Programmes are employment led and Basetech now has over 200 business waiting for Basetech Students.
- Basetech's Motor Industry Youth Employment Drive has backing from local Councillors and 300 employers.
- Basetech is opening its 2nd Phase soon.

Intraining Group

Members met with the Business Manager and the Learning Engagement Consultant.

- The Intraining Group is an umbrella training provider that offers foundation learning.
- The Intraining Group is an off-shoot of Newcastle College and receives funding from the College.
- Outreach work undertaken at Litherland Moss.



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- Intraining work with Connexions and Sefton MBC.
- Connections with the North West Training Council – engineering training undertaken with Jaguar/Landrover.
- Recent advert placed in the Daily Post aimed at businesses.
- Merseyside apprenticeship awards to take place at St. Gorge's Hall in March 2013.
- Intraining send young people to Basetech for car engineering experience.
- Need more awareness raising amongst employers.
- 95 16-18 year olds on the books at Intraining at present.
- Parent understanding on options available – an area for improvement.
- More employer buy-in – an area for improvement.
- Regeneration and future skills – an area for improvement.
- Continuous improvement on collaborative working with partners – can always be improved.

Hugh Baird College, Bootle

Members met with members of staff and students participating on a public services course.

- In future, more 14 year olds will be able to access colleges.
- Attendance for certain vulnerable groups e.g. young carers, is difficult.
- Learning support in classes for students with e.g. dyslexia.
- Some students have part-time work outside college, generally have 3 days in college, 2 days off.
- The college gives some students money for lunches, bus fares, etc.
- There has been an increase of over 25% with claims for help with bus fares; travel is an issue due to the lack of part-time jobs available.
- A big barrier is to get into schools to give guidance on courses and options.
- The college is building a community library for community use and aims to put IT in there and careers advice.
- The College sees itself as fundamental to the community and regeneration.
- The College hopes to re-vamp its old exams hall to convert it into a gym, to link in with Health, and to encourage NEETS. It hopes other bodies will enter into this. College trying innovative approaches.
- The College hopes more of the private sector will link in as time goes on, in order to work together to provide something for employers for the future. Hopes to be able to provide information, etc. on employers at age 14.
- Impact on reducing NEETS – got post-code statistics. College doesn't deliberately target specific post-codes. Travel over 1 mile in distance – a travel pass is provided unless the family income is over £30,000.
- When the participation age changes, the College is looking at how to target NEETS, etc.
- College in contact with Connexions if anyone becomes NEET.
- Still a challenge to predict what qualifications will be needed for future jobs at the Port, mapping of future jobs and development of appropriate skills set amongst young people.



- Starting links with Mersey Maritime.
- Face to face interactions with young people to explain options would be good, prior to leaving school e.g. careers fairs.
- Need to talk to young people early enough before they fall into NEETS.
- Hard data/evidence of targeting NEETS, numbers and where they are, needed.
- Qualifications lead young people into university or a job.
- Free breakfasts offered to any students at College, over 660 students this year.
- A bursary fund is available for students who need it.
- All colleges need to meet the demands of the changing landscape.

Southport College

Members met with members of staff and students, including a teenage parent.

- The difficulties facing some young people in gaining employment as an apprentice.
- Young people can apply for 30+ jobs with no feedback so unaware of what employers are looking for in young people.
- Some young people felt that they didn't get any careers advice in school and didn't understand the choices available to them. Prior to leaving high school there is little/no preparation for the students or discussions with them for what they intend to do when they leave school.
- 2 young people dropped out of a school sixth form in November and were able to start at college in January which was ideal for them.
- Many young people willing to work unpaid, volunteer etc to gain experience.
- There are many barriers for young people to be in education, including finance, home difficulties.

Connexions Centre, Bootle

A Member attended a Case Conferencing Group and met with the Team Manager and relevant staff.

- Provision – suggestion that there is a need for more apprenticeship placements with employers - training providers attending the meeting, who are placing on behalf of employers, or whom offer access to apprenticeships (employability programmes) or Foundation Learning programmes, level 1 programmes)
- School based information, advice and guidance (IAG) –schools roles in the provision of Careers Education (CE) and impartial IAG explained. There is a need for consistent high quality CEIAG programmes in all schools and colleges. Concern expressed that this responsibility had been passed directly to schools (by Government) without additional funding. This has been a decreasing service in the last 10 years. At one time all young people in Sefton



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had the opportunity to have face to face career guidance during Key Stage 4 but now services are mainly focussing on young people at risk of NEET, or schools can now set their own priority groups. Very rarely will be a universal service. This will lead to some young people progressing on to 'unsuitable' courses and then leaving mid-course and becoming NEET and losing significant time before they can continue their education and career plan.

- Tracking responsibilities for Connexions – this ensures all identified NEET young people do not 'fall through the net'. NEET young people are case loaded to named advisers who take responsibility for (hopefully) engagement and 'move on'. This involves face to face contacts, telephone calls and home visits, plus working in the local communities (e.g. libraries, children's centres, Sefton at work, etc.)
- Parental support – the impact of parents capacity to support, motivate and encourage their children discussed

NEET DATA

The Working Group requested an analysis of NEETS within five wards in the Borough. In the event, an analysis of all Wards within the Borough was undertaken and that analysis is attached to this report as an **Appendix**.

KEY FINDINGS

It is important to note that in terms of NEETS, Sefton currently has the best record on Merseyside. The Working Group found the existing service to be excellent and that joined up working between the Council and its partners is highly developed. There are particularly barriers for young people leaving local authority care to overcome in order to avoid falling into the NEETS category.

The following points are a summary of the key finding by the Working Group that Members felt they could address without being dependent on additional resources.

1. Young people leaving Year 11 of school do not always feel that they have received sufficient impartial advice and guidance on the full range of options available to them. Parents also feel they are lacking this information.
2. Mentoring schemes within schools and colleges can offer support and guidance for young people on the range of options available, prior to them leaving school and college.
3. Given the current financial climate, the Council needs to ensure that it is receiving best value for money in terms of the services provided in the NEETS area.
4. Looked after young people leaving local authority care remain a concern due the barriers they already face. The Council needs to ensure that they are



monitored in order to note their achievements whether they subsequently fall into the NEETS category.

5. Given the current concerns regarding unemployment amongst young people, the Council needs to ensure that information and statistics on the NEETS area is regularly reviewed.
6. Statistical information held by the Council and its partners on NEETS, although already effectively managed to target interventions, could be used more efficiently and SMARTLY to effect greater improvements.

ACKNOWLEDGEMENTS AND THANKS

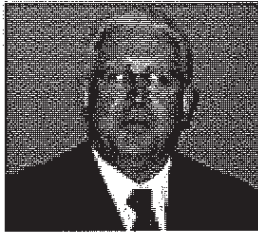
In producing this report on NEETS, acknowledgements and thanks are attributed to the following individuals for their time and input:-

- **The Senior Officer for 14-19 Strategy Management, Children's Services Directorate;**
- **The Corporate Parenting Officer, People Directorate, Sefton MBC, together with members of the MAD Group (Making a Difference for Children in Care);**
- **The Young People's Engagement & Participation Lead, Sefton CVS, together with Sefton Young Advisors & the Co-Ordinator of the Noted project;**
- **Training providers and young people participating in the Basetech training programme;**
- **Staff at the Intraining Group;**
- **Staff and students at Hugh Baird College, Bootle;**
- **Staff and students at Southport College;**
- **Staff at the Connexions Centre, Bootle.**

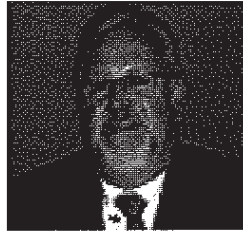


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Thanks must also go to the Members of the Working Group who have worked hard and dedicated a great deal of time to this review, namely:-



**Councillor Bobby Brennan
(Lead Member)**



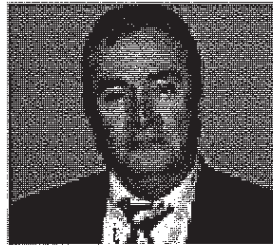
Councillor Sean Dorgan



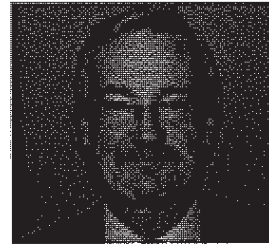
Councillor Pat Keith



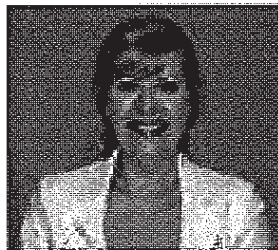
Councillor Nina Killen



Councillor Patrick McKinley



Councillor Michael Roche



Councillor Marianne Welsh

and Mrs. Sandra Cain (Advisory Member)



RECOMMENDATIONS

That the Director of Young People and Families be authorised:-

1. to request head-teachers, and chairs of governors of high schools (including academies and free schools) within the Borough to consider increasing the breadth, range and quality of impartial advice and guidance provision for young people in schools, prior to leaving year 11, to receive advice on the full range of options available to them, and for information to also be made available to parents.
2. to request head-teachers of high schools and principals of colleges within the Borough to consider increasing the level of mentoring support and guidance for young people , in order for them to be better supported in learning about the range of options available to them, prior to leaving school and college.
3. to produce a follow-up report, to be submitted to the relevant Overview and Scrutiny Committee (s) in twelve months time, to include (i) whether the Council is receiving best value for money in terms of services provided within the NEETS area; and (ii) monitoring of looked after young people leaving Council care and their achievements or whether they subsequently fall into the NEETS category.
4. to produce six monthly reports, to be submitted to the relevant Overview and Scrutiny Committee, outlining the latest position with regard to the NEETS.
5. to ensure that the Council and its partners be encouraged to use all available statistical evidence to identify NEET hotspots and agree robust intervention targets to reduce numbers in these areas, together with agreed robust systems for monitoring and evaluating the impact of joint interventions.



Overview
& Scrutiny



For further Information please contact:-

Debbie Campbell

Overview & Scrutiny Officer

Telephone: 0151 934 2254

E-Mail: debbie.campbell@legal.sefton.gov.uk

Sefton Council 



NEET Data report, December 2012

Sefton's NEET is reducing year on year.

In December 2012 it stood at 6.6%, in comparison to December 2011 when it was 7.5%. However it is best to review NEET trends over a quarterly basis as level are affected by seasonal factors, eg school leaving dates (summer period) or temporary employment opportunities at Christmas etc.

The table and graphs show all wards at quarter end points, highlighting the specific ward data that was requested (in yellow on graph).

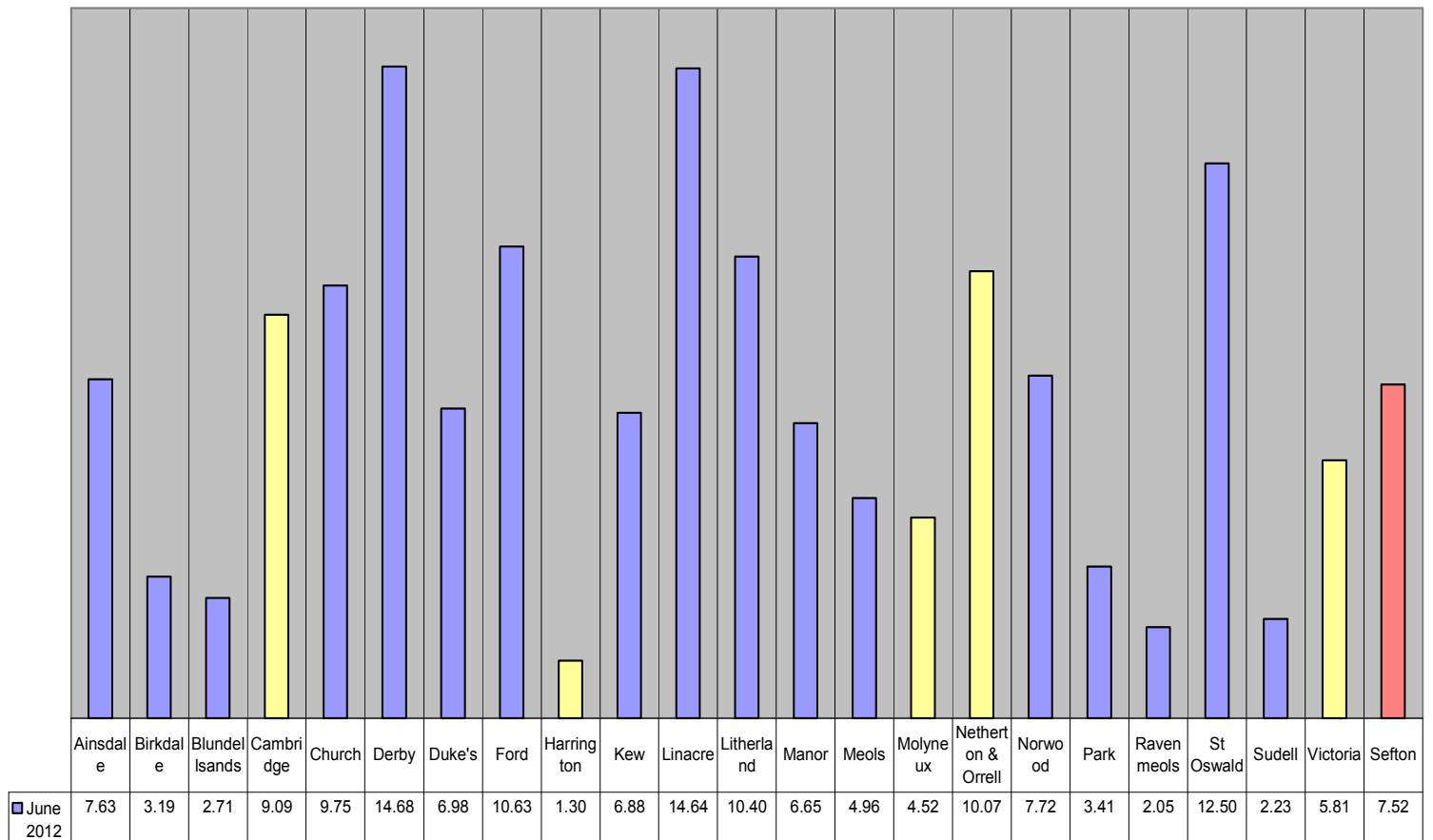
The wards have been shown against the Sefton average to show the diversity across the Borough.

