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**North East
Derbyshire
District Council**

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Date: Monday, 29 April 2024

To: **Members of the Communities Scrutiny Committee**

Please attend a meeting of the Communities Scrutiny Committee to be held on **Wednesday, 8 May 2024 at 10.00 am in Meeting Rooms 1 & 2**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Assistant Director of Governance and Monitoring Officer

Members of the Committee

<u>Labour Group</u>	<u>Conservative Group</u>	<u>Liberal Democrat Group</u>
Councillor Stuart Fawcett – Chair Councillor Michael Durrant Councillor Graham Baxter MBE Councillor Richard Beech Councillor Nicki Morley	Councillor Pam Jones Councillor Carolyn Renwick Councillor Kevin Tait	Councillor Pam Windley

For further information about this meeting please contact: Tom Scott 01246 217045

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of Last Meeting (Pages 5 - 8)

To approve as a correct record and the Chair to sign the Minutes of the Communities Scrutiny Committee held on 28 February 2024.

4 Community Safety

To receive an update on the work of the Community Safety Partnership.

Faye Green, Community Safety Manager.

5 Performance Management - NOW PUBLISHED (Pages 9 - 16)

Council Plan Targets Performance Update.

Kath Drury, Information, Engagement and Performance Manager and Amar Bashir, Improvement Officer

6 Cabinet Business (Pages 17 - 28)

To inform Committee of recent and forthcoming Cabinet business.

A digest of Cabinet decisions taken since 29 June 2023. This information is published by Cabinet meeting on the Council's website. Cabinet Agendas, Decisions and Minutes can be viewed at: [Cabinet](#)

The Forward Plan of Executive decisions.

[Plans](#)

These plans are updated to include new business.

Joe Hayden, Senior Scrutiny Officer

7 Policy Development (Pages 29 - 50)

To consider and comment on major Policies being considered by the Council:

- Adaptations Policy – to receive an update on recent changes made to the Policy

Di Parker, Housing Intelligence and Assurance Officer

8 Work Programme (Pages 51 - 55)

To consider whether the Committee's Work Programme has been completed at year end.

Joe Hayden, Senior Scrutiny Officer

9 Additional Urgent Items

To consider any other matter which the Chair of the Committee is of the opinion should be considered as a matter of urgency.

10 Date of Next Meeting

The next meeting of the Communities Scrutiny Committee is scheduled to take place in the new Municipal Year.



**North East
Derbyshire**
District Council

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COMMUNITIES SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY, 28 FEBRUARY 2024

Present:

Councillor Michael Durrant (Vice-Chair) (in the Chair)

Councillor Graham Baxter MBE
Councillor Pam Jones

Councillor Richard Beech
Councillor Kevin Tait

Also Present:

D Thompson	Assistant Director of Planning
K Eastwood	Assistant Director - Environmental Health Service
K Drury	Information Engagement & Performance Manager
C Hixon	Housing & Public Health Team Manager (Environmental Health)
J Hayden	Senior Scrutiny Officer
T Scott	Governance and Scrutiny Officer

CSC/ Apologies for Absence

19/2

3-24 Apologies for absence were received from Councillors S Fawcett, C Renwick and P Windley.

CSC/ Declarations of Interest

20/2

3-24 None.

CSC/ Minutes of Last Meeting

21/2

3-24 RESOLVED – That the minutes of the Communities Scrutiny Committee meeting held on 20 September 2023 were agreed as a correct record and signed by the Chair.

CSC/ Draft Notes of the Local Plan Review Working Group

22/2

3-24 The Assistant Director of Planning presented the draft notes of the Local Plan Review Working Group meeting on 1 November 2023. As part of the decision made by Council to establish the Working Group, the terms of reference indicated that the notes of the meetings would be shared with Scrutiny Committees and Cabinet on a quarterly basis for their information.

The Working Group had been informed that although the Council's Local Plan was adopted two years ago, it had been prepared in line with the provisions of the 2012 National Planning Policy Framework (NPPF). Since that time, the NPPF has had numerous changes including the introduction of the national design guide, the standard method for calculating local housing need and an increased emphasis on climate change. In response, officers had undertaken a desk top review of the

Local Plan, which utilised the PAS assessment tool to identify if an early update of the Local Plan was likely to be necessary. The review suggested that the local plan was working well overall with the exception of two areas of concern.

The areas of concern related to housing and employment land delivery. The current NPPF does provide a degree of protection in relation to speculative development up to November 2026 (up to the point where the Local Plan is 5 years old). Given the proposed changes to the plan making process that are anticipated to be introduced in late 2024, the Working Group has concluded that there isn't sufficient time to undertake the necessary Review under the current system. On that basis, the Working Group has agreed an Action Plan for the updating of the evidence base around strategic policies including housing, employment, biodiversity and flood risk.

RESOLVED – That the update was noted.

CSC/ Damp and Mould Implications

23/2

3-24

The Assistant Director of Environmental Health and the Housing & Public Health Team Manager delivered a presentation to Members about damp and mould in private sector housing. Members were informed about how damp and mould was caused, national figures and regulation.

Members asked if letters were sent to private landlords in situations where the private tenant had contacted the Council about a damp and mould issue. The Assistant Director of Environmental Health explained that the first step was to advise the tenants to contact the landlord, and if the landlord fails to address the issue the Council would then intervene by making contact with the landlord.

Members enquired if de-humidifiers were supplied to tenants. The Housing & Public Health Team Manager explained that de-humidifiers were the choice of the tenant, so the Council did not supply de-humidifiers.

Members shared anecdotal evidence of tenants being afraid to report damp and mould to the Council, and asked if this was part of a larger issue. The Assistant Director of Environmental Health explained that Environmental Health carried out a tenant survey and a large number of tenants said they would not report any damp and mould issues, so officers were considering ways to make this easier.

Members enquired what the timeframe was before using enforcement on private landlords. The Housing & Public Health Team Manager told the Committee that if officers receive a complaint, it will be replied to in 3 days depending on complexity.

RESOLVED – That the update was noted.

CSC/ Performance Management

24/2

3-24

The Information, Engagement and Performance Manager presented a report with progress on the strategies underpinning the Council Plan objective "A great place to live well" for the period ending 31 December 2023.

The Information Engagement & Performance Manager explained some of the progress areas in Appendix 1, including pest control, food hygiene, Licensing, enforcement, temporary accommodation for asylum seekers, Enforcement patrols in town centres to tackle littering and dog fouling, and a new and upgraded public realm with CCTV as part of the Clay Cross Town Deal application.

RESOLVED – That progress against the Council Plan “A great place to live well” objective was noted.

CSC/ **Residents Survey**

25/2

3-24

The Senior Scrutiny Officer explained how the Council undertook a Residents Survey in November 2023 to help further understand resident perceptions of the local area and local services. A total of 3,269 responses were received and the results were being reported to each Scrutiny Committee.

Members asked how the Senior Scrutiny Officer arrived at the 4 suggested areas for further consideration. The Senior Scrutiny Officer explained that they were only advisory, but they were arrived at by identifying the lowest performers in the survey, and aligning those to the Communities Scrutiny Committee remit for consideration as part of a future Work Programme.

Members asked if there was a geographical breakdown of the survey replies. The Information, Engagement and Performance Manager explained that there was a geographical breakdown in the full survey report, and further work was being undertaken on geographical clusters.

The Chair felt that the suggestion ‘Activities for older children’ could be accepted and possibly incorporated with ‘activities for younger children’, and available community activities should be considered further by the Committee. The Senior Scrutiny Officer stated she would include this as part of the future Work Programme.

The Chair also felt the suggestion ‘affordable housing’ should also be considered by the Committee. The Senior Scrutiny Officer explained that a draft affordable housing strategy was being produced by officers, so running the draft past the Committee once it was finished would give Members the opportunity to consider the issue.

RESOLVED – That the update was noted.