Sefton NEET by Ward (%)

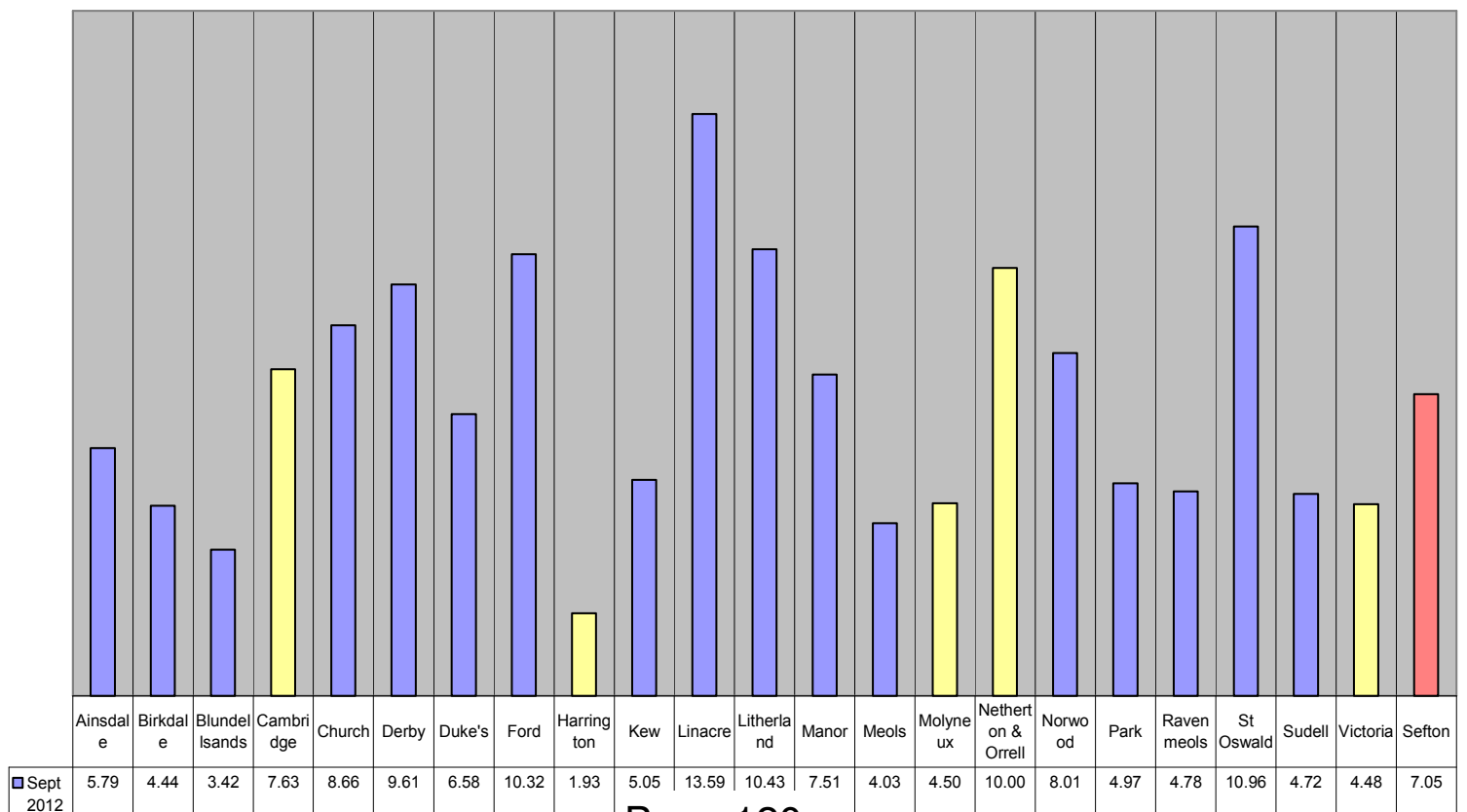
| | March 2012 | June 2012 | Sept 2012 | Dec 2012 |
|--------------------|-------------|-------------|-------------|-------------|
| Ainsdale | 6.58 | 7.63 | 5.79 | 7.37 |
| Birkdale | 5.14 | 3.19 | 4.44 | 5.22 |
| Blundellsands | 3.75 | 2.71 | 3.42 | 1.74 |
| Cambridge | 9.59 | 9.09 | 7.63 | 5.47 |
| Church | 8.96 | 9.75 | 8.66 | 8.25 |
| Derby | 13.76 | 14.68 | 9.61 | 9.83 |
| Duke's | 6.69 | 6.98 | 6.58 | 7.23 |
| Ford | 8.43 | 10.63 | 10.32 | 10.71 |
| Harrington | 3.33 | 1.30 | 1.93 | 1.33 |
| Kew | 6.90 | 6.88 | 5.05 | 4.52 |
| Linacre | 14.73 | 14.64 | 13.59 | 12.99 |
| Litherland | 11.02 | 10.40 | 10.43 | 9.71 |
| Manor | 7.26 | 6.65 | 7.51 | 7.34 |
| Meols | 5.72 | 4.96 | 4.03 | 2.91 |
| Molyneux | 4.48 | 4.52 | 4.50 | 3.43 |
| Netherton & Orrell | 10.45 | 10.07 | 10.00 | 7.31 |
| Norwood | 7.78 | 7.72 | 8.01 | 6.44 |
| Park | 2.86 | 3.41 | 4.97 | 4.25 |
| Ravenmeols | 3.83 | 2.05 | 4.78 | 3.8 |
| St Oswald | 13.93 | 12.50 | 10.96 | 11.86 |
| Sudell | 3.10 | 2.23 | 4.72 | 2.86 |
| Victoria | 6.20 | 5.81 | 4.48 | 4.87 |
| Sefton | 7.73 | 7.52 | 7.05 | 6.60 |

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Sefton NEET by Ward - June 2012

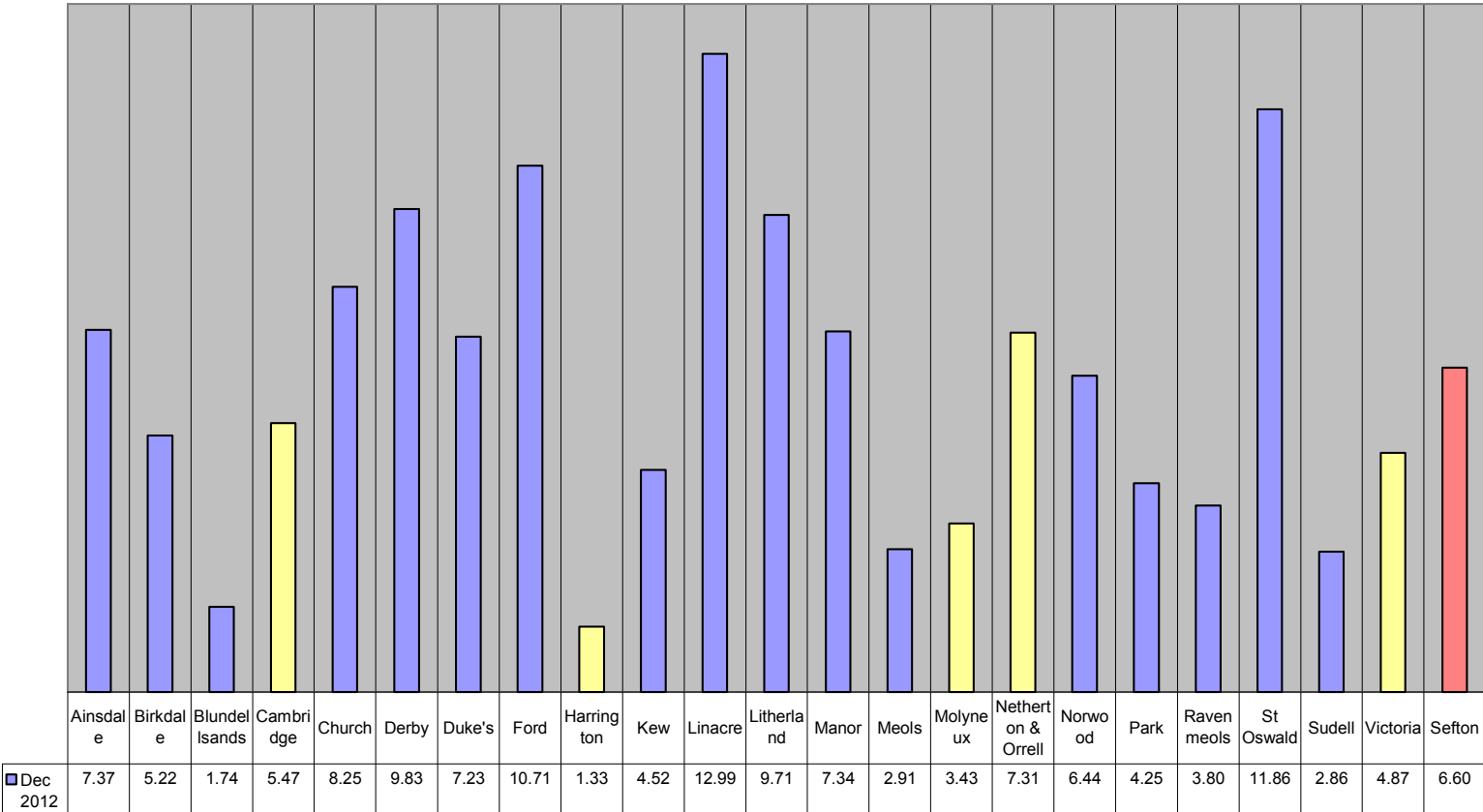


Sefton NEET by Ward - September 2012



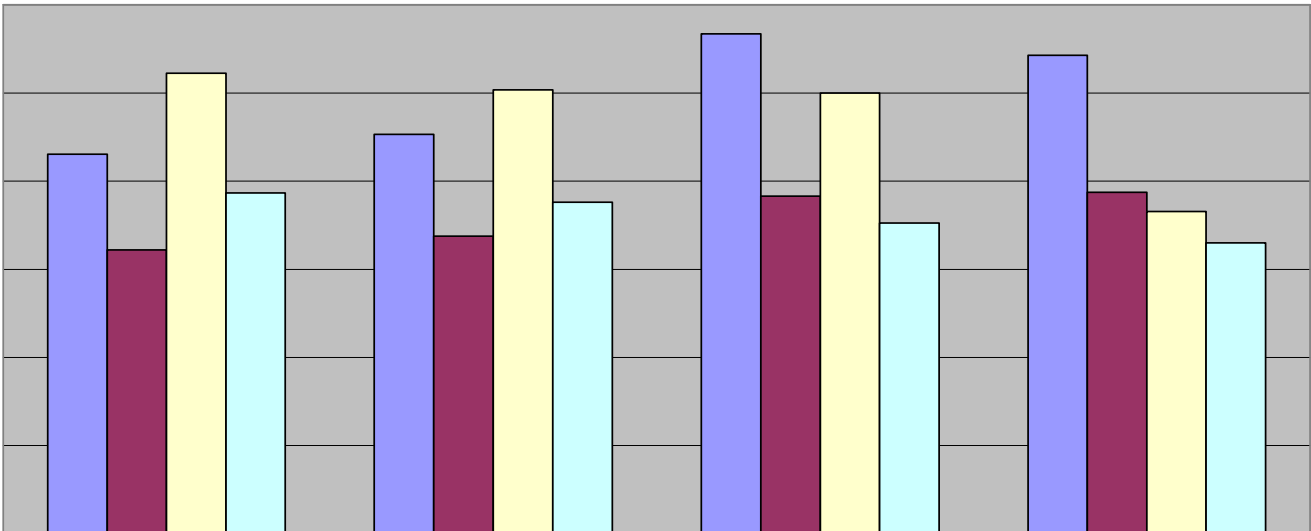
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Sefton NEET by Ward - December 2012



Data specific to 5 requested wards

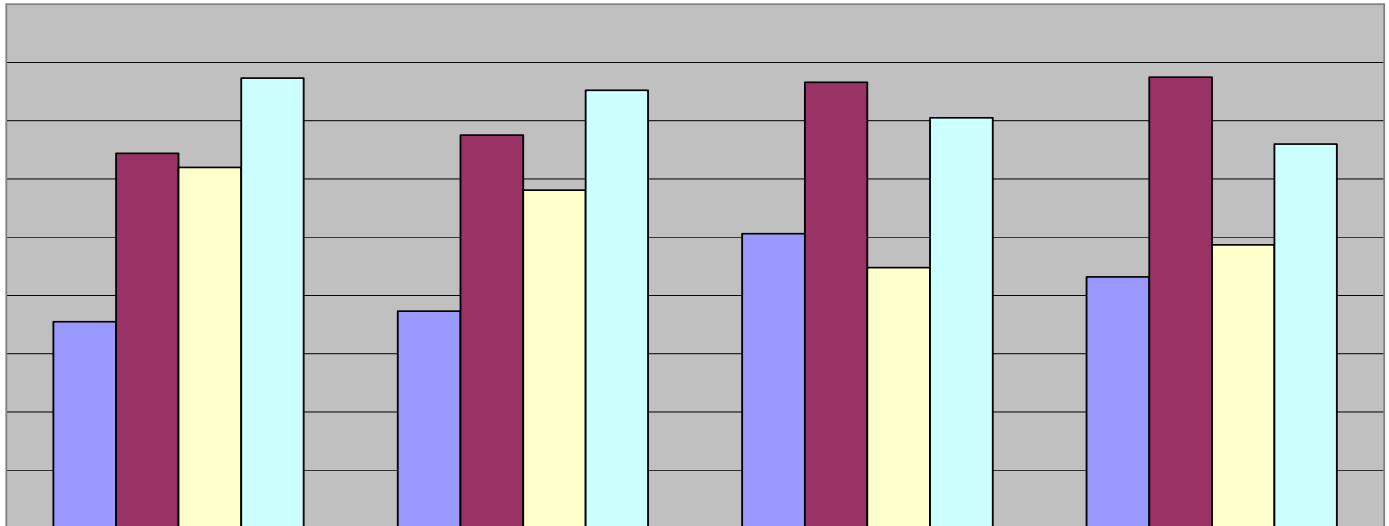
Netherton & Orrell / Sefton NEET



| | March | June | Sept | Dec |
|------------|--------|--------|--------|--------|
| 2011 | 8.61% | 9.06% | 11.34% | 10.85% |
| 2011 (Sef) | 6.44% | 6.75% | 7.66% | 7.75% |
| 2012 | 10.45% | 10.07% | 10.00% | 7.31% |
| 2012 (Sef) | 7.73% | 7.52% | 7.05% | 6.60% |

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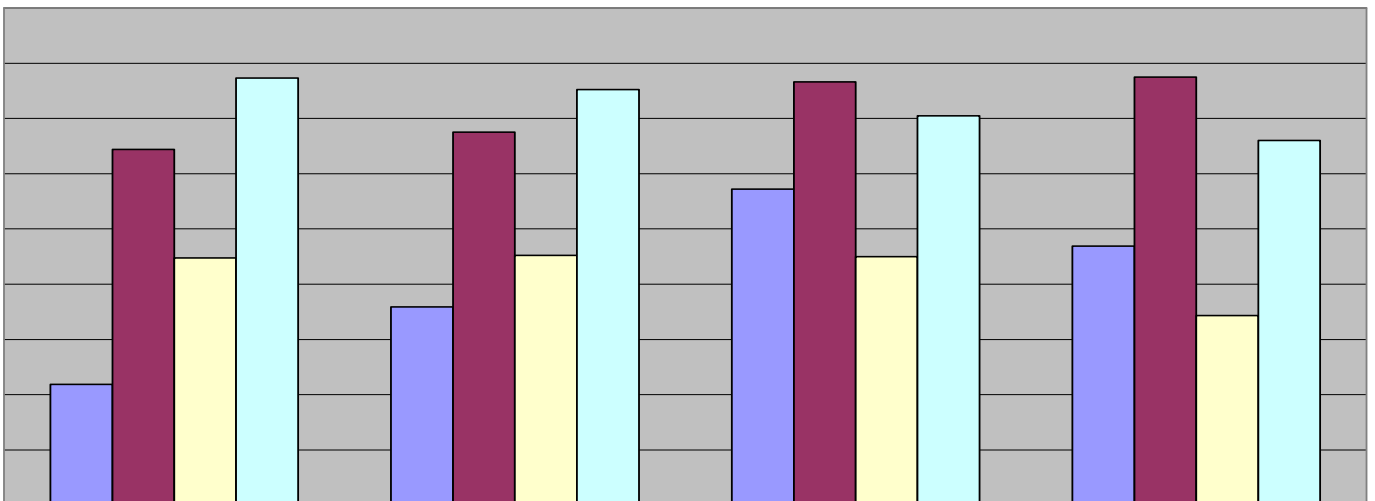
Victoria / Sefton NEET



| | March | June | Sept | Dec |
|------------|-------|-------|-------|-------|
| 2011 | 3.55% | 3.73% | 5.06% | 4.32% |
| 2011 (Sef) | 6.44% | 6.75% | 7.66% | 7.75% |
| 2012 | 6.20% | 5.81% | 4.48% | 4.87% |
| 2012 (Sef) | 7.73% | 7.52% | 7.05% | 6.60% |

2011 2011 (Sef) 2012 2012 (Sef)

Molyneux / Sefton NEET

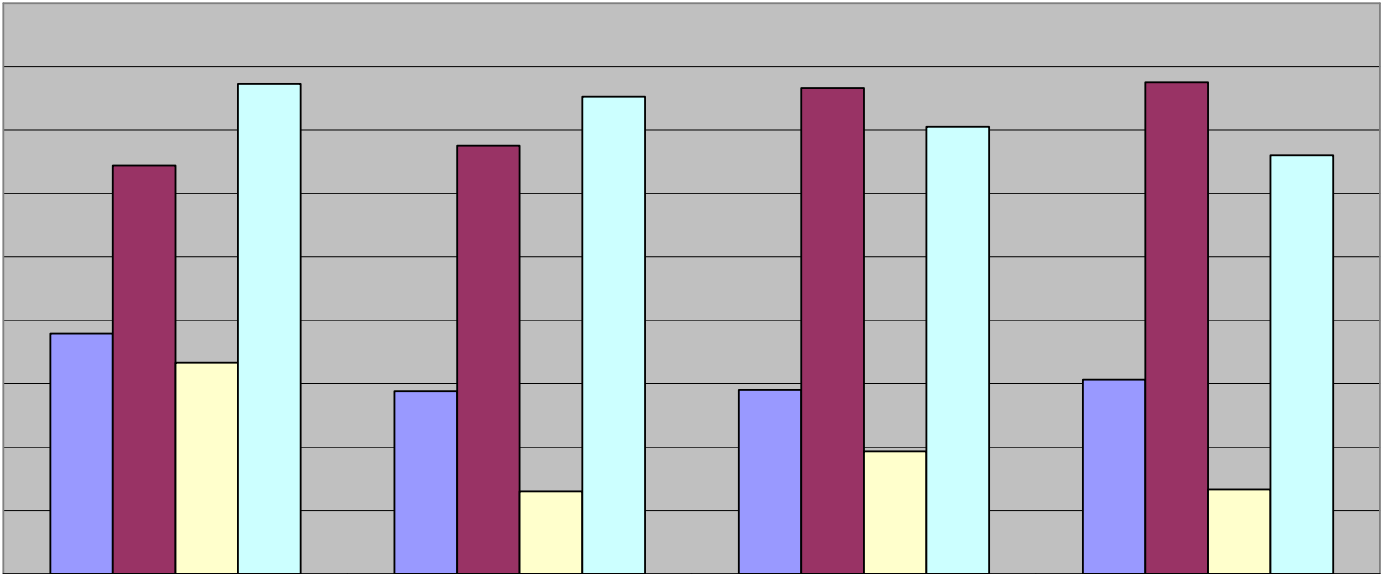


| | March | June | Sept | Dec |
|------------|-------|-------|-------|-------|
| 2011 | 2.19% | 3.59% | 5.72% | 4.69% |
| 2011 (Sef) | 6.44% | 6.75% | 7.66% | 7.75% |
| 2012 | 4.48% | 4.52% | 4.50% | 3.43% |
| 2012 (Sef) | 7.73% | 7.52% | 7.05% | 6.60% |

2011 2011 (Sef) 2012 2012 (Sef)

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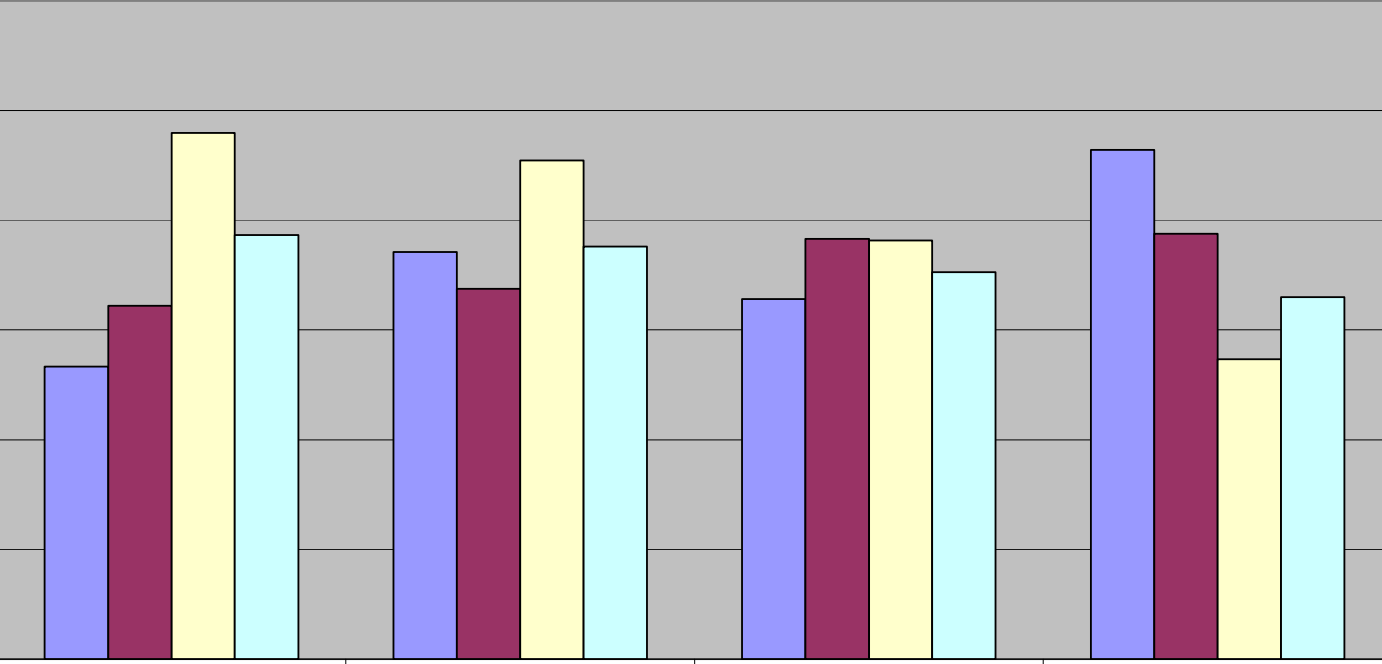
Harrington / Sefton NEET



| | March | June | Sept | Dec |
|------------|-------|-------|-------|-------|
| 2011 | 3.79% | 2.88% | 2.90% | 3.06% |
| 2011 (Sef) | 6.44% | 6.75% | 7.66% | 7.75% |
| 2012 | 3.33% | 1.30% | 1.93% | 1.33% |
| 2012 (Sef) | 7.73% | 7.52% | 7.05% | 6.60% |

2011 2011 (Sef) 2012 2012 (Sef)

Cambridge / Sefton NEET



| | March | June | Sept | Dec |
|------------|-------|-------|-------|-------|
| 2011 | 5.33% | 7.42% | 6.56% | 9.28% |
| 2011 (Sef) | 6.44% | 6.75% | 7.66% | 7.75% |
| 2012 | 9.59% | 9.09% | 7.63% | 5.47% |
| 2012 (Sef) | 7.73% | 7.52% | 7.05% | 6.60% |

2011 2011 (Sef) 2012 2012 (Sef)

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The data relates to 16 – 18yr olds (This is defined by Central Government as academic year ages, so will include some 19 yr olds.) The biggest issue in all wards is 18yr old NEET rates.

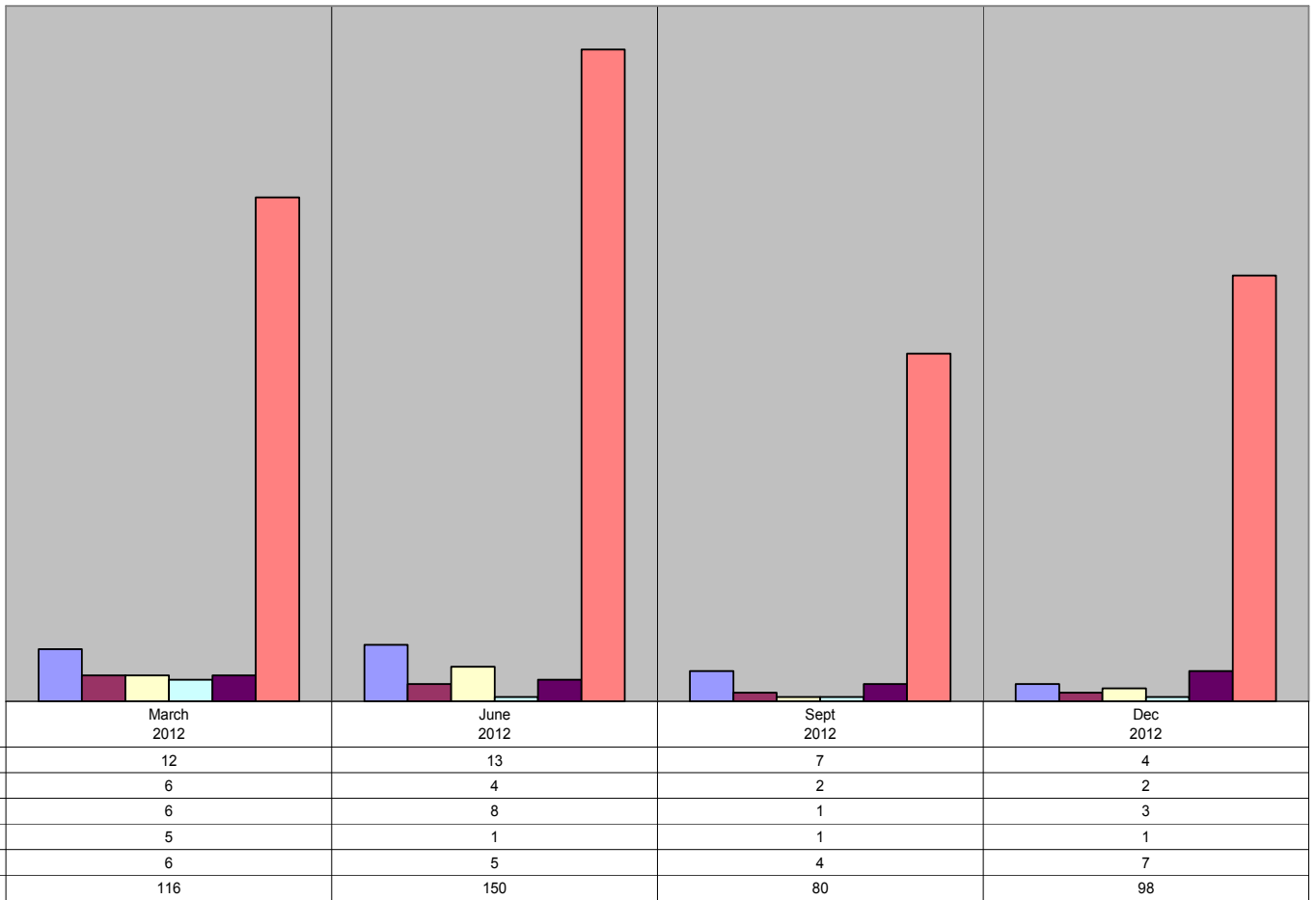
From this summer, all 16yrs olds with the advent of Raising Participation Age legislation (RPA) have to be in learning until the age of 17yrs (academic age), essentially raising the 'school leaving age' to 17. However, students do not have to stay at school, but need to be in formal learning at schools, colleges, apprenticeships or jobs with training. This rises to 18 yrs in 2015.