CSC/ **Cabinet Business**

26/2

3-24

The Senior Scrutiny Officer presented a digest of Cabinet decisions taken since 29 June 2023. The digest set out key information for each decision.

The Senior Scrutiny Officer explained that every other Scrutiny Committee felt the Digest was too long, so for future Communities Scrutiny Committee meetings, only those decisions taken since the last round of Scrutiny meetings would be shown.

RESOLVED – That the update be noted.

CSC/ 27/2 **Work Programme**

3-24 The Senior Scrutiny Officer presented the draft Work Programme 2023/24 for the Committee to consider.

Members were informed that one of the topics in the Work Programme for the 8 May 2024 meeting was an update on the Community Safety Partnership. The Committee were also advised that the Work Programme identified that the Police and Crime Commissioner would be invited to the meeting to speak on ASB.

Members pointed out that the Police and Crime Commissioner Election would take place on 2 May 2024, so the Chair agreed to include the topic in the Work Programme for 2024/25.

RESOLVED –

- (1) That the Community Safety Partnership be added to the agenda for May.
- (2) That the invitation to the Police and Crime Commissioner be deferred to the 2024/25 Work Programme.
- (3) That the Work Programme 2023/24 be approved with the agreed amendments.

CSC/ 28/2 **Additional Urgent Items**

3-24 None.

CSC/ 29/2 **Date of Next Meeting**

3-24 The next meeting of the Communities Scrutiny Committee was scheduled to take place on Wednesday 8 May 2024 at 10.00 am.

North East Derbyshire Council

Communities Scrutiny Committee

**Council Plan Objective – A Great Place to Live Well –
Update January to March 2024**

8th May 2024

Report of the Information, Engagement & Performance Manager

Classification: This report is public

Report By: Kath Drury, Information, Engagement and Performance Manager

Contact Officer: As above

PURPOSE / SUMMARY

To report progress on the strategies underpinning the Council Plan objective - “A great place to live well” for the period ending 31st March 2024.

RECOMMENDATIONS

1. That progress against the Council Plan “A great place to live well” objective be noted.
-

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Ward Members

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.
A great place to live well council plan objective: <ul style="list-style-type: none"> • A Community with Lifelong Good Health • A place to live that people value • A place where people enjoy spending time

REPORT DETAILS

1 **Background**

1.1 The Council plan 2023-27 has four objectives:

- A great place to work.
- A great place to access good public services.
- A great place to live well.
- A great place that cares for the environment

Information on progress on what the Council has done for the live well objective is contained at appendix one.

1.2 Under the live well objective there are three strategies - A community with lifelong good health, A place to live that people value and A place where people enjoy spending time. There are four, three and two tactics - our

approaches to positively influence the strategy - under the respective strategies.

2. Details of Proposal or Information

- 2.1 The appendix notes under each strategy and tactic the relevant work that has been undertaken during this period together with providing a flavour of the breadth of work.
- 2.2 The report was taken to Senior Management team on 22nd April 2024 for consideration and oversight.

3 Reasons for Recommendation

- 3.1 This is an information report to keep Members informed of progress against the council plan objective for live well.

4 Alternative Options and Reasons for Rejection

- 4.1 Not applicable to this report as providing an overview of progress against the council plan objective for the environment.

DOCUMENT INFORMATION

Appendix No	Title
1	A summary of progress for the Council Plan objective – A great place to live well – for the period ending March 2024
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	



**North East
Derbyshire**
District Council

Council Plan 2023 - 2027

**A summary of progress for a great place to live well
for the period ending 31st March 2024 (Q4)**





A great place to live well

This quarter, the following progress has been made on *a community with lifelong good health*

Maximise opportunities for residents of all ages and abilities to participate in physical and social activity

- 1 luncheon club supported in this period, giving a total of 10 grants (£1,468) awarded in 2023/24 benefiting 321 people.

- **5 Community Action Grants (CAGs) approved** in this period bringing the total of CAGs for the year to 15 (£7,010.01). For 2022/23 there were 4,783 beneficiaries from CAGs.

- New monthly **'walking for health'** group established in Holmewood with McIntyre service users and residents (15 attendances).



- Leisure Centre attendances strong in this period culminating in the target for 2023/24 being exceeded at 821,908 (target 804,000).
- Exploring training options in line with changes to Public Health funding for Exercise by Referral.
- Clay Cross Active under construction and due for completion late 2024. Additional 3G pitch is under development with Football Foundation backing.
- Killamarsh Skate Park opened beginning of March (full launch event to be held in May half term) Positive feedback from the users.

Directly or in partnership, reducing health inequality supporting Public Health, DCC and other partners to deliver targeted programmes in the district

- Public Health has confirmed £79,501 will be allocated each year for Healthy NED Partnership for 5 years.
- Commissioning for young people's mental health support is in progress. Aim to have link workers working with young people social prescribers for 2 years to ensure meaningful activities are in place.

A great place to live well



- Commissioning for Digital Connect underway, to continue free digital training for people aged 18+ across this district. Both fully funded by Public Health.

- **5 council grants** to voluntary/ community sector support organisations approved this quarter (£122,085) for activity covering 2024/25.

- **Wellbeing Wednesday** hosted at The Hub at Clay Cross supporting Live Life Better Derbyshire referrals.



Assist residents in ensuring their homes are suitable and meet their health needs

- The Housing Strategy Team continue to work with Housing Associations and developers, to enable affordable housing schemes across the district. Currently, there are 2 rural exception schemes being considered in Killamarsh and Holmewood. Resident consultation via a postal survey will commence at the end of April.

- In 2023/24 295 council properties were improved by external wall insulation against a target of 333. The shortfall is within project tolerances. The council is on course to meet its target of 640 properties by September 2025.
- Dealt with 68 requests from private sector tenants regarding housing disrepair and health issues during 2023/24. Most cases resolved informally but 8 enforcement notices were served because of non-compliance.

Protect the public from ill health caused by environmental factors and business operations

- Amended damp and mould advice to private sector landlords and website content. This will be supported with the launch of a new private sector Information pack on damp and mould later in the year.
- 9 infectious disease reports investigated in this period. Advice given to 22 businesses regarding food hygiene and 15 businesses regarding health and safety.



This quarter, the following progress has been made on *a place to live that people value*



Develop and continually improve the quality and range of housing providing a nice home and area for all residents to meet all needs

- The Housing Strategy team are currently working with the County Council to deliver a scheme of affordable housing for deaf people. Following a consultation event, it has been recognised that there is a need for such a scheme. The team are currently looking at available land for development and identifying a suitable Housing Association to deliver this type of accommodation.

• **Six applicants in bed and breakfast** (at 27/03/24) with one due to move out. This is the lowest number for some time and follows a concerted effort to move people on more quickly through both bed and breakfast and our own temporary accommodation.

- Total homelessness caseload through the year has seen an average of 150 live cases at any one time. Prevention outcomes rates remain high - 87% received a settled accommodation outcome this quarter and 89% so far in March 24. PRS (Private rented sector) offer being worked on to increase prevention and relief measures.

• In 2023/24 the Housing Strategy Team working with Rykneld Homes has **bought back five former council houses** through the Right to Buy Back process, built 6 new build properties at Pine View, Danesmoor, and acquired 9 properties on new build developments for affordable housing.

- As at March 2024, there are currently **3486 units of accommodation** being delivered through the Planning process of which 581 are for affordable housing to be delivered over the next few years. Estimate of affordable completions for 2023/24 is 94. This will be confirmed by the end of April 2024.

Directly and with partners, improve where people live to ensure they are safe, clean, functional, and attractive

- Five Cuppa with a Copper sessions held in Killamarsh, Eckington, Dronfield, and Clay Cross. Door knocks took place in Unstone around burglary with over 150 households visited.
- Over 70 Operation Shango Patrols done. Operation Shango is an Anti-social Behaviour (ASB) initiative funded by the Police and Crime Commissioner and the Police to deal with hot spot areas.
- Door knocking by the Community Safety Team to gather over 30 households visited across the district. Actions taken include community protection warnings and notices, housing enforcement and potential residential closure orders.