It is vital that students receive excellent information, advice and guidance in planning their progression pathways following GCSEs into continuing academic and vocational routes. The data reflects the drop off in 17yr olds, and again in 18yr olds in learning opportunities.

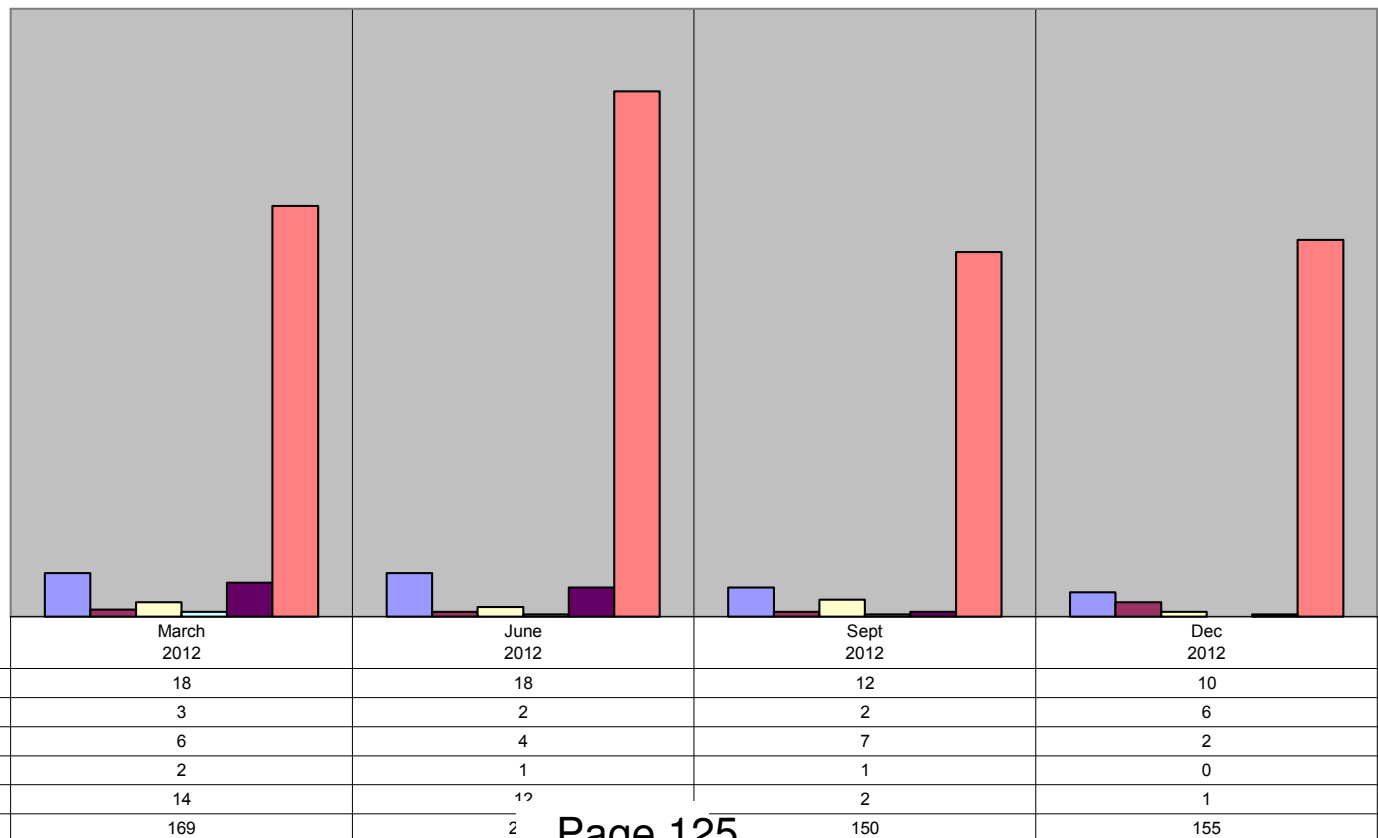
If students choose inappropriate courses/progression routes and effectively 'drop out', data shows us it is increasingly difficult to re-establish them in alternative learning opportunities. September is traditional start dates for school and college courses, but colleges are able to offer January starts now to try and solve this issue. Some are looking at rolling induction, but this needs to be embedded in curriculum planning and the 'student life' experience.

Age trends

| | March 2012 | June 2012 | Sept 2012 | Dec 2012 |
|-------------------------------|------------|-----------|-----------|----------|
| Netherton & Orrell | | | | |
| 16yrs | 12 | 13 | 7 | 4 |
| 17yrs | 18 | 18 | 12 | 10 |
| 18yrs | 21 | 21 | 27 | 22 |
| Victoria | | | | |
| 16yrs | 6 | 4 | 2 | 2 |
| 17yrs | 3 | 2 | 2 | 6 |
| 18yrs | 18 | 21 | 13 | 13 |
| Molyneux | | | | |
| 16yrs | 6 | 8 | 1 | 3 |
| 17yrs | 6 | 4 | 7 | 2 |
| 18yrs | 7 | 8 | 10 | 10 |
| Harrington | | | | |
| 16yrs | 5 | 1 | 1 | 1 |
| 17yrs | 2 | 1 | 1 | 0 |
| 18yrs | 5 | 3 | 5 | 3 |
| Cambridge | | | | |
| 16yrs | 6 | 5 | 4 | 7 |
| 17yrs | 14 | 12 | 2 | 1 |
| 18yrs | 8 | 8 | 12 | 6 |
| Sefton | | | | |
| 16yrs | 116 | 150 | 80 | 98 |
| 17yrs | 169 | 216 | 150 | 155 |
| 18yrs | 240 | 306 | 335 | 317 |

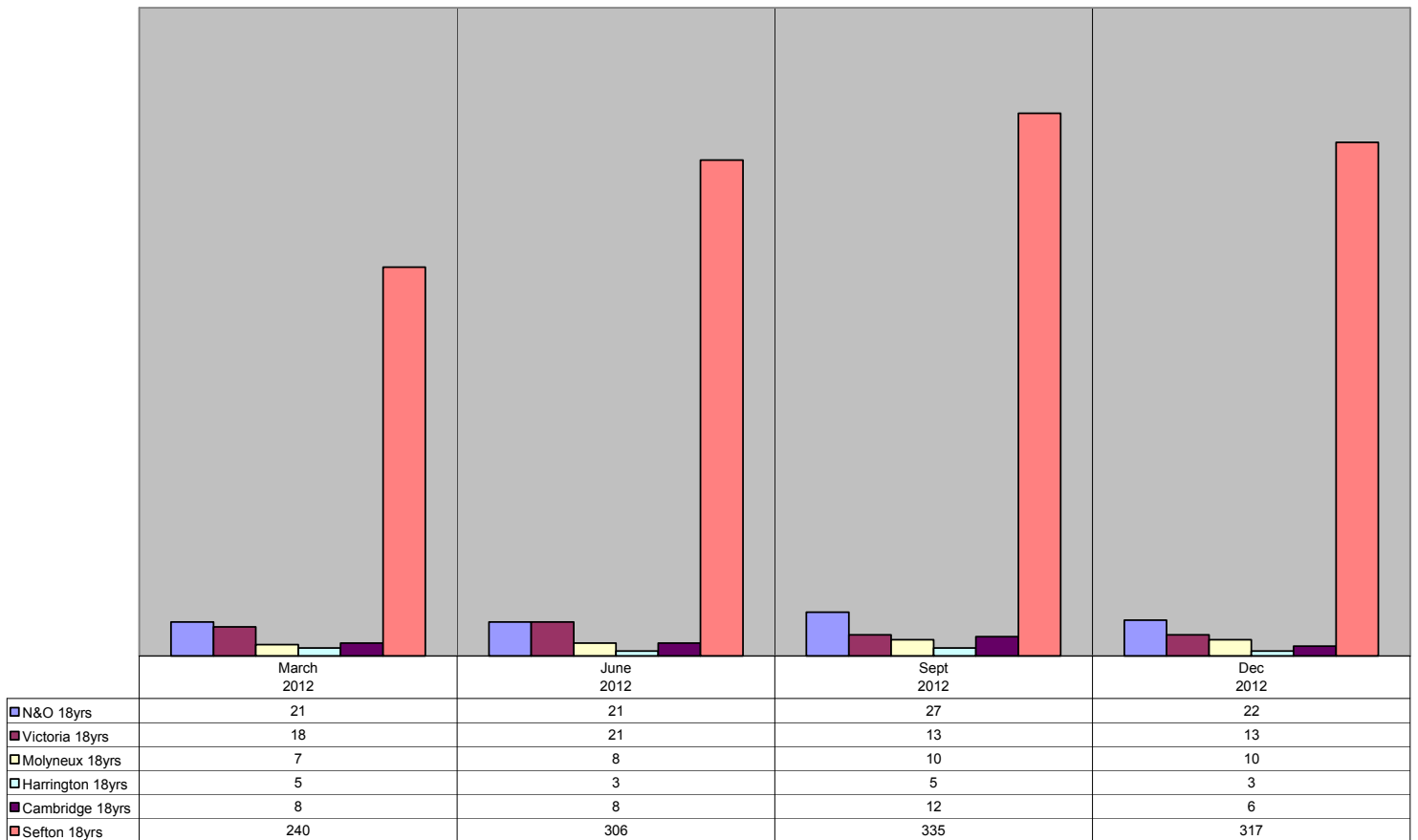


NEET by Ward / Age - 17yrs



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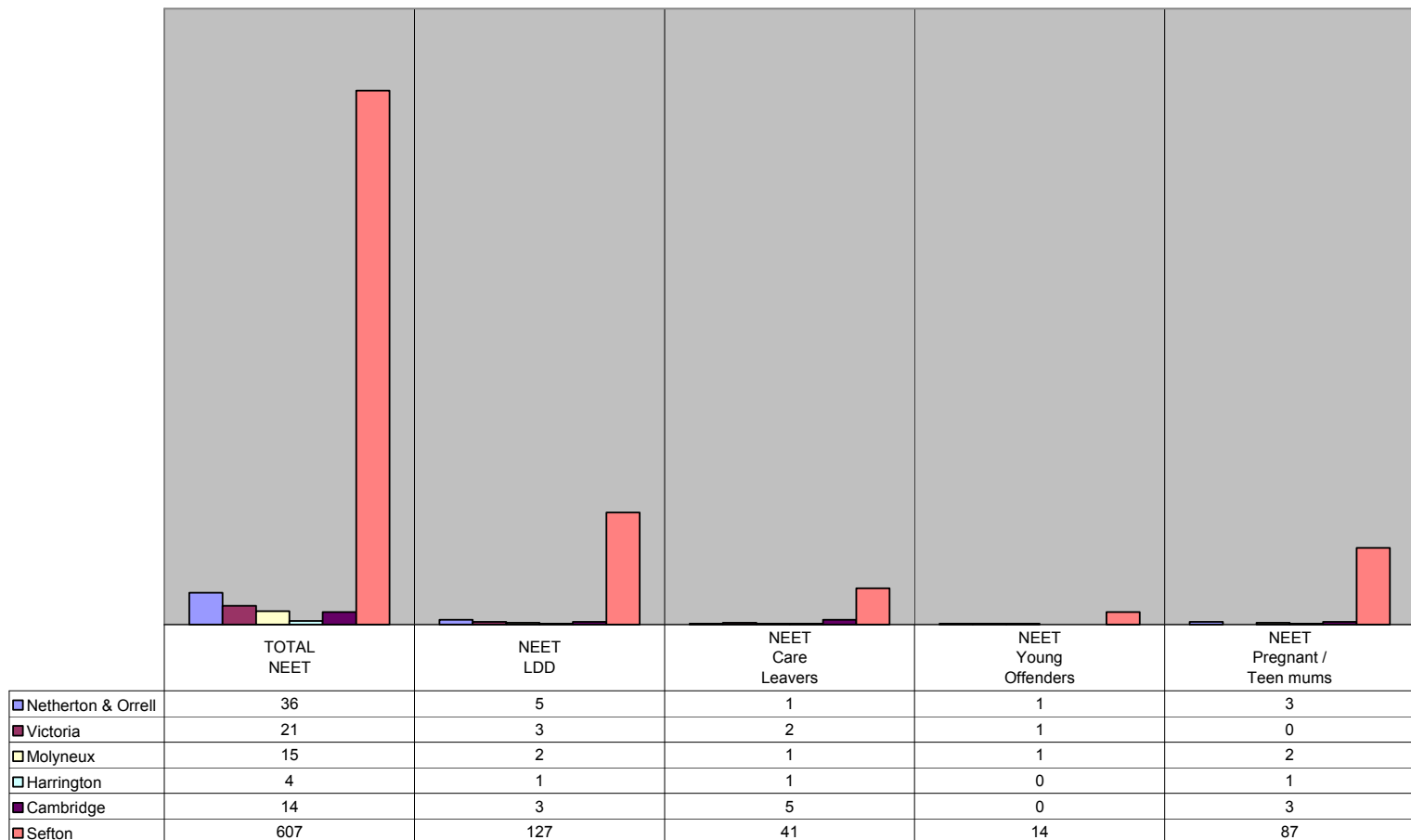
NEET by Ward / Age - 18yrs