A great place to live well



- Extreme Wheels have been working in Clay Cross, Killamarsh and Holmesfield. **Over 150 young people visited** the sessions in total including spectators.



- Prevent - work undertaken in last quarter around permissive environments and changes made to our venue hire policies to ensure the Council is compliant.

- Work has started on implementing the long term empty council tax premium. This has resulted in a reduction in **empty properties from 310 to 265.**



- Rykneld Homes perception survey results showed 85% customer satisfaction with their home and services provided.

Well maintained public realm that connects our communities

- Dronfield Civic Centre Public Realm works in design, including the external entrance to Dronfield Leisure Centre.

A great place to live well

This quarter, the following progress has been made on ***a place where people enjoy spending time***

Improve and promote places and attractions to spend leisure time

- Google Ads used to promote Killamarsh Active during this period. Results suggest that this approach has contributed to the increase in attendances for this period.

Develop and promote the local 'offer' to ensure a diverse range of high-quality activities and places to spend time

- What's on event guide produced and updated weekly on the council website.



CABINET DECISIONS 2023/24

Decisions Made Since Last Round of Scrutiny Meetings

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
29 Feb 2024	<p>Medium Term Financial Plan Budget Monitoring Report April - December 2023 (Q 3)</p> <p>Relevant to Services Scrutiny</p>	Councillor P R Kerry – Deputy Leader and Portfolio Holder for Strategic Leadership and Finance	Key & Open	That Cabinet noted the Quarter Three Budget Monitoring position as outlined in the report and detailed in Appendices 1-4 to the report.	To inform Cabinet of the financial position of the Council, following the third quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account and Capital Programme.
29 Feb 2024	<p>Derby and Derbyshire Strategic Leadership Board</p> <p>Relevant to all Scrutinies</p>	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non Key & Open	<p>Approved the proposals for the establishment of the Derby and Derbyshire Strategic Leadership Board (SLB) and the delegation of functions to this Joint Committee as set out in the Functions and Responsibilities document in Appendix 2 of the Council report.</p> <p>Noted the draft the Terms of Reference, including the Introduction and Context, Functions and Responsibilities, Procedural Rules, and Information Procedure Rules for the SLB as set out at Appendix 2 of the Council report and the position detailed in those documents regarding scrutiny and co-option.</p> <p>Appointed the Leader of the Council as the Council's representative on the SLB and the Deputy Leader of the Council, as substitute.</p>	<p>To establish the Derby and Derbyshire Strategic Leadership Board with robust governance arrangements in place and secure the Council's future involvement and participation in new governance arrangements as they develop and emerge.</p> <p>To ensure that the Council has appropriate lead Elected Member representation on the proposed Strategic Leadership Board, via the appointment of suitable Cabinet Members.</p>

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
				<p>Noted the intention that the SLB be the body for the nomination of District and Borough representatives to the East Midlands Combined County Authority (the CCA), when established, further noting that this was subject to the CCA's agreement that this be the mechanism.</p> <p>Agreed that the County Council act as the host authority for the Joint Committee.</p> <p>Noted and agreed the dissolution of the D2 Joint Committee for Economic Prosperity, the enactment of which is subject to the establishment of the SLB and recommends that the Constitution is amended accordingly.</p> <p>Noted and agreed the dissolution of the Vision Derbyshire Joint Committee, the enactment of which was subject to the establishment of the SLB and recommends that the Constitution is amended accordingly.</p>	<p>To ensure that the Council has appropriate delegations in place to enable the Council to participate in finalising the details of the Strategic Leadership Board governance.</p>

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
				<p>Agreed with the Council's active participation in the SLB and the associated costs of taking forward the programme of work, the maximum cost of which currently stands at £12,500 for NEDDC (assuming all Districts and Boroughs are members of the SLB) which is funded until at least March 2025 via the Business Rates pool.</p> <p>Noted that as the functions of the SLB are executive functions, Derbyshire County Council would not have the opportunity to co-opt additional members onto the SLB and the ability to co-opt is restricted within the Terms of Reference.</p> <p>Noted that, in accordance with section 9F of the Local Government Act 2000, constituent authorities who operate executive arrangements would need to make formal scrutiny arrangements to review or scrutinise decisions made in connection with the exercise of the functions of the D2 Strategic Leadership Board, and that the Council's existing scrutiny arrangements would apply.</p>	

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
				Delegated authority to the Managing Director and Head of Paid Service in consultation with the Leader to agree the final terms of reference for the SLB and all other arrangements.	
29 Feb 2024	Shared Ownership Allocations Policy Relevant to Communities Scrutiny	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non Key & Open	That the revised Shared Ownership Allocations Policy is approved.	The previous Shared Ownership Policy has now expired, and a revised Policy needs to be put in place.
29 Feb 2024	'Unlocking' The Avenue Southern Access Relevant to Business Scrutiny	Councillor J Barry – Portfolio Holder for Growth & Assets	Non Key & Open	<p>That Cabinet noted the recent progress in 'unlocking' The Avenue Southern Access.</p> <p>That Cabinet approved further officer resource and undoubtedly further investment from the Council (on a business case by business case basis), to complete The Avenue development, as outlined in the report, as a regeneration priority.</p> <p>That Cabinet supported The Avenue being discussed and promoted to partners and funders as the Council's priority regeneration scheme.</p>	To approve further officer resources and further investment from the Council (on a case-by-case basis to complete The Avenue development as a regeneration priority for the Council.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
29 Feb 2024	<p>Report on the Future of the Housing Revenue Account Car Parking Strategy (Exempt Item)</p> <p>Relevant to Communities Scrutiny</p>	Councillor J Barry – Portfolio Holder for Growth & Assets	Key & Exempt	<p>That the initial pilot parking schemes at Kelstedge and Holymoorside be no longer progressed, due to the numerous issues around delivery of the individual sites.</p> <p>That the three ‘Phase One’ sites at Killamarsh, Grassmoor and Ashover, which have now successfully received planning permission, be progressed to completion on site where feasible.</p> <p>That the three Phase One sites which have currently been unsuccessful through the planning process or withdrawn, Littlemoor, Renishaw and Ridgeway, be not progressed.</p> <p>As part of the ongoing estate management process Rykneld Homes Limited review the void specification to include the installation of hardstanding parking areas and Electric Vehicle (EV) charging points, where affordable and viable.</p> <p>That parking improvements be incorporated, whenever feasible, in future estate regeneration/redevelopment schemes.</p> <p>The budget allocation be utilised for future regeneration projects.</p>	<p>A significant amount of officer time and resources have been expended in order to develop specific schemes through to the Planning stage. The decision will allow action to now be taken to take forward appropriate schemes in the near future and so enable improvements through the Housing Revenue Account to be achieved.</p>