Vulnerable groups

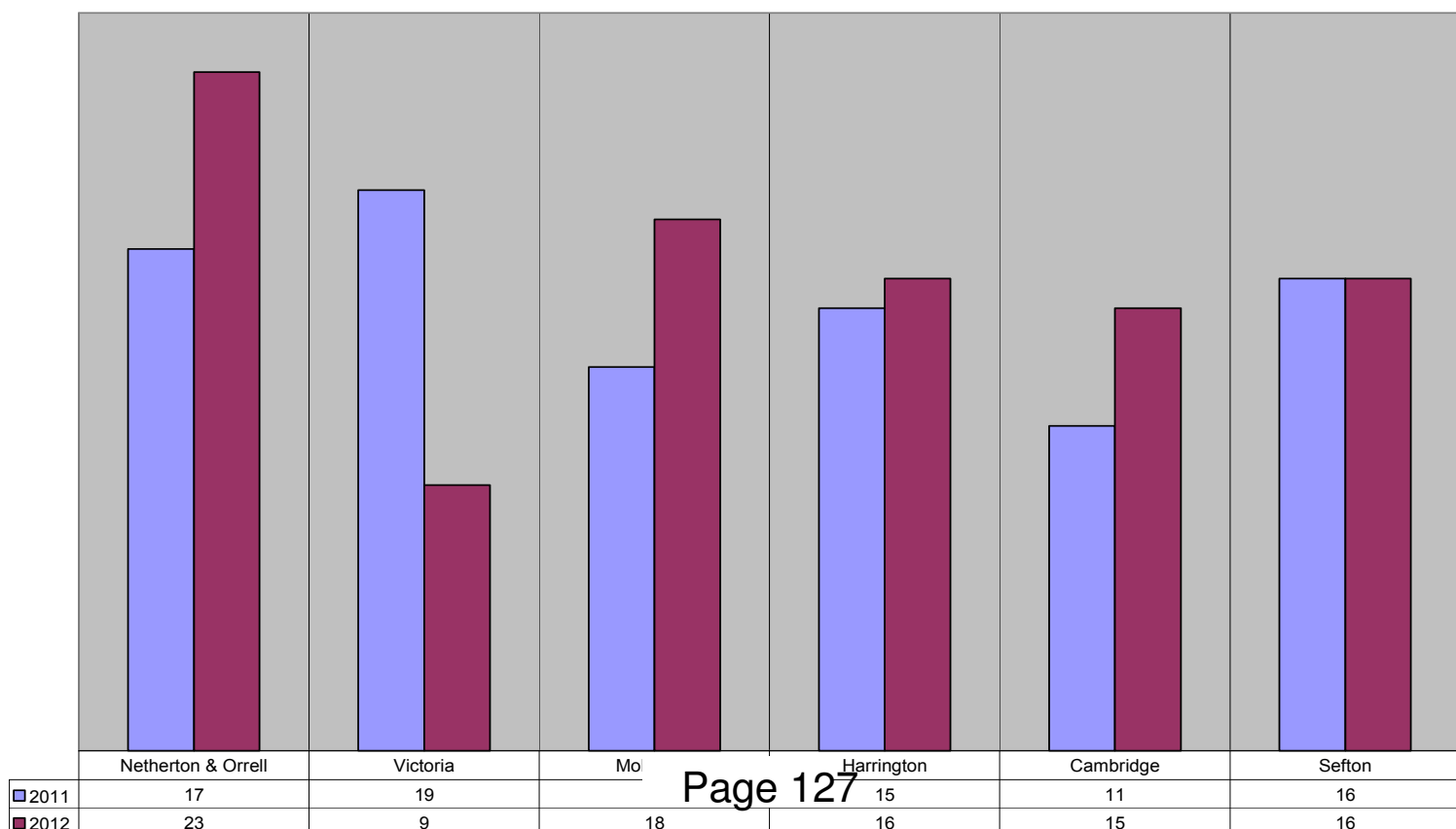
The following data reflects key issues for consideration across Sefton, Young people who are can be identified as being vulnerable to NEET are those who have learning difficulties and disabilities, those who are in the care system, young mums and those who are currently displaying offending behaviour. Targeted support is in place to identify these young people and work to engage them in learning is intensive, but the NEET levels are still high for these groups in comparison with the general cohort. This needs to be addressed and supported by targeted information, advice and more importantly guided support from at least yr 9 onwards.

| December 2012 | TOTAL NEET | NEET LDD | NEET Care Leavers | NEET Young Offenders | NEET Pregnant / Teen mums |
|--------------------|------------|------------|-------------------|----------------------|---------------------------|
| Netherton & Orrell | 36 | 5 | 1 | 1 | 3 |
| Victoria | 21 | 3 | 2 | 1 | 0 |
| Molyneux | 15 | 2 | 1 | 1 | 2 |
| Harrington | 4 | 1 | 1 | 0 | 1 |
| Cambridge | 14 | 3 | 5 | 0 | 3 |
| Sefton | 607 | 127 | 41 | 14 | 87 |



Young people in Sefton are in NEET longer on average than our neighbours. Sefton does have the lowest NEET rates in the Liverpool city region and consequently those in NEET are more likely to be the most hard to engage and re-engage. The 5 wards, whilst having lower NEET than the Sefton average, do have (in the main) an issue with local young people being NEET for longer period of time.

Average Time in NEET (weeks)



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The information below shows the pattern of activity for school leavers across the five wards, move on from school is positive in Sefton with a high in learning rate. This rate needs to be sustained across the 16-18 age range.

Activity Survey:

The activity for all school leavers as recorded on 1st November in the year they left compulsory education

| | 2012 | | | | 2011 | | | |
|--------------------|---------------|-------------|------------|-----------|---------------|-------------|------------|-----------|
| | Yr11 Learning | | Yr11 NEET | | Yr11 Learning | | Yr11 NEET | |
| | % | No. | % | No. | % | No. | % | No. |
| Netherton & Orrell | 95.7 | 157 | 3.0 | 5 | 93.5 | 173 | 6.5 | 12 |
| Victoria | 98.2 | 163 | 1.2 | 2 | 97.9 | 142 | 0.7 | 1 |
| Molyneux | 99.3 | 143 | 0.7 | 1 | 94.8 | 147 | 2.6 | 4 |
| Harrington | 99.2 | 123 | 0.8 | 1 | 97.8 | 131 | 0.7 | 1 |
| Cambridge | 91.5 | 65 | 5.6 | 4 | 96.7 | 89 | 3.3 | 3 |
| Sefton | 95.7 | 3278 | 2.6 | 89 | 96.0 | 3343 | 2.7 | 95 |

An issue we will have with the introduction of RPA, will be the number of young people in jobs without training. This will not be 'legal' post September 2013 for 16 yr olds. Further breakdown on age range is needed and will be available on the near future in order to address this issue and support the development of apprenticeships.

Employed Without Training

| | 2012 | |
|--------------------|------|-----|
| | Sept | Dec |
| Netherton & Orrell | 9 | 15 |
| Victoria | 4 | 15 |
| Molyneux | 15 | 25 |
| Harrington | 8 | 10 |
| Cambridge | 2 | 3 |
| Sefton | 201 | 304 |

Agenda Item 7

Report to: Overview and Scrutiny Committee **Date of Meeting:** 19 March 2013
(Regeneration & Environmental Services)

Subject: Interim Report – Employment Development and Development of Local Town Centres and Economies Working Group

Report of: Director of Corporate Commissioning **Wards Affected:** All

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

To submit to the Overview and Scrutiny Committee an interim report seeking agreement to continue the work of the Employment Development and Development of Local Town Centres and Economies Working Group into the Municipal Year 2013/2014.

Recommendation(s)

That the Committee be requested to agree the continuation of the Employment Development and Development of Local Town Centres and Economies Working Group into the Municipal Year 2013/14 in order that it may complete it's work, as detailed in the scoping document, ensuring continuity in membership, wherever possible.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|-------------------------------|------------------------------|-------------------------------|
| 1 | Creating a Learning Community | | √ | |
| 2 | Jobs and Prosperity | | √ | |
| 3 | Environmental Sustainability | | √ | |
| 4 | Health and Well-Being | | √ | |
| 5 | Children and Young People | | √ | |
| 6 | Creating Safe Communities | √ | | |
| 7 | Creating Inclusive Communities | √ | | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | √ | | |

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Reasons for the Recommendation:

The pre-scrutiny process assists the Cabinet and Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.

Any work programme topics should be chosen to demonstrate that the work scrutiny undertakes adds value to the Council.

What will it cost and how will it be financed? N / A

Implications: N/A

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | |
|--|-------------------------------------|
| Legal: There are no legal implications arising from the contents of this report | |
| Human Resources | |
| Equality | |
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact on Service Delivery: N/A

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has no comments on this report because the contents of the report have no financial implications (FD2193/13:)

The Head of Corporate Legal Services has no comments on this report because the contents of the report have no legal implications (LD1509/13:).

Are there any other options available for consideration? N/A

Implementation Date for the Decision N/A

Immediately following the Committee.

Contact Officer: Ruth Harrison

Tel: 0151 934 2042

Email: ruth.harrison@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

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1. Introduction/Background

- 1.1 This Committee, at its meeting held on 18 September 2012, considered the following topics for review suggested by the Overview and Scrutiny Management Board:-
 - Employment Development; and
 - Development of Local Town Centres and Economies.
- 1.2 At that Meeting Members discussed and agreed conducting one review to include both themes, Employment Development and the Development of Town Centres and Economies.
- 1.3 The following Members were nominated to serve on the Working Group for this purpose: Councillors Bennett, Gatherer, Jones, Lappin, McKinley and Maguire. Since that meeting, Councillor Weavers had indicated that he would also like to serve on the Working Group and Councillor Jones was replaced by Councillor Dutton.
- 1.4 After scoping the review and setting out the terms of reference and objectives, it became evident that the time required to complete the review would need to be extended.
- 1.5 Working Group Members agreed to split the review into two halves the investigation into Employment Development would be conducted initially with the Development of Town Centres and Economies following.
- 1.6 The Working Group has made good progress on gathering information and has interviewed the following witnesses:-
 - Representative from Sefton at Work;
 - Troubled Families Coordinator;
 - Senior Officer for 14-19 Strategy and Management;
 - Job Centre Plus;
 - Skills Funding Agency;
 - Hugh Baird College; and
 - Work Based Learning Providers
- 1.7 Members of the Working Group have already identified the following themes in relation to emerging recommendations:-
 - Digital Inclusion.
 - Welfare Reform.
 - Social Value.
 - A Sefton-wide Employment Growth/ Apprenticeship Compact Agreement between the Council and local employers.
 - Ensuring that all Council and Stakeholder assets work toward more effective targetting of NEETs by Super Output Areas with robust targetting for monitoring and reporting on the impact of any interventions.
 - Ensuring a consistent Sefton approach to Partnership Working.

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- 1.7 Some work is outstanding with regards to completing the Employment Development element of the review. The Working Group will then need to address the Development of Town Centres and Economies part of the review.
- 1.6 The Working Group will not complete all elements of the review within the Municipal Year 2012/13 and so therefore agreement is sought to continue the review into the Municipal Year 2013/14.
- 2.6 ***The Committee is requested to agree to the continuation of the Employment Development and Development of Local Town Centres and Economies Working Group into the Municipal Year 2013/14.***

Agenda Item 8

Report to: Overview and Scrutiny Committee **Date of Meeting:** 19 March 2013
(Regeneration and Environmental Services)

Subject: Cabinet Member Report

Report of: Director of Corporate Commissioning **Wards Affected:** All

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

To submit to the Overview and Scrutiny Committee a recent Cabinet Member Report.

Recommendation(s)

That the report be received.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|-------------------------------|------------------------------|-------------------------------|
| 1 | Creating a Learning Community | | √ | |
| 2 | Jobs and Prosperity | | √ | |
| 3 | Environmental Sustainability | √ | | |
| 4 | Health and Well-Being | | √ | |
| 5 | Children and Young People | | √ | |
| 6 | Creating Safe Communities | | √ | |
| 7 | Creating Inclusive Communities | | √ | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | √ | | |

Reasons for the Recommendation:

In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board has agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees.

What will it cost and how will it be financed? N / A

Implications: N/A

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The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | |
|---|-------------------------------------|
| Legal | |
| Human Resources | |
| Equality | |
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact on Service Delivery: N/A

What consultations have taken place on the proposals and when? N/A

The Head of Corporate Finance and ICT has no comments on this report because the contents of the report have no financial implications for the Council. (FD2171/13:)

The financial implications associated with the attached Cabinet Member reports are contained within those reports as appropriate.

The Head of Legal Services has been consulted and has no comments on this report. There are no legal implications arising from the contents of this report. (LD 1487/13:)

Are there any other options available for consideration? N/A

Implementation Date for the Decision

Immediately following the Committee meeting.

Contact Officer: Ruth Harrison

Tel: ext. 2042

Email: ruth.harrison@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

1.1 In order to keep Overview and Scrutiny Members informed, the Overview and Scrutiny Management Board has agreed for relevant Cabinet Member Reports to be submitted to appropriate Overview and Scrutiny Committees.

1.2 Attached to this report, for information, is the most recent Cabinet Member reports for the period January 2013 for the following portfolio's that fall within the remit of this Committee:-

- Cabinet Member – Communities and Environment;
- Cabinet Member – Regeneration and Tourism; and
- Cabinet Member – Transportation; and
- Cabinet Member – Children, Schools, Families and Leisure (Environmental)

2. Background

- 2.1 At its meeting on 30th August 2011, the Overview and Scrutiny Management Board proposed that, in future, Cabinet Member reports will be published on the Modern Gov library and an e-mail alert will be sent to Scrutiny Chairs. In the event that Chairs identify any issues they would like to raise for discussion at their next Overview and Scrutiny Committee, they should alert the appropriate officer and this will enable appropriate officer attendance at that meeting.
- 2.2 The Cabinet Member update report attached was e-mailed to the Chair of the Committee on its availability.
- 2.3 Accordingly, the appropriate officer attendance has been requested at the meeting.
- 2.4 ***The Committee is requested to receive the Cabinet Member Update Report.***

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| CABINET MEMBER UPDATE REPORT | | |
|-------------------------------------|---------------------------|-------------------------|
| Councillor | Portfolio | Period of Report |
| P Hardy | Community and Environment | January February 2013 |

BUILT ENVIRONMENT

ENVIRONMENT

Horse Meat - the role of the Council in regulating the meat food chain

There is currently much national coverage of the issue of horse meat being passed off negligently or fraudulently as beef in the meat food chain. Horse meat in itself is not a risk to health; the matter is an issue of description. Each manufacturer, supplier and retailer of food has primary responsibility for ensuring their products comply with food law. The Food Standards Agency is responsible for food safety and food hygiene across the UK. They work with local authorities to enforce food safety regulations and have staff who work in UK meat plants to check that the requirements of the regulations are being met. Sefton Council is responsible for working with food businesses in its area to ensure that the law relating to food hygiene and food standards is complied with, including the labelling and composition of food products. This responsibility is delivered by environmental health who advice and guide Sefton food businesses to help them comply with the law. With respect to food standard labelling resources are focused on working with the higher risk activities, such as large manufacturing businesses, or those that have a history of not complying with the law. Councils also use intelligence from a range of resources to target work, including complaints from residents. As part of this work, the Council has the power to take samples of food products to ensure that the labelling accurately reflects the content of the product. Samples are sent to public analysts for analysis, the cost of which is funded by the council.