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
29 Feb 2024	Clay Cross Town Deal - Town Centre Contractor Procurement (Exempt Item) Relevant to Business Scrutiny	Councillor J Barry – Portfolio Holder for Growth & Assets	Key & Exempt	That Cabinet agreed to enter a contract with Inside Limited to deliver the construction elements for the Clay Cross Town Centre Regeneration Scheme, as well as undertaking any other required associated ancillary agreements, subject to outstanding contract negotiation and due diligence requirements.	Agreeing to contract with the identified construction company will mean that a quality, experienced provider can be commissioned within budget to meet the objectives and delivery timescale of the Clay Cross Town Centre Regeneration Scheme.
28 March 2024	NEDDC Climate Change Strategy 2024-2030 Relevant to Environment Scrutiny	Councillor S Pickering – Portfolio Holder for Environment & Place	Non Key & Open	<p>That Cabinet agreed that the Climate Change Strategy reflects the current Council Plan’s vision and priorities in a concise and clear manner.</p> <p>That Cabinet agreed the updated Climate Change Strategy title ‘Rethink, Reduce, Reuse, Recycle’ better reflects the Council’s commitment to sustainable thinking.</p> <p>Cabinet noted that the monitoring approach on Climate Change now aligns with Government guidelines to aid transparency and cohesiveness.</p> <p>That Cabinet approves the updated Climate Change Strategy and agrees for it to be published on the Council’s website.</p>	To display the Council’s approach on tackling Climate Change and enable the Council to be more sustainable.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
28 March 2024	<p>Council Plan Objectives Update – October to December 2023</p> <p>Relevant to All Scrutinies</p>	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non Key & Open	That Cabinet noted the progress against the Council Plan 2023-2027 objectives.	This was an information report to keep Members informed of the progress against the Council Plan objectives.
	<p>Local Plan Review – Local Plan Evidence and Position Statement</p> <p>Relevant to Environment Scrutiny</p>	Councillor S Pickering – Portfolio Holder for Environment & Place	Non Key & Open	<p>That Cabinet agreed the decision not to formally progress with a full Review of the Local Plan at this stage.</p> <p>That Cabinet approved the evidence base Action Plan at Appendix 2 of the report.</p> <p>That Cabinet approved the 'Position Statement' for publication on the Council's website.</p> <p>That Cabinet noted the notes from the first Local Plan Working Group meeting on 1 November 2023 (Appendix 3).</p>	To enable the Council to progress with evidence based work so that it is in the best position to adopt the new Local Plan making processes that are expected to come into force later this year, and to agree a statement that sets out the Council's position and updates members of the public on the approach being taken. The publication of a Position Statement would demonstrate openness and transparency around the matter of plan making.
	<p>Discretionary Power to reduce Council Tax – Section 13(a) of the Local Government Finance Act 1992</p> <p>Relevant to Services Scrutiny</p>	Councillor J Birkin – Portfolio Holder for Council Services	Non Key & Open	That Cabinet endorsed the implementation of the Section 12A Council Tax Reduction Scheme	To comply with the legislative requirement that each Council Tax billing authority in England make a scheme specifying the terms and eligibility for the Section 13A Council Tax Reductions.

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
28 March 2024	Stonebroom Redevelopment Update Relevant to Communities Scrutiny	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non Key & Open	<p>That Cabinet noted the progress to regenerate the Prefabricated Bungalows at Stonebroom, including the option to consider delivery of a new community building to replace existing provision.</p> <p>That Cabinet approved demolition notices be issued to 40 tenancies of the bungalows.</p> <p>That Cabinet approved RHL's request to award Band 1 priority housing application status to seven tenancies of the bungalows, who have expressed an interest in relocating away from the project.</p> <p>That Cabinet approved further detailed design, engineering and construction planning works be undertaken for the project with a budget cost of £0.5m (from within the approved budget) in advance of the main construction contract.</p> <p>That Cabinet noted temporary decants of existing customers will be required into current voids on the development. This is necessary to facilitate the construction programme and ensure the scheme is viable.</p>	

Date	Title	Portfolio Holder	Status	Decision	Reasons for Decision
				That Cabinet noted existing gardens, access path and open grass spaces will need to be incorporated into the construction area in a flexible manner, to provide sufficient storage, access and working space for the construction team during redevelopment.	The regeneration scheme at Stonebroom supports the Council's commitment in its Council Plan to build, acquire and facilitate the delivery of more high-quality social housing for rent in the District.
	Rykneld Homes Ltd Senior Management Team Review Relevant to Services Scrutiny	Councillor N Barker – Leader and Portfolio Holder for Strategic Leadership & Finance	Non Key & Exempt	That Cabinet endorsed the proposed changes to the Rykneld homes Ltd (RHL) Senior Management Team Structure, as set out in the report.	It is a requirement of the management agreement that significant changes have prior consent of the Council. The proposed restructure provides a robust structure for delivering housing services.
	The Management of Corporate Debt – Write-off of Outstanding Amounts Relevant to Services Scrutiny	Councillor P R Kerry – Deputy Leader and Portfolio Holder for Strategic Leadership and Finance	Non Key & Exempt	That Cabinet agreed to write off the amounts in respect of Council Tax, Business Rates and Rents as detailed in Appendix 1 of the report.	All available options to recover this debt had been explored with write off being the final option in the debt management process.



North East Derbyshire
District Council

Forward Plan of Executive Decisions for the period 15 April 2024 – 15 May 2024

This Forward Plan sets out all of the decisions that are expected to be taken over the next four months by either: (i) The Cabinet, or (ii) an officer on an Executive function of the Council.

Some of the decisions listed in this plan are 'Key Decisions'. A Key Decision is one that is likely to:

- (a) Result in the Council spending or receiving income of over £100,000 revenue or £250,000 capital, or
- (b) Have a significant impact on two or more wards in the Council's area.

At least 28 calendar days' notice must be given before they are due to be taken by the Cabinet or an officer under delegated powers.

The Cabinet can make urgent decisions which do not appear in the Forward Plan. A notice will be published at the District Council Offices and on the Council's website explaining the reasons for the urgent decisions. Please note that the decision dates are indicative and are subject to change.

The Forward Plan also lists those 'Exempt' Decisions which are going to be taken over the next four months. Exempt Decisions are those decisions which have to be taken in private. This is because they involve confidential or exempt information which cannot be shared with the public.

The contact details for the officers or senior employees responsible for producing the reports and reports for these decisions are included in the plan. Please contact them if you would like more information. If you have any queries about why something is a Key Decision or is going to be taken in private then please contact the Governance Team on 01246 217391 or email: alan.maher@ne-derbyshire.gov.uk.

Published under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Sarah Sternberg
Assistant Director of Governance & Monitoring Officer

Published on: 15 April 2024

Cabinet members and their responsibilities

Member	Portfolio of responsibilities
Councillor N Barker	Leader and Portfolio Holder for Strategic Leadership & Finance
Councillor P R Kerry	Deputy Leader and Portfolio Holder for Strategic Leadership & Finance
Councillor J Barry	Portfolio Holder for Growth & Assets
Councillor J Birkin	Portfolio Holder for Council Services
Councillor S Pickering	Portfolio Holder for Environment & Place
Councillor K Rouse	Portfolio Holder for Health & Leisure

DECISION TO BE TAKEN	DECISION-MAKER	DATE OF DECISION	KEY DECISION	EXEMPT DECISION (INCLUDING GROUNDS FOR EXEMPTION)	RESPONSIBLE PORTFOLIO HOLDER	RESPONSIBLE OFFICER
People Strategy Relevant to Services Scrutiny	Cabinet	23 May 2024	Non-Key	Open	Councillor Nigel Barker	Managing Director
Risk Management Strategy Relevant to Services Scrutiny	Cabinet	23 May 2024	Non-Key	Open	Councillor Nigel Barker	Managing Director



Adaptations Policy Briefing Note

Background

The Adaptations Policy was amended due to a Local Government & Social Care Ombudsman complaint, the Ombudsman investigation concluded:

- The policy did not inform tenants that they can apply for a Disabled Facilities Grant
- The policy did not take recent Case Law into consideration when processing applications

The Ombudsman decision to rectify fault was for the Council to:

- Review the adaptations policy
- Tell tenants refused a disabled adaptation how to apply for a DFG
- Write to the tenants refused an adaptation in the last two years and invite them to apply for a DFG, explaining the means test and other relevant differences to the adaptations policy.

Policy Overview

- Rykneld Homes implement the policy and manage adaptations to Council owned homes
- The policy covers the decision-making process and procedure for disabled adaptations for council tenants
- NEDDC's Environmental Health Department manage Disabled Facilities Grants (DFGs) for adaptations to the private sector
- The DFG framework is mandatory and applies across all tenures
- The policy reflects the principles set out in the Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities (for consistency)

Funding Adaptations

- The main Disabled Facilities Grant budget cannot be used for funding adaptations to local authority owned properties (only accessible to the private sector and registered providers)
- Adaptations to Council owned properties have to be funded through the Housing Revenue Account (this is a mandatory requirement)

- DFG Funding is means tested, meaning the applicant may have to contribute to the cost of the adaptation
- Adaptations to Council homes are NOT means tested

Key Policy Amendments

The Policy amendments are based on the Ombudsman findings and case law.

- Insert wording to explain the difference between an adaption and a DFG
- Re worded the Refusals section to insert contact details for the Environmental Health Department for applicants to apply for a DFG if refused under this policy
- Amend wording to ensure policy states that adaptations will be applied using the same principles as the DFG process
- Inserted the Appeals, Disputes and Complaints section
- Reviewed and amended the flowchart in Appendix A
- Reworded circumstances where RHL may not undertake an Adaptation, including:
 - Cannot refuse adaptation due to a property not being suitable for the household (including under occupation)
 - Re worded policy as cannot refuse adaptation and expect tenant to move to an adapted property (can still give tenant the choice to move)
 - Removed where the property will not meet the long-term needs of the disabled person (adaptations have to be based on current need to make the property as safe as reasonably practicable)

What this means for the Council

- Adaptations will be completed and assessed under the DFG criteria for consistency
- Rykneld Homes to work more closely and seek advice as necessary with Environmental Health when assessing adaptations
- HRA adaptation costs may rise due to more adaptations being accepted
- Adaptations are mandatory and are a priority over housing management moves, however wherever possible, within legislation, this still will be a focus

What's next?

- Monitor the number of adaptations against the amended policy
- Monitor HRA funding costs
- Monitor the number of DFG referrals to Environmental Health for Council tenants
- Monitor the number of refusals and reason for the refusal
- Monitor the number of appeals
- Full Adaptations Policy review in 2025

Case Law for Information

1. *McKeown, R (On the Application Of) v London Borough of Islington [2020] EWHC 779 (Admin)*

The court has said that applications for DFGs from council tenants should be considered on the same basis as those from other residents. It said councils cannot refuse a DFG because the property is unsuitable for the disabled person's needs. Councils cannot require their tenants to move home instead of providing a DFG if the statutory tests are met.

2. *Gulrez V Redbridge London Borough Council [2022] EWHC 2908 (Admin) (18 November 2022)*

Any policy in place that undermines the objective of a disabled facilities grant to make a property as safe as reasonably practicable may be deemed unlawful. The High Court held that a local authority's policy to refuse all disabled facilities grant applications for backup adaptations was unlawful. The authority was wrong to refuse the application for a backup stairlift when an existing through floor lift frequently broke down.

Adaptations Policy and Procedure 2022-25

Final Version

Adaptations Policy and Procedure 2022 - 25

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Adaptations Policy and Procedure 2022-25

1. Introduction

North East Derbyshire District Council's (NEDDC) Adaptations Policy sets out clear parameters for Rykneld Homes Ltd (RHL) to review applications for assistance to enable individuals and their families live independently with privacy, confidence and dignity through the provision of equipment and adaptations. This could be in their current home or rehousing to suitable accommodation that may already be adapted and would meet their housing need.

This policy covers the decision-making processes and procedure for disabled adaptations to a council tenant and tenants of RHL. The policy reflects the principles set out in the Disabled Facilities Grant (DFG) delivery: Guidance for Local Authorities. The DFG scheme for council tenants should be aligned to the scheme for non-council tenants. The process for agreeing adaptations for council tenants is different, but the principles are the same as those set out in the Guidance, leading to a consistent approach across all tenures.

The Disabled Facilities Grant (DFG) framework and mandatory aspect applies across all tenures; however, the main DFG budget cannot be used for the funding of adaptations to local authority properties. Therefore, local authorities continue to fund adaptations to their properties through resources allocated by the Housing Revenue Account

This Policy covers the application and procedures for adaptations carried out to Council owned properties. If Council tenants are refused an adaptation under this policy, information will be given to them about how to apply via the DFG process and explain the reason for the refusal.

1.1. Aims

To assist tenants, where appropriate and feasible, to access adaptations that will help them or a member of their household to live as independently as possible, taking a holistic person-centred approach to identify suitable individualised solutions. We will work toward achieving this aim by:

- Working in partnership with Derbyshire County Council (DCC) Adult Care and Childrens Service
- Being fair and accessible
- Encouraging independent living
- Recognising the vital importance of adaptations in supporting disabled people and people with significant health related issues to remain living independently in the community
- Ensuring that all adaptations are necessary and appropriate

- Flexibility in our approach to support customers in applying for an adaptation, making reasonable adjustments where there may be vulnerabilities or the requirement for additional help and support.
- Prioritising adaptation needs to prevent hardship and to support vulnerable families and individuals
- Making best use of NEDDC's adapted housing stock
- Providing advice, assistance, and support to explore all other support options
- Continuing to focus on providing a high-quality adaptation service

2. SCOPE

The policy takes into account the growing recognition of housing's role in supporting the health and social care system. We will work in conjunction with a range of partners to deliver adaptations (including extensions) and assistance to NEDDC/RHL tenants, or members of their household, who have a disability or chronic illness to help them to continue to live independently.

The policy will have due regard to local policies and procedures as well as national legislation and case law, which include, but not exhaustive, the;

- Chronically Sick and Disabled Persons Act 1970
- Housing Act 1985
- Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018
- Disabled Persons Act 1986
- NHS and Community Care Act 1990
- Housing Grants, Construction and Regeneration Act 1996
- Housing Act 1996
- Equality Act 2010
- The Human Rights Act 1998
- Care Act 2014.
- Home Adaptations for Disabled People 2013
- NEDDC Housing Allocations Policy
- McKeown, R (On the Application Of) v London Borough of Islington [2020] EWHC 779

- Gulrez, R (On the Application Of) v London Borough of Redbridge [2022] EWHC 2908
- Disabled Facilities Grant (DFG) delivery: guidance for local authorities in England

3. Adaptations

3.1. Identifying Need for Adaptations

NEDDC/RHL tenants of any age can apply for an adaptation for themselves or for members of their household, based on an agreed assessment of need/disability as identified within this Policy.

Tenants or a member of their household may access the service in a number of ways:

- Self-referral to Call Derbyshire, Adult Care, or Starting Point for Children and Young Adults up to 18 years old. RHL will advise tenant to self – refer. However, where necessary RHL can provide support with ongoing referral.

To be eligible for an adaptation you are required to be a tenant or a member of the tenant’s household of a NEDDC or RHL property using this as your principal home.

On referrals to DCC the request may be passed to the triage service (ACATT) for assessment and if feasible for the provision of equipment to meet the assessed need, alternatively assessments will be undertaken by either DCC Adult Care, Starting Point Paediatric OT’s (POT’s), or other partner agencies.

Other options may be explored with the tenant including if the tenant or a member of their household’s needs can be met by moving to alternative accommodation that is already adapted as a suitable solution to any difficulties being experienced.

The Council, and RHL under delegated management responsibility, can discharge its duties by any of the following means:

- Assessment and Issue of equipment by DCC Adult Care
- Rehousing to alternative adapted accommodation with the agreement of the tenant
- Provision of adaptations that can be reasonably and practicably carried out.

There is currently no requirement for a financial assessment (means test) for Council tenants unless applying for a Disabled Facilities Grant. This requirement, however, is still in place for adaptations for the private rented sector, housing association tenants and Rykneld Homes Registered Provider (Assured Tenancy) tenants if applying via the Disabled Facilities Grants (DFG).

3.2. Circumstances where RHL may not undertake an adaptation

- Where the property is not suitable for the size of the household. In exceptional circumstances, the Council may consider installing adaptations where the

household is under-occupying their property according to the “Property Size Eligibility” rules set out in the Council’s Allocation Policy, which have been developed to enable the Council to make best use of its housing stock.