The FSA has identified 28 councils from across the UK to take part in a short term sampling project to identify horse and pig DNA in the food chain. The councils have been identified by the FSA and will take samples based on specific criteria laid down by the Agency. This is to provide an accurate cross section of the UK food chain that considers retail, catering and wholesale, and in particular wholesale business supplying schools and hospitals. So far around 1% of 2500 samples have contained horse meat. Sefton Council was not called on to participate in this particular sampling programme.

The FSA has placed clear responsibility on food businesses to test beef products for horse meat DNA and councils do not need to conduct routine testing unless they have specific concerns or receive further information from the FSA to suggest this is required. The FSA has asked councils to use local knowledge to prioritise inspections at local types of premises that may be at most risk of being affected. Sefton environmental health officers have been in contact with the five approved meat product manufactures in Sefton to ensure food standard labelling complies with the legislative requirements. The compulsory labelling of beef products with the slaughterhouse of origin for food chain traceability is also being reinforced with Sefton's 27 local butchers.

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Contaminated Land Soil Sampling – Vaux Crescent, Bootle

Letters have been sent to residents on the Vaux Crescent Estate to seek residents willing to allow soil samples to be taken from their gardens. A part survey in 2008 identified the area as being of made ground and found some elevated levels of combustion residue chemicals in some gardens. The survey funded by DEFRA is to determine the ground conditions and spread of any elevated chemical levels across the estate such that any appropriate health protection measures can be advised or taken.

Health and Safety Prosecution for a Fatality

Environmental Health is responsible for enforcing health and safety at work legislation in the boroughs ~ 6000 non manufacturing businesses. This involves investigating accidents and dangerous occurrences. Further to a fatality of a resident in an older person's residential home, an investigation by environmental health has led to a prosecution of the private business owners. The investigation found that there was inadequate supervision of residents by care staff at night and access to a staff only basement by a lift was not secure. An elderly resident who was prone to wandering at night died as a result of a fall down the basement steps having arrived in the basement by the lift and being presumably disorientated attempted to exit the locked basement by the cellar stairs. The owners pleaded guilty to several offences and were fined £39,000 and were made liable for costs. Further investigation has identified a further seven homes in Sefton where unauthorised access by residents to restricted areas by lift could occur. Remedial action is being pursued with the businesses concerned.

Counterfeit Tobacco Haul

Trading Standards have for a second time used trained sniffer dogs and have found hidden counterfeit tobacco in a number of small shops. The latest exercise found counterfeit tobacco hidden in four out of the seven premises visited; the previous exercise found counterfeit tobacco in three out of the six premises visited. Some traders had gone to considerable lengths to hide the illicit material, some having specifically modified display cabinets to have concealed internal compartments, others hiding the material in chiller motor cabinets and another having hidden counterfeit tobacco wrapped in counterfeit Everton Football club shirts in an honest looking sealed box of crisps on a high shelf. The counterfeit material was confiscated and prosecution decisions are being made on a case by case basis in line with the Council's graduated enforcement policy. Counterfeit tobacco encourages smoking through reduced price, avoids tax revenue and distorts legitimate and fair trading. Some counterfeit tobacco can also be more damaging to health than branded tobacco products.



Home Energy Conservation Act

The Council has agreed the Sefton Home Energy Conservation Act Plan as a key decision. The Council's Green Deal and ECO enablement plan is now being promoted in appropriate industrial quarters in an attempt to stimulate a market response to the Councils early mover opportunity.

PLANNING

Regeneration

Potters Barn, Crosby Road South, Waterloo: Additional Section 106 of £88,684 has been committed to Potters Barn topping up the previously secured £19,745 and giving a total of £108,429 - potentially enough match funding for a Heritage Lottery Fund application. This would however be dependent upon agreeing a way forward with Peel Ports due to their legal interests in the site.

King's Gardens, Southport: £5 million restoration project has now begun on site and is expected to be completed by 2014. Updates will be provided periodically; regular on-site Conservation input is anticipated.

Corporate Issues

Cast Iron Street Lighting in Conservation Areas: Rescheduled meeting with John Fairclough to take place in the next few months date to be confirmed, joint briefing note to follow prior to the meeting

Buildings at Risk/enforcement

International Hotel, Seaforth: Grade II Listed Building – Deteriorating vacant derelict former pub, on the market for sale, potential for Urgent Works Notice to be investigated.

Langton Dock Pump house, Seaforth: Grade II Listed Building - Deteriorating vacant and derelict former pump house. Discussions have begun with Peel Ports for Urgent Works to safeguard the building from further deterioration.

1 Southport Road, Formby: Grade II Listed Building - Despite planning permission being secured, work has not begun and the building is continuing to deteriorate and the property has now been put on the market for sale, potential for Urgent Works Notice to be investigated.

Scarbrick Hotel, Lord Street, Southport: Following on from previous update, discussions are still ongoing with owners, an article appeared in the Southport Visiter concerning this issue, this has had a positive impact from other owners of Listed Buildings and in Conservation Areas contacting the Council about works they were planning to undertake.

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Development Management

Consultation Responses: Consultation on application and pre-application proposals with conservation implications ongoing and responses met within agreed target dates. No major applications to report at this time.

Former Harland and Wolff offices, Regent Road, Bootle: Following an application for Listing, English Heritage have determined that the Harland & Wolff building is not worthy of listing, as a result consent to demolish the building has been granted.

Policy

Heritage Strategy: Following on from previous update regarding the strategy feeding into the Local Plan and Strategic Policy formulation, Conservation are currently gathering evidence to formulate the strategy. Updates will be provided, along with the likely further discussion on key decisions, especially that concerning the pro-active implications and neighbourhood issues.

MEAS

MEAS is a shared service providing statutory and regulatory advice and strategic leadership to the 6 Districts across the Liverpool City Region.

Regulatory and Legislative Advice Performance

Planning applications - MEAS has provided the following regulatory and statutory planning advice to Sefton over the as well as the other 5 Districts. During the period MEAS has advised Sefton Council on the following:

- 26 minor and major planning applications; and
- 2 Environmental Impact Assessment applications including Liverpool 2.

Habitats Regulations Assessment - We continue to provide advice to projects and planning applications with 4 HRAs during the period e.g. Liverpool 2, port developments.

Strategic Planning

Local Plan - MEAS continues to advise the Local Plan team, via the strategic group and through detailed technical advice on policy development and proposed land allocations. We are closely working with forward planning colleagues to ensure Council's legislative compliance (new Planning Framework, NERC Act, Natural Environment White Paper and Habitats Regulations) particularly on proposed land allocations.

Waste Local Plan – The modifications consultation has been completed and the joint report to the Inspector prepared by MEAS and sent to the Planning Inspector. We are awaiting the Inspectors' report.

Sustainable Energy Action Plan - MEAS is providing technical support to Sefton's energy team on the drafting of their own SEAP to support the LCR SEAP.

Liverpool City Region Deal

MEAS continues to lead three elements of the City Region Deal – the low carbon regulatory pilot, the baseline environment and the River Mersey Ask. The Director will be presenting to the Defra Minister in London 11 February on progress. Additional funding of £80k is currently under discussion with DECC / LEP.

Savings

The agreed Business Plan is being implemented in line with a 30% budget saving. Staff consultations have been completed with one staff member being made redundant 31/3/13 and a management post deleted as a consequence of natural turnover.

Priorities Moving Forward (to June 2013):

- Update and review Shale Gas and energy minerals policy position;
- Continue development management advice;
- Establishment of Historic Environment / Archaeology Service;
- Continue technical advice on site allocations for Sefton's Local Plan;
- Deliver LCR Low Carbon Deal – Regulatory Pilot and River Mersey Task Force.
- Subject to receipt of a favourable Inspectors' report, proceed with Waste Local Plan adoption to become part of Sefton's statutory development framework.

FLOOD AND COASTAL EROSION RISK MANAGEMENT

The Flood Investigation Report for the flooding that occurred in September 2012 has been reviewed by the Cabinet Member and following this will be published. It sets out our understanding of the mechanisms for the flooding, reviews if Flood Risk Management Authorities undertook their duties and makes recommendations for actions to reduce flood risk based on the findings. There is also an action plan agreed by the Flood Risk Management Authorities for what will be done and when in relation to addressing the recommendations.

High Ground Water levels are still causing flooding issues especially on the Coast Road but major works to clear an outfall pipe have been undertaken and are now starting to resolve the issue. It will take time for the water levels to reduce but the Coast Road will be opened as soon as possible.

Work is being undertaken to address flooding issues at a range of sites in Sefton before the end of the financial year ranging from dealing with riparian issues and highway flooding through to property flooding.

The Strategic Flood Risk Assessment has been completed to draft stage and is available on the Council website. This will inform the Local Plan with regards to development and flood risk and is a key element in ensuring that flood risk is taken into account such that we prevent any increase in flood risk through inappropriate development.

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CABINET MEMBER UPDATE REPORT

| Councillor | Portfolio | Period of Report |
|-----------------|----------------------------------|------------------------------|
| John Fairclough | Cabinet Member Transportation | November 2012 – January 2013 |

1. Thornton Switch Island Link – A5758 Broom’s Cross Road

The Council has prepared a Statement of Case for the Public Inquiry for the Thornton Link scheme and expert witnesses have prepared proofs of evidence. The Inquiry starts on the 5th February and is expected to last no more than 2 days. Three of the four objections to the Orders, including the ‘statutory objector’ have been withdrawn, so only one non-statutory objector remains. *Note that one additional written objection was received via the Department for Transport the week before the Inquiry was due to start.* Preparation of evidence for the Inquiry took place in December and the public notices of the Inquiry were published in January.

The detailed design stage of the project is effectively complete and a revised target cost estimate for construction is being reviewed by the Council’s agents, Capita.

2. Port Access

Access to the Port of Liverpool is one of the key transport related elements in the Liverpool City Region deal. Sefton is leading on this issue on behalf of the City Region. The first meeting of the port access steering group was held in November and a further meeting was held January. Membership of the group, terms of reference and a set of key messages have been agreed. A proposed work programme is being developed.

In addition, a bid for Trans European Transport Network (TEN-T) funding is being prepared to support some feasibility and options studies for the port access interventions. A report is being presented to Cabinet in February to seek approval for Sefton Council to be the accountable body for the bid and any resulting project.

3. LTP3

Sefton is continuing to work with Merseytravel and the other Merseyside authorities on the delivery of the LTP3 implementation programme. Sefton’s LTP programme addresses the transport priorities approved by Cabinet on the 3rd March 2011. An update on the 2012/13 LTP Capital Programme is being reported to Cabinet Member – Transportation in February.

4. Local Transport Schemes

Work on delivery of the LTP Capital Programme for 2012/13 has been continuing, including the safety scheme on the Formby Bypass (now complete), pedestrian and access improvements on Washington Parade (also complete), Phase 2 of the Hightown to Formby section of the coastal path (currently on site) and the preparation of a planning application for the proposed junction improvements on the A565 in Waterloo (South Road/Haigh Road). Consultation on the introduction of several new low speed zones has been completed and reported to the relevant Area Committee.

Work is also continuing on some schemes fully or partly funded through the Local Sustainable Transport Fund. Improvements along Bridle Road and to the path across Bootle Golf Course have been approved and work will commence this financial year.

5. Street Lighting

Successful delivery of lamp con... energy efficient white light is ongoing and

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will be completed by the end of the financial year.

Substantial delivery of the LED Demonstration Projects implemented.

Procurement & delivery of the LED project for the Illuminated signs and bollards circa 3040 units also ongoing.

Street Lighting replacement schemes currently being delivered.

Following the street lighting consultation and subsequent approvals by Cabinet, officers are now working to implement the proposals and will provide regular updates to Cabinet Member. Identification of the £15,000 energy saving through the initiative to turn off selected street lights at certain times on A565 and A59 has been completed. Funding is being sought to implement the replacement of a further 4500 units with lower energy white lighting. This will be presented to Members for approval in the future. Introduction of replacement 'slipper columns' has commenced and progress will be reported to Cabinet Member in due course. This does not provide a saving but more efficient use of already restricted budgets.

6. Highways & Engineering Design

Implementation of Highways Resurfacing & Surface Treatment Programmes is ongoing. The vast majority of both carriageway and footway schemes have been completed. The Council Website is being updated to indicate completion against programme.

The Government has announced an allocation of additional local highways maintenance funding. In accepting the funding, we have had to agree to report to Department for Transport how the funding has 'complemented (rather than displaced) our planned highway maintenance expenditure'. The allocation to Sefton is £426,000 in 2013/14 and a further £219,000 in 2014/15. Work is ongoing with Capita to identify the works which will be undertaken with this funding and the programme will be presented to cabinet Member in due course.

Following the flooding incidents during the autumn and winter, officers have been working on the flood investigation report and have kept Members updated on progress. The report was originally due to be published in November, however, Members were keen to include an action plan based on the findings. This has delayed publication as officers engage with United Utilities and The Environment Agency. A note to explain the delay has been approved by Cabinet Member and is being sent out to residents. The report has now been finalised and shared with Cabinet Member for approval. Following this, the report will be published.

There has been an ongoing issue of highway flooding on the Coastal Road in Birkdale. Officers have been working with contractors to alleviate the problem which has been hampered by the exceedingly high water table after unusual rainfall. The works have caused some disruption due to the need to close the road southbound for safety reasons and it is hoped to be able to reopen it in the coming days.

Members will be aware from the last report that a Defra bidding process for resilience funding is underway. Sefton submitted a pre qualification questionnaire on Monday 14th January which was successful. The Council has now been asked to put a bid together. Defra has £5m to distribute amongst a maximum of 20 authorities. The funding is not for physical works but guidance and advice and helping people and communities be better prepared to cope with flooding incidents. Our bid will target Seaforth, Maghull and Formby. The timescales for the bid are extremely tight, with an application date of 19th February imposed. Officers will submit the bid on time and will keep Cabinet Members informed of progress

7. Winter Service

As at 18th February 2013, 50 carriageway gritting operations have been undertaken and 30 footway operations, as opposed to 29 carriageway and 8 footway operations by the same time last year.

8. Building Works – Sefton Client Team/Capita Major Capital New Build and Refurbishment Works

Southport Cultural Centre: as previously - the project has been delayed due to an increase in the works carried out; this has led to a significant increase in cost.

The majority portion of the building was handed to the Council on 3rd January 2012 and library and other fit out works are now progressing in these areas.

The main contract works are due to be completed in February 2013 but the date for final completion of the fit out works is still to be confirmed. It is currently proposed that the Ground Floor and Library areas will be opened to the public at the end of March 2013 with the remaining areas becoming available in May 2013. All efforts are being made to achieve these timescales.

Every effort is also being made to keep costs to a minimum but there are additional costs which will be reported to Members in the near future.

Southport Market Refurbishment: the scheme achieved completion in early June 2012 and the market has generally operated successfully since. Some issues relating to ventilation and over heating have been reported, particularly on hot days, and measures to overcome this have been identified and are to be implemented shortly.

Meols Cop High School: works to provide additional teaching accommodation and library is progressing well and remains on programme for completion in the early spring of 2013.

Birkdale Primary School: Works have now commenced on site and remain on programme for a phased completion which will provide the additional classroom accommodation for commencement of the September 2013 term, as required, and full completion, including new kitchen, dining and IT provision will be achieved in December 2013.

Southport Pier: Tenders have now been invited from suitably qualified and experienced consultants to bid to carry out a full feasibility study and provide options for the ongoing and long term maintenance of the pier structure. In the meanwhile Capita Symonds have carried out interim structural inspections to ensure that any immediate work requirements are identified.

Feasibility Works: Feasibility studies are underway for proposed works to provide:

Sports Hall and Circulation Modifications at Crosby High School

Additional Classrooms at Kew Woods Primary School

Accommodation alterations at Hillside High School

Minor Capital and Maintenance Works

The Children's Schools and F... Capital and Planned Maintenance programme for 2012/13 is, in m... complete - although where it has not

Agenda Item 8

been possible to carry out works over the summer holiday period these works have been programmed for completion during forthcoming holiday periods..

The Client team, Capita Symonds and Children's Services are working cooperatively to identify priorities for the 2013/14 programme.

Accommodation Strategy

The strategy's main objective is to consolidate accommodation into the most economical, mostly Council owned, buildings; allowing outlying facilities to be released to yield revenue savings and potential capital receipts. It also aims, through rearrangement of accommodation, and co-location of related functions, to achieve operational benefits, which in themselves can also yield revenue benefits.

Works to accommodate staff of the Place Directorate and Corporate Services in Magdalen House and Bootle Town Hall, and Peoples Directorate support services within Merton House and Bootle Town Hall are complete. Proposals for the consolidation of the Council's training functions in the former City Learning Centre at Ainsdale have also now largely been implemented.

The Peoples Directorate's accommodation requirements are now emerging as their new structure and operational requirements are defined. Discussions relating to the accommodation requirements for rationalised and consolidated Adult and Children's social care functions have taken place and option appraisal and feasibility works have commenced.

Revenue Works

Capita Symonds continue to provide day-to-day reactive responsive maintenance cover to the Councils building stock and many of the schools in the borough

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| CABINET MEMBER UPDATE REPORT | | |
|-------------------------------------|--|-------------------------|
| Councillor | Portfolio | Period of Report |
| Ian Maher | Cabinet Member Regeneration & Tourism | February 2013 |

1. Housing Market Renewal – General

Klondyke

Construction of new homes on the Phase 1 site has commenced. This involves 86 new housing units, 17 of which will be for affordable rent.

Over the last 3 months, 3 households have been rehoused, and there are currently only 5 occupied properties in Phases 2 & 3. There is ongoing liaison to try to encourage these residents to move temporarily, however, most have indicated that they are not interested in doing so, and most want to wait for a new-build home on the Phase 1 site.

CCTV has been installed on the estate, and is able to be accessed by both the Police and Sefton Security.

Bellway is currently preparing a new layout proposal for Phases 2 and 3 with a view to seeking Planning Consent, in the coming months.

A judicial review on the need for an environmental impact assessment on the demolition of the Springwell Chapel has been heard in the High Court for the 27th November following action taken by Save Britain's Heritage. We still await the outcome verdict.

Bedford/Queens

Construction of the Phase 2 site continues. The use of Regional Growth Funding to fund the development of Bedford Queens Phase 3, St Winefrides and the refurbishment of the Kings Centre has been approved by BIS, and we are about to enter into a tri-partite agreement with Keepmoat and Liverpool CC [as Accountable Body] to allow a scheme to begin in the coming months.

2. Housing Market Renewal Transition Fund

Following a High Court hearing on the 18th September, Save Britain's Heritage won the right to a judicial review hearing into the allocation of Transition Funding. The Judicial Review was due to be heard in January 2013. However, the Secretary of State has conceded that the funding decision was unlawful, and a settlement will be made out of court. This should NOT lead to any action to try to reclaim the Transition Grant.

However, we have recently learnt that the case has been relisted for the High Court in May. We are seeking clarification as to why this is necessary.

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3. Housing Options Service

The Local Authority partners will be conducting a Review of the common Property Pool Plus Allocations Policy over the coming months, in light of early operational experience. Revisions of policy will be reported to Members of each LA for approval in due course.

We have appointed Chartered Institute of Housing Consultancy to undertake the task of Reviewing our Homeless Services and production of a new Homeless Strategy. The Homelessness Act (2002) requires every Council to review and produce a new Homeless Strategy every 5 years. Consultations with partner agencies, has begun.

Members have agreed to the Lease disposal of Windsor House, Southport, former Homeless hostel, to Forum HA, who will utilise the building to provide low level supported accommodation for young single people.

The number of residents approaching us, especially single people, has increased over the last year or so, and there is little likelihood of this increase slowing over the coming months and years. This increase in homelessness has been mirrored across the other Merseyside LA's who are also reporting an increase or at least no further reductions in presentations.

We have also seen a year-on-year increase in the number of people Rough Sleeping in the Borough despite the introduction of the No Second Night Out project. However, numbers are relatively small, increasing from 4 cases in 2010, to 7 in 2012.

There has been recent attention given to the Council's service provision for Rough Sleepers, on the back of a national campaign. Members were provided with a briefing note about Sefton Council's service position.

The Council receives a Homeless prevention grant as part of it's annual funding settlement (circa £88,000). Over the past 2 years, and longer, we have used the vast majority of this money to fund Light for Life (L4L) to provide the Southport Housing Advice Centre service. The Council has entered into a contract with Light for Life for these services, which is due to end at the 31st of March. Officers will seek approval to extend this for a further 12 months, but beyond this, the service will be the subject of the Council wide Voluntary/Community/Faith sector review.

Between April and October 2012, L4L dealt with 1,108 customers seeking housing assistance, many of whom would be seeking help to find accommodation. Some cases will be households who are statutorily homeless, and L4L will offer a triage service, but may have to refer them to the Council's Housing Options team. But in the vast majority of cases, L4L have service interventions to prevent or alleviate the homeless issue, helping to fulfil the Council's duties.

4 Private Sector Housing Standards Service

The Housing Standards Team have both an enforcement and advisory role dealing with Private Sector Landlords, tenants and owner occupiers. The Council has a legal duty to take action where a Category 1 Hazard (most serious hazard) exists. The Housing Standards Team has removed Category 1 hazards from over 200 homes over the past 2 years, using various actions. The vast majority of those are privately rented premises.

Agenda Item 8

There has been a significant increase in the demand for the service of the team. The last financial year saw an increase in demand on the previous year of 42%, and this year we are on target to receive a similar or even increasing level of service requests. This increase in demand has surpassed the national increase in demand which was reported by the charity Shelter in Oct 2012, at an increase of 30% last year

The (2009) Private Sector Housing Strategy includes an objective to set up a (voluntary) Landlord Accreditation scheme in Sefton. On 31st October, Cabinet approved 'one-off' funding, to help establish a scheme and operate it, for a 12 month period. Approval was given to appoint Wirral Council to do this for us. A project plan has been agreed and we hope a scheme will be agreed and set up over the next 3 months. However, due to their own budget cuts, the Wirral officers involved have been issued with 'at risk' letters, which casts a doubt on their ability to assist us beyond April.

There is continued focus on dealing with empty homes, with staff taking enforcement actions on long term empty homes. There has been recent, fairly positive, press coverage on empty homes activities by the Council

Plus-Dane submitted a successful funding bid to the HCA's Empty Homes Initiative, which include delivering empty properties on the basis of delivering both purchase and repair units, and leasing units mainly in the Southport Area. Plus-Dane have developed a Leasing scheme. Those owners interested in leasing are being contacted, and negotiations between the HA and a small number of owners have commenced. Cosmopolitan HA have withdrawn from this scheme.

Riverside Housing have received funding under another empty homes initiative; 'Clusters of Empty Homes'. They will be seeking to purchase, repair and then sell 18 properties under their Own-Place scheme in the Knowsley Rd & Peel Rd area of Bootle.

A further round of £300m Government funding for empty homes was announced in December. Housing associations and community groups will be able to bid for funding. The closing date is 25th March. So far, only Plus-Dane HA have indicated that they wish to submit a bid for properties in Sefton.

5. Home Improvements Team and DFGs

The council have approved a capital budget of circa £2.5m for 2012-13. In addition the Govt recently announced an additional sum of £377,000 for DFGs this year.

Part of the service is provided via an agency agreement with Mears Ltd (who took over Anchor Trust in 2010). Due to the costs involved the Council has agreed that it would be more cost effective to bring the services in-house. Notice has been served on Mears and work is progressing to bring the service in-house before the end of this financial year. The Councils Minor Adaptations service will also be managed within this service area.

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6. **Housing Strategy**

A new Tenancy Strategy has been approved by Cabinet on the 13th of December.

David Adamson consultants have been appointed to undertake a borough wide Private sector housing stock condition survey. This will involve the survey of circa 1200 randomly selected properties across the borough. The work has been procured jointly with Wirral council, to generate some efficiencies for both Authorities. Letters will begin to be sent to selected householders later in February.

Officers are beginning to review the Council's Empty Homes Strategy, with a view to bringing forward a revised strategy by the end of the year.

The Council has been successful in it's application for circa £300,000 of funding from the HCA, to improve the Council's Gypsy & Traveller site at Formby. Work will involve upgrading the utility blocks [for bathing and laundry] and hopefully the addition of 4 family pitches within the site, to meet growing demand.

7. **StepClever Property Project**

Works to the Anfield BusinessCentre within the Liverpool part of the StepClever area is now virtually complete. Final payments to the contractor should be made in March. Final claim expected after April 2013.

One final project utilising other funds from the Stepclever Property Programme is currently being revised for consideration by the Legacy Funding Steering Group. This project is expected to commence on site by May/June 2013.

8. **Kew Housing Site Southport**

David Wilson Homes are now completing technical surcharging tests on the site in advance of commencing the remediation of the site from September/October 2013. Legal matters including transfer and other agreements will be concluded simultaneously

9. **Southport Cultural Centre**

The majority portion of the building was handed to the Council on 3rd January 2012 and library and other fit out works are now progressing in these areas.

The procurement of some fit out works has been concluded and orders have been placed, other procurement is ongoing.

The main contract works are due to be completed in February 2013 but the date for final completion of the fit out works is still to be confirmed.

It is currently proposed that the Ground Floor and Library areas will be opened to the public at the end of March 2013 with the remaining areas becoming available in May 2013. All efforts are being made to achieve these timescales.

Every effort is also being made to keep costs to a minimum but there are additional costs which will be reported to Members in the near future.

10. **Southport Market**

The Capital works for the building were completed in July and the Market has been operating successfully since.

The project is currently within the 'defects liability period' and any matters arising will be dealt with prior to the 12 month anniversary of the project completion. The most significant outstanding issue relates to the ventilation and potential over heating in the food stall areas: Capita Symonds are currently implementing a strategy designed to alleviate this issue.

The Final Account is close to being agreed and final payments will be made in May subject to satisfactory completion of outstanding defects.

The important role that the gateway signs, and other directional signage, play in highlighting the presence of the Market is recognised but unfortunately the installation of these signs has been delayed.

The initial discussions necessary to identify a suitably prominent location, while being mindful of the sensitive location, have now been concluded but the presence of services in the footpaths in the proposed locations has further delayed the installation. A revision has however now been agreed and works to carry out installation have now been instructed.

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CABINET MEMBER BRIEFING (Children, Schools, Families and Leisure) – FEBRUARY 2013

PARKS AND GREENSPACES

King's Gardens, Southport

The largest Heritage Lottery Fund park project currently in UK has now started on site. The contractors, Casey's, have previous experience of working on HLF projects and working with the local community. At present the main compound is being constructed and major works are due to start on site 18th February.

Initial shrub clearance was carried out during December and January around the Gardens. Views from the upper promenade to lower have now been opened up, helping to recreate the original layout of the gardens, and improving natural surveillance and the perception of safety.

The HLF project also funds a Community Development Officer who works alongside the Community Parks Officers to bring life to the park, and make it more sustainable in the long-term. Some examples of the successful community work to date include:

- Forming and supporting the Friends of King's Gardens. This group has been meeting for around eighteen months and are a fully constituted group. The Friends play an integral part in the project and their input and passion to see the gardens transformed is fantastic. They recently presented prizes to the winners of a photography competition which they organised; prizes were kindly donated by Jessops. The Friends have set up a facebook page and twitter account to chart the restoration of the Gardens.
- Working with a local environmental group, the Green Machine, who have adopted King's Gardens to help support in gardening activities and other projects. This year the group are going to be designing a leaflet for the gardens which members of the public can use. It is hoped the group will help in the planting of the bedding on the promenade this Spring.
- Links have also been forged with HMP Kennet who are growing herbaceous plants for King's Gardens. Negotiations are taking place to enable offenders to volunteer to carry out gardening activities on site.

This illustrates the importance of pro-actively encouraging and facilitating the local community, in order to help with managing our parks and to protect the investment which has been made in them.

Street Trees

The Tree and Woodland Team manage street trees on behalf of Highways. Work is prioritised to deal with critical Health and Safety issues first (e.g. structurally unsound trees or trees that are causing a hazard by obstructing the road/pavement).

Due to budget pressures, only this high priority work can be done currently, and this has to be phased according to need and budget; unfortunately, the allocated budget does not allow for dealing with residents' requests for tree pruning to alleviate problems like overhang, shading, etc.