- Where a Wet-Room is required in a family home or upper floor flat. However, in certain situations it may be appropriate to install a Wet Room or alternative facility. Each case will be given full consideration prior to a decision being made. The final decision will be made by RHL’s Senior Management in line with the Adaptations Policy.
- Where a live housing application is in progress.
- Where there are competing demands of different members of the family which cannot be met in that particular property.
- Where RHL is seeking/taking possession proceedings against the tenant i.e., for rent arrears or anti-social behaviour.
- Condition of property – where such works would pose a significant health and safety risk to the tenant or staff or are not reasonable and practicable.
- Where the access to a property cannot be reasonably and practicably adapted.
- Where a household is in a situation of overcrowding, the property will be deemed as being unsuitable for adaptations and the request will be refused. If there is no suitable alternative accommodation within NEDDC/RHL housing stock, then this may be considered as a solution.
- Where an applicant is seeking an adaptation and this is not deemed to be their permanent full-time home.
- Where there are concerns about the age condition, and structure of the property where such works are not considered reasonable and practicable.
- Where it is not possible to adapt a property due to the architectural and/or structural design/characteristics of the property.
- Where it is not practicable to undertake an adaptation due to design or layout of property.
- Adaptations that will adversely affect the amenity of that area for other residents.
- Ramping for self-purchased wheelchairs or mobility scooters may not be considered unless assessed as a necessary requirement.
- Where a stairlift or lift is required in a block of flats, whether this is in a communal area or a private staircase and it is not reasonable and practicable.
- Where a property is being redeveloped and the tenant is required to move out, an alternative adapted property will be recommended. Timescales for the redevelopment will be taken into consideration.

- Where works would require planning permission or Building Regulation approval, which has not been or would not be granted.

All requests for major adaptations will be given full consideration on a case-by-case basis, taking into account the criteria set out above. Some areas of the North East Derbyshire District landscape are not suitable for wheelchair access and as such the best option will be to move to a more suitable area. It is accepted that there will be exceptions encountered. Where there are extenuating circumstances, a full review will be undertaken in partnership with DCC Adult Care/Childrens' Services, prior to a decision being made.

4. Management of the Adaptations Service

4.1. Adaptation Funding

Disabled Facilities Grants are available to people of all ages and in all housing tenures, however the Department for Levelling Up, Housing and Communities' Disabled Facilities Grants Delivery Guidance state "Government funding for the Disabled Facilities Grant is intended to fund adaptations for owner occupiers, private tenants, or tenants of private registered providers (housing associations). Eligible council tenants can apply for a DFG in the same way as any other applicant. However local housing authorities with a Housing Revenue Account (HRA) should self-fund home adaptations for council tenants through this account".

In line with the above, Council tenant applications for adaptations are administered through Rykneld Homes Limited and are funded from the Housing Revenue Account.

If an adaption is refused then the applicant has a right to apply for a Disabled Facilities Grant which is administered by the Council's Environmental Health team.

Central Government provides funding for Disabled Facilities Grants and is restricted for Council tenants.

Adaptations approved under this policy to properties owned and managed by Rykneld Homes Limited (i.e. not owned by the council) are eligible for DFG funding.

4.2. Exploring Options

A tiered approach will be taken to identify options available.

Derbyshire County Council provides a range of aids and equipment to assist tenants or a member of their household to maintain their independence. These are delivered directly to the home and the success of the use of these is monitored by Adult Care at DCC. In the majority of cases, equipment will always be tried before any consideration is given for an adaptation. Each request will be assessed on an individual need basis i.e., where handrails are requested, applicants should consider a referral via their GP for a mobility assessment.

Where an applicant's request does not meet policy and has the potential to be declined, a discussion will be held to explore the applicants housing need. This can be managed through a supported move.

Full consideration will be given to the provision of minor adaptations which would support the offer of a property through the usual housing allocations process. This would ensure that through the provision of a minor adaptation properties would meet the individual's housing needs.

4.3. Supported Move

Where an adaptation is declined applicants may have the opportunity of a supported move with a priority banding, so they can move to a property that will meet their housing need. Priority banding will be awarded in line with the Choice Move and Allocations Policy and will be monitored and reviewed periodically with a downgrading of priority banding if applicants do not pro-actively seek alternative properties. Direct lets to a suitably adapted property may also be considered in extreme circumstances. Please also refer to our Assisted Move Policy for more detail of what is included if a supported move is approved.

Officers will consider:

- what vacant properties are available that would meet the applicants needs
- what adaptations have already been undertaken to the available properties
- the suitability of these adaptations to meet the needs of the applicant requesting an adaptation.
- Where a suitable match is found RHL will, where reasonable, provide a package of support to assist the applicant and their household to move to a suitably adapted accommodation. We will assess each case individually and, if appropriate, based on affordability and hardship, we may offer to arrange and fund removals.

4.4 Adaptation Definitions and Categories

Minor Adaptations

Minor Adaptations have a value of up to **£1200.00**. These can be self-referrals or professionally assessed. They are simple, cost-effective solutions to assist a person to live independently with or without carer support. They can be installed swiftly, promote wellbeing, and reduce the risk of accidents, consequently averting additional costs associated with hospital admissions, or residential care and support.

Minor adaptations include grabrails, additional stair rails, small external handrails, half steps, hard of hearing smoke alarms, sight impaired lighting, small low-level ramps.

There are two categories for minor adaptations:

Urgent – these are generally carried out when there is a significant risk to health and wellbeing, or to facilitate hospital discharge.

Routine – these benefit the person to live independently, but there is no significant risk to the person or where there may be some construction work required.

Major Adaptations

Major Adaptations are valued over **£1200.00** and above and are generally structural changes to a property e.g., wet room, ramping, hard-standing, extensions.

Major Adaptations must be assessed by Derbyshire County Council Adult Care Occupational Therapists (OT), Social Care Practitioner (SCP) or Paediatric Occupational Therapists.

There are two priority categories:

Urgent – one or more of the following risk indicators must be met for urgent adaptations:

- There is an immediate risk of accident or hospital admission
- There is a threat to life or a major health and safety issue
- Person is in the final stages of life (palliative care)
- Person requires the adaptation to facilitate and sustain discharge from hospital
- Person requires improved access to facilitate attendance at hospital for life saving/extending treatments (dialysis/chemotherapy)
- Person has an unstable and deteriorating condition that precludes an equipment-based solution
- Person has a terminal diagnosis and are in receipt of a SR1 form (previously DS1500).
- Person has an urgent medical need to bathe.

Routine – all requests accepted by the Adaptation Panel not meeting the urgent criteria will automatically fall into this category. Each case will be progressed in date order of the Adaptation **Panel decision** and the level of work which needs to be undertaken.

The category that is allocated takes into account the reasonable needs of the tenant and their household and is **jointly agreed** between RHL and Adult Care at the Adaptation Panel meeting.

Where the adaptation includes a change to the layout of the property (i.e. internal wall removal) assistance from a NEDDC Engineer or suitably qualified technician is required. This is to ensure all adaptation requests are fully considered and specified before full approval is gained.

A Major Adaptation valued over £8,000 will require RHL's Senior Management Team's consideration.

4.5 Property Extensions

In the district of North East Derbyshire there is a lack of suitable properties, across all tenure, for families whose household contains one or more persons who have some form of disability and requires level access bedrooms and bathrooms. NEDDC only own 6 x 3-bedroom bungalows throughout the district, therefore people who

require this type of accessible family accommodation to alleviate housing need would be waiting on the Housing Register for a long period of time to be rehoused.

To help current tenants and their household to remain in their homes and to increase the housing stock of adapted properties suitable for families, a single storey extension to the property may be considered if reasonable and practicable to do so and alternative options have been explored.