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Mazes

In April 2012, the Landscape Services Department secured funding from NHS Sefton for the provision of mazes in two parks across the borough. The aim of this scheme is to promote the benefit of creative outdoor solutions as an innovative remedy for stress, anxiety and depression. The mazes will comprise low-level, geometric patterns on the ground, as research has shown this to be beneficial for mental health.

To the North of the borough, Hesketh Park in Southport was selected due to its ornamental nature and positive links with the community, including The Hesketh Centre, which provides mental well being across the borough. In the South of the borough, Marian Gardens in Netherpton was selected due to its close proximity to the Feelgood Factory, which also provide many mental well being services to the community.

As part of the project, Landscape Services have engaged with the Creative Alternatives Team. The scheme is scheduled to be completed in the spring.

Green Flag

This year's Green Flag management plans have been submitted for all the following sites: Botanic Gardens / Hesketh Park / Lord Street Gardens / Coronation Park / Hatton Hill Park / North Park and Derby Park. The management plans are important documents as they detail how we are going to manage the site in the coming year and the main Actions / areas of activity that need to take place.

The plans have been re-written to address the significant changes in maintenance of the parks, due to the savings within the Service. Although every effort is being made to keep the parks at an acceptable standard, this may affect the outcome of the Green Flag process.

Officers work pro-actively with Friends of Groups on these sites; these groups help to influence the management plans and help to address some of the impacts of the savings.

PE 15.02.13

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Agenda Item 9

Report to: Overview and Scrutiny Committee **Date of Meeting:** 19 March 2013
(Regeneration & Environmental Services)

Subject: Key Decision Forward Plan 1 April to 31 July 2013

Report of: Director of Corporate Commissioning **Wards Affected:** All

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

To submit to the Overview and Scrutiny Committee the latest Key Decision Forward Plan.

Recommendation(s)

1. That the Committee considers items for pre-scrutiny from the Key Decision Forward Plan;
2. That progress, to date, of the Economic Development and Development of Local Town Centres and Economies Working Group be accepted;
3. That the Committee be requested to agree the continuation of the Economic Development and Development of Local Town Centres and Economies Working Group into the Municipal Year 2013/14 in order that it may complete it's work, as detailed in the scoping document, ensuring continuity in membership, wherever possible.
4. That progress, to date, of the NEETS (Not in Employment, Education or Training) Working Group be approved.

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|------------------------|-----------------------|------------------------|
| 1 | Creating a Learning Community | | √ | |
| 2 | Jobs and Prosperity | | √ | |
| 3 | Environmental Sustainability | | √ | |
| 4 | Health and Well-Being | | √ | |
| 5 | Children and Young People | | √ | |
| 6 | Creating Safe Communities | √ | | |
| 7 | Creating Inclusive Communities | √ | | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | √ | | |

Agenda Item 9

Reasons for the Recommendation:

The pre-scrutiny process assists the Cabinet and Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.

Any work programme topics should be chosen to demonstrate that the work scrutiny undertakes adds value to the Council.

What will it cost and how will it be financed? N / A

Implications: N/A

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | |
|--|-------------------------------------|
| Legal: There are no legal implications arising from the contents of this report | |
| Human Resources | |
| Equality | |
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact on Service Delivery: N/A

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has no comments on this report because the contents of the report have no direct financial implications (FD:2182/13)

The Head of Corporate Legal Services has no comments on this report because the contents of the report have no legal implications (LD 1498/13:).

Are there any other options available for consideration? N/A

Implementation Date for the Decision N/A

Immediately following the Committee.

Contact Officer: Ruth Harrison

Tel: 0151 934 2042

Email: ruth.harrison@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

Agenda Item 9

1. Introduction/Background

- 1.1 Members may request to pre-scrutinise items from the Key Decision Forward Plan. Such items must fall under the remit (Terms of Reference) of this Committee. The current latest Forward Plan is attached at **Appendix A** for this purpose. The pre-scrutiny process assists the Cabinet and Cabinet Members to make effective decisions by examining issues beforehand and making recommendations prior to a determination being made.
- 1.2 For ease of identification, items listed on the Forward Plan for the first time appear as shaded.
- 1.3 If Members require further information in relation to any item on the Key Decision Forward Plan please contact the Officer named in the plan before the Meeting.
- 1.4 ***The Committee is invited to consider items for pre-scrutiny from the Key Decision Forward Plan.***

2. Employment Development and Development of Local Town Centres and Economies Working Group

- 2.1 The above Working Group has met on several occasions. It has made good progress on gathering information and has interviewed the following witnesses:-
 - Representative from Sefton at Work;
 - Troubled Families Coordinator;
 - Senior Officer for 14-19 Strategy and Management;
 - Job Centre Plus;
 - Skills Funding Agency;
 - Hugh Baird College; and
 - Work Based Learning Providers
- 2.2 The Working Group will not complete all elements of the review within the Municipal Year 2012/13 and so therefore agreement is sought to continue the review into the Municipal Year 2013/14.
- 2.3 An interim report features elsewhere on the Agenda.
- 2.4 Councillor McKinley is invited to update Members on the progress of the Group.
- 2.5 The Committee will be updated regularly on progress of the Group.
- 2.6 ***The Committee is requested to approve progress, to date, of the Employment Development and Development of Local Town Centres and Economies Working Group and agree to extend the review into the Municipal Year 2013/14.***

3. NEET (Not in Education, Employment or Training) Working Group

- 3.1 The Working Group has completed its review and the Final Report features elsewhere on the Agenda for this Committee to approve.

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SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

FOR THE FOUR MONTH PERIOD 1 APRIL 2013 - 31 JULY 2013

This Forward Plan sets out the details of the key decisions which the Cabinet, individual Cabinet Members or Officers expect to take during the next four month period. The Plan is rolled forward every month and is available to the public at least 28 days before the beginning of each month.

A Key Decision is defined in the Council's Constitution as:

1. any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater;
2. any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

As a matter of local choice, the Forward Plan also includes the details of any significant issues to be initially considered by the Executive Cabinet and submitted to the Full Council for approval.

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each Key Decision, within the time period indicated.

Under the Access to Information Procedure Rules set out in the Council's Constitution, a Key Decision may not be taken, unless:

- it is published in the Forward Plan;
- 5 clear days have lapsed since the publication of the Forward Plan; and
- if the decision is to be taken at a meeting of the Cabinet, 5 clear days notice of the meeting has been given.

The law and the Council's Constitution provide for urgent key decisions to be made, even though they have not been included in the Forward Plan in accordance with Rule 26 (General Exception) and Rule 28 (Special Urgency) of the Access to Information Procedure Rules.

Copies of the following documents may be inspected at the Town Hall, Oriel Road, Bootle L20 7DA or accessed from the Council's website: www.sefton.gov.uk

- Council Constitution
- Forward Plan
- Reports on the Key Decisions to be taken
- Other documents relating to the proposed decision may be submitted to the decision making meeting and these too will be made available by the contact officer named in the Plan
- The minutes for each Key Decision, which will normally be published within 5 working days after having been made

Agenda Item 9

Some reports to be considered by the Cabinet/Council may contain exempt information and will not be made available to the public. The specific reasons (Paragraph No(s)) why such reports are exempt are detailed in the Plan and the Paragraph No(s) and descriptions are set out below:-

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveals that the authority proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
8. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
 - (a) the Companies Act 1985;
 - (b) the Friendly Societies Act 1974;
 - (c) the Friendly Societies Act 1992;
 - (d) the Industrial and Provident Societies Acts 1965 to 1978;
 - (e) the Building Societies Act 1986; or
 - (f) the Charities Act 1993.
9. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992
10. Information which—
 - (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Members of the public are welcome to attend meetings of the Cabinet and Council which are held at the Town Hall, Oriel Road, Bootle or the Town Hall, Lord Street, Southport. The dates and times of the meetings are published on www.sefton.gov.uk or you may contact the Committee and Member Services Section on telephone number 0151 934 2068.

NOTE:

For ease of identification, items listed within the document for the first time will appear shaded.

Margaret Carney
Chief Executive

FORWARD PLAN INDEX OF ITEMS

| Item Heading | Officer Contact | Page No |
|---|--|----------------|
| Application For Coastal Communities Funding | Mark Long mark.long@sefton.gov.uk Tel: 0151 934 3471 | |
| Orrell School Phase 3 Housing Development | Lee Payne lee.payne@sefton.gov.uk Tel: 0151 934 4842 | |
| Port Hinterland Area Studies | Mark Long mark.long@sefton.gov.uk Tel: 0151 934 3471 | |
| Employment Development and Development of Local Town Centres and Economies Working Group Final Report | Ruth Harrison ruth.harrison@sefton.gov.uk Tel: 0151 934 2042 | |

Agenda Item 9

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

| | | | | |
|--|---|------------|-------------------------|------------|
| <p>Details of Decision to be taken</p> | <p>Application For Coastal Communities Funding The purpose of the report is to ask Cabinet to approve the development of an application for Coastal Communities and Funding (CCF); and that Cabinet delegates approval of the completed application to the Cabinet Member - Regeneration Tourism before the submission deadline which could be May or June 2013. Round 2 of the CCF is expected in March.</p> <p>(Background - The CCF is designed to support the economic development of coastal communities by promoting sustainable economic growth and jobs. A briefing report will be prepared for Cabinet Member - Regeneration and Tourism on the process to be adopted and the costs and benefits for the Council.</p> <p>Partners have been invited to support an outline model, with a focus on</p> <ul style="list-style-type: none"> • Place Marketing • Inward Investment • An Enterprise and Business “Growth Hub” • Job Brokerage and Skills <p>The core group of partners include the Economy and Tourism Service (on behalf of the Council), Southport College, Sefton CVS and the private sector representatives of the Southport BID Team)</p> | | | |
| <p>Decision Maker</p> | <p>Cabinet</p> | | | |
| <p>Decision Expected</p> | <p>25 Apr 2013</p> | | | |
| <p>Key Decision Criteria</p> | <p>Financial</p> | <p>Yes</p> | <p>Community Impact</p> | <p>Yes</p> |
| <p>Exempt Report</p> | <p>No</p> | | | |
| <p>Wards Affected</p> | <p>Ainsdale; Birkdale; Blundellsands; Cambridge; Church; Dukes; Harington; Kew; Manor; Meols; Norwood; Ravenmeols; Victoria</p> | | | |
| <p>Scrutiny Committee Area</p> | <p>Regeneration and Environmental Services</p> | | | |

Agenda Item 9

| | |
|---|--|
| Persons/Organisations to be Consulted | Cabinet Member – Regeneration and Tourism 7 March 2013 Southport Area Partnership 18 April 2013 |
| Method(s) of Consultation | 7 March 2013 Report to Cabinet Member – Regeneration and Tourism Passed to officers for comment |
| List of Background Documents to be Considered by Decision-maker | Report to Cabinet Member – Regeneration and Tourism 7 March 2013 |
| Contact Officer(s) details | Mark Long mark.long@sefton.gov.uk Tel: 0151 934 3471 |

Agenda Item 9

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

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|---|--|-----|------------------|----|
| Details of Decision to be taken | Orrell School Phase 3 Housing Development To dispose of the site to Riverside Housing for the development of 4 houses and 9 apartments for rent. The apartment element of the scheme will be Supported Housing and the houses will be for General Needs. | | | |
| Decision Maker | Cabinet | | | |
| Decision Expected | 25 Apr 2013 | | | |
| Key Decision Criteria | Financial | Yes | Community Impact | No |
| Exempt Report | No | | | |
| Wards Affected | Derby | | | |
| Scrutiny Committee Area | Regeneration and Environmental Services | | | |
| Persons/Organisations to be Consulted | Riverside will consult residents living adjacent to the proposed scheme. | | | |
| Method(s) of Consultation | Face to face consultation event. | | | |
| List of Background Documents to be Considered by Decision-maker | None. | | | |
| Contact Officer(s) details | Lee Payne lee.payne@sefton.gov.uk Tel: 0151 934 4842 | | | |

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

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|---|---|-----|------------------|-----|
| Details of Decision to be taken | <p>Port Hinterland Area Studies To seek detailed views on developing an Investment Framework and to agree the approach on governance and financial arrangements relating to Port Hinterland Area Studies. As part of a report to Members on the 19 February 2012, which provided feedback on the Regional Growth Fund submissions Round 2, Members approved in principle the commissioning of a Port Hinterland study to provide a long term investment framework, so that the benefits of investment in Port Expansion can be maximised for local communities</p> | | | |
| Decision Maker | Cabinet | | | |
| Decision Expected | 25 Apr 2013 | | | |
| Key Decision Criteria | Financial | Yes | Community Impact | Yes |
| Exempt Report | No | | | |
| Wards Affected | Church; Derby; Ford; Linacre; Litherland; Netherton and Orrell; St. Oswald | | | |
| Scrutiny Committee Area | Regeneration and Environmental Services | | | |
| Persons/Organisations to be Consulted | Cabinet Member – Regeneration and Tourism 8 August 2012 | | | |
| Method(s) of Consultation | 11 July 2012 Report to Cabinet Member – Regeneration and Tourism Passed to officers for comment | | | |
| List of Background Documents to be Considered by Decision-maker | Report to Cabinet Member – Regeneration and Tourism 18 January and 11 July 2012 and Cabinet 19 February 2012 | | | |
| Contact Officer(s) details | Mark Long mark.long@sefton.gov.uk Tel: 0151 934 3471 | | | |

Agenda Item 9

SEFTON METROPOLITAN BOROUGH COUNCIL FORWARD PLAN

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|---|---|----|------------------|-----|
| Details of Decision to be taken | Employment Development and Development of Local Town Centres and Economies Working Group Final Report To approve recommendations from the Employment Development and Development of Local Town Centres and Economies Working Group. | | | |
| Decision Maker | Cabinet | | | |
| Decision Expected | 25 Apr 2013 | | | |
| Key Decision Criteria | Financial | No | Community Impact | Yes |
| Exempt Report | No | | | |
| Wards Affected | All Wards | | | |
| Scrutiny Committee Area | Regeneration and Environmental Services | | | |
| Persons/Organisations to be Consulted | Overview and Scrutiny Committee (Regeneration and Environmental Services) | | | |
| Method(s) of Consultation | Final Report | | | |
| List of Background Documents to be Considered by Decision-maker | None | | | |
| Contact Officer(s) details | Ruth Harrison ruth.harrison@sefton.gov.uk Tel: 0151 934 2042 | | | |