Extensions can create a ground level bedroom and/or bathroom, however the property itself may require further adaptations/works to ensure the property is accessible where necessary, for example, widening internal doors or external access.

The adaptations eligibility and assessment criteria set within this policy will apply to all applicants. The property types which may be considered for an extension are:

- Houses, and;
- Bungalows

Extension will not be accepted if the property:

- is of non-traditional construction, however pod type extensions or other alternatives may be considered where necessary and appropriate, and reasonable and practicable
- if the condition of the property requires extensive refurbishment or where such works would pose a significant health and safety risk to staff
- if an extension is not achievable on the property
- the extension would not alleviate the applicants housing need
- there is a Right to Buy application on the property

Types of Extensions

RHL working in partnership with the relevant specialist organisation/contractor, will assess which method of construction would be appropriate for each eligible property.

Examples of the types of construction can include;

- Traditional bricks and mortar
- Modular - prefabricated modules that attach to the existing home and are manufactured before being installed.

Before any decision is made the costs of the extension and any other works will be taken into consideration and agreed jointly by NEDDC and Rykneld Homes.

The extension will be carried out by a contractor working in partnership and appointed by RHL following the required financial regulations having due regard to NEDDC and

RHL policies and procedures.

5. Adaptation Eligibility

Eligibility for an adaptation is generally governed by legislation based on what is necessary and appropriate, and reasonable and practicable.

Rykneld Homes must be satisfied that the applicant is a tenant or occupant registered at the property; therefore, the following checks will be undertaken upon the adaptation request.

All applicants must show that the property requiring adaptations is their permanent main residence. If an applicant has expressed any past interest in moving this will be explored with them. A permanent residence will be assessed in accordance with current housing legislation.

There are circumstances where applicants may not meet the legal requirements:

If an applicant is not named on the tenancy, they may still be eligible if:

- They are married to the tenant
- They are not married, but are living together as man and wife
- They are of the same sex and registered as a civil partner
- They are of the same sex but are living together as if they are in a civil partnership
- Are a registered occupier.

The applicant is an immediate family member (parent, grandparent, adult children, grandchildren, and sibling), who have lived with the tenant as their main permanent home prior to the application. Exceptions may be made where the applicant is unable to reside/move into the property due to the lack of adaptations. In the case of a split household where the disabled person is a child (less than 16 years and a child who is in full-time education under 19 years), adaptations will only be considered on one property.

The property where the parent resides who the child is dependent on will be given consideration for an adaptation. When deciding on which parent the child is dependent on, the following will be taken into account, but is not limited to:

- Who the child resides with primarily
- Any Court Orders in place
- Who Child Benefit is paid to
- Written Agreements between parents
- The individual facts of the case.

Cases outside the above may be reviewed by the Adaptations Panel and will be considered sensitively prior to a decision being made.

6. Referrals to Rykneld Homes

6.1 Referrals

A request for a Minor Adaptation can be accepted by RHL or DCC Adult Care. Major Adaptation requests must be referred to DCC Adult Care or Paediatric Team. A full face to face or telephone assessment of need is required to support the application, this is carried out by an OT or SCP.

The OT/SCP will assess the case and will make a recommendation on a Derbyshire Adaptation Partnership (DAP) request form, this will be processed and further information i.e., feasibility, structural information, will be gathered by RHL and submitted to the Adaptation Panel meeting for consideration, further information may be required. This will be raised during the meeting and reallocated to the relevant persons.

7 Awarding Priority

In addressing housing need, the options will be discussed to consider moving to a property which has the appropriate adaptations to meet their needs. In some circumstances this option may not be possible, including where:

- there is a lack of suitably adapted properties in the area that the applicant needs to live; or
- there is a lack of turn-over of void properties with appropriate adaptations required by the applicant; or
- it would mean that appropriate carer support would not be able to continue to provide on-going care and support.

On completion of the assessment, a recommendation to the Adaptations Panel will consider all the evidence presented relating to the applicant's needs and consider the following before a decision is reached:

- if the adaptation work is necessary and appropriate, and reasonable and practicable.
- do they have regard to the age and character of the property.
- the level of reasonably adapted stock in the support network locality in which the applicant lives; and
- the applicant's ability to secure independent living, if this is an option discussed with the applicant
- where any criteria laid out in the RHL procedures and guidance are met.

Due regard will also be given to and taken account of:

- The applicants needs and any personal or other factors that the applicant puts forward as demonstrating a need to remain in their existing accommodation.
- The medical prognosis and the usability of the proposed adaptation(s).
- The likely availability of more appropriate alternative adapted accommodation.
- The availability of the applicants existing support network and carers, that vital family support and other social roles and responsibilities cannot be undertaken in an alternative location.
- The property type and demand.
- The adaptability of the current property.
- The likelihood of achieving a mutual exchange with an end result meeting the needs of the applicant through liaison with the relevant members of staff in the Housing Support team and the Adaptations Co-ordinator.

Any applicant that has been assessed and recommended for major adaptations who decide to consider a move can be given assistance in completing a housing application form to register with 'Choice Move', at which point their adaptation request will be cancelled. The housing application will be awarded a priority banding to support an early move. Any temporary or 'meantime' work required whilst waiting for a move will be considered at this point. This may include the use of such items as; suitable equipment for bathing, grab rails or implementing a Personal Emergency Evacuation Plan (PEEP).

In cases where rehousing is considered the most suitable and appropriate redress to meet the applicant's needs, RHL's approach will be to:

- proactively assist the applicant in identifying suitable alternative adapted accommodation that meets their needs now and in the long-term, based on the advice from the OT/SCP or information provided as part of the Housing Application, in line with the Choice Move and Allocations Policy.
- Offer practical support to co-ordinate and facilitate the move.

7.1 Further Works and Changes of Circumstances

Occasions may arise where work is pending and a change in circumstances requires a further assessment. Should this occur, then the Adaptations team will need to be informed by the individual or supporting agency.

If the work pending has not been started, then it will not commence until the OT/SCP has submitted their further report. The new work may then be added to the pending work to be completed as one job.

If it is believed further work may be required Adult Care and/or the OT will be notified

to undertake a review of the case.

7.2 Under-Occupancy

Under-occupancy is defined within the housing Allocations Policy.

If an applicant's household is under-occupying a property, then extensions and conversions), will not be considered unless:

- there are no suitable adapted properties within NEDDC/RHL housing stock; or
- there are suitable adapted properties within NEDDC/RHL housing stock, but these are minimal and the likelihood of availability becoming apparent within a 12-month period is very low.

All other Major Adaptations may be considered.

Certain temporary adaptations can be offered to provide a short-term solution. However, such cases will be investigated on a case-by-case basis.

Applicants who are under-occupying will be afforded reasonable preference to local accommodation as per the Housing Allocations Policy.

7.3 Condition of the Property

Prior to the installation of an adaptation, the condition of the property will be considered, this may impact on whether the adaptation is approved, refused, or placed on hold. If the condition of the property raises any health and safety concerns this will be passed to the Housing and Support team and the adaptations application will be put on hold.

Where it is not reasonable or practical to install an adaptation due to the condition of the property the request will be refused. The applicant will be informed of the reasons why the adaptation cannot go ahead, and alternative options will be discussed.

7.4 Regulatory Compliance

Where adherence to relevant legislation has not occurred, an adaptation will be put on hold until the requirements are met. Such paperwork may include but is not limited to:

- An individual assessment carried out to determine if an Asbestos refurbishment survey is required.
- A copy of the current Electrical Installation Condition Report and/or Gas Safe certificate.
- All stairlift installations will be serviced annually and maintained either under manufacturer's warranty or through a Service Level Agreement with a competent contractor to comply with LOLER 1998 Lifting Operations and Lifting Equipment Regulations (LOLER) 1998.

7.5 Removal and Recycling of Adaptations

Where a void property already has an adaptation in-situ a full assessment will be undertaken to identify the age and condition of the adaptation, and whether it would be suitable for the adaptation to remain.

Where it is identified that:

- The adaptation is not economical it will be removed as part of the voids process. Consideration will be given to the suitability of re-siting the adaptation equipment (e.g., stairlift and/or storing for future use. This will be decided prior to removal.
- The adaptation is in good condition, the property type will be assessed for long-term suitability and, where appropriate, adaptations will be kept in-situ to ensure best use of the property and the availability of housing stock that is suitable for future tenants in need of such facilities.
- There is no need for the adaptation which has been installed, consideration will be given to removing the adaptation and restoring the property to the current lettable standard for the property type.
- Consideration will be given to the property type i.e., family home and suitable level access.

7.6 Tenant Obligations

- It is the responsibility of the Tenant to ensure that any adaptations are not misused or abused.
- The Tenant must allow access for any servicing or repairs.
- Any repairs costs, as a result of misuse, will be charged to the Tenant.
- All adaptations are the property of NEDDC and must NOT be removed or resold.

7.7 Right to Buy Applications

- Where a Right to Buy application is submitted, applications will be cancelled.
- Any removable adaptations i.e., stairlifts already in situ, will be offered to the Tenant as part of the Right to Buy purchase at a cost which will include depreciation. If the Tenant declines, the equipment will require removal prior to the completion of sale.

8 Refusals

If an adaptation has been refused under this Adaptations Policy, applicants are eligible to apply to NEDDC's Environmental Health Team, for eligibility assessment of a Mandatory DFG.

Any applicant wishing to apply for a DFG can contact the Council's Environmental Health Department on 01246 217847 for further advice on the application process.

If an eligibility for mandatory DFG is approved, the adaptation installation will be managed by RHL who will be responsible for contracting and completing the works to the current specifications. Any removable equipment remain the property of RHL.

9 Appeals, Disputes and Complaints

If an applicant is dissatisfied with a decision made under this Policy they can appeal against the decision and request a review. In the first instance, the review will normally be conducted by a Rykneld Homes Senior Officer not involved in the original decision.

Where a person is dissatisfied either with an aspect of this policy, how it has been implemented or the level of service they have received under the policy, they will have the right to complain. This will be handled in line with Rykneld Homes complaints procedure, however in the first instance any complaints should be raised informally with Rykneld Homes to try and resolve the issues.

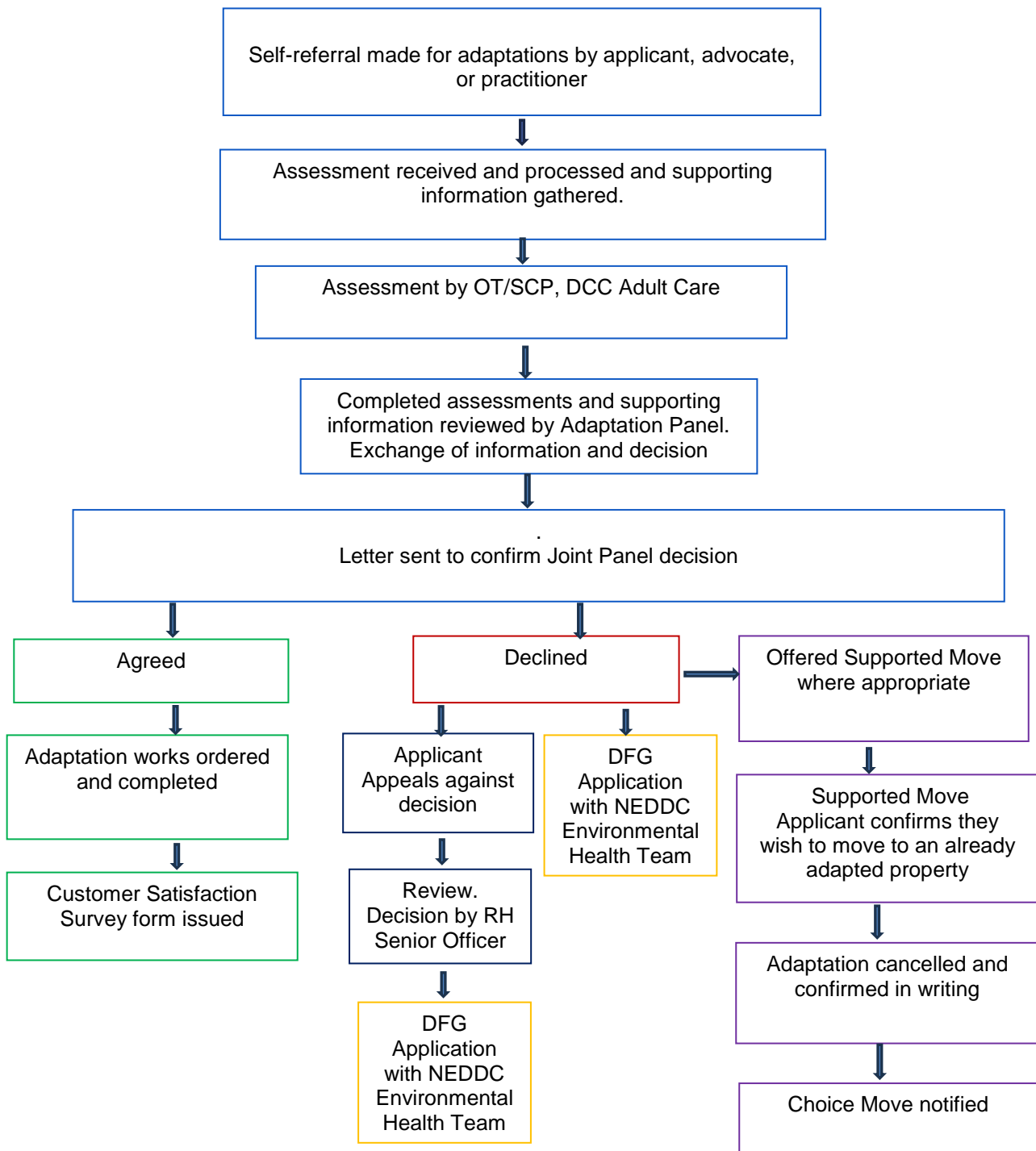
Terms of Reference

- RHL – Rykneld Homes Limited
- NEDDC – North East Derbyshire District Council
- DCC – Derbyshire County Council
- OT – Occupational Therapist.
- CCW – Community Care Worker
- SCP – Social Care Practitioner

Contact:
Rykneld Homes Ltd
Pioneer House
Mill Lane
Wingerworth
Derbyshire
S42 6NG

Tel: 01246 217670

Adaptations Flow Chart – Process Diagram (Major Adaptations)



Title:	Adaptations Policy and Procedure 2022 - 2025
Author(s):	Nicola Hale, Adaptations and Support Co-ordinator, Rykneld Homes Siobhan Browes, Customer Support and Regeneration Manager, Rykneld Homes Di Parker, Housing Intelligence and Assurance Officer, Housing Strategy, NEDDC
Version No:	6
Status – Draft or Final:	Final
Consulted Parties:	Derbyshire County Council, Adult Care Social Services
Date Approved:	Approved by SMT –
Review Date:	April 2025
Review to be Carried out by:	Adaptations and Support Co-ordinator, Rykneld Homes Senior Manager, Rykneld Homes Housing Strategy, NEDDC

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☎ **0800 731 7878** (OTHER LANGUAGES)

COMMUNITIES SCRUTINY COMMITTEE WORK PROGRAMME 2023/24

WEDNESDAY AT 10AM

CHAIR: CLLR S FAWCETT

VICE CHAIR: CLLR M DURRANT

MEETING DATE	AGENDA ITEM	WHAT IT WILL COVER	WHO IT INVOLVES
FRIDAY 14 JULY 2023	Remit of the Committee	<ul style="list-style-type: none"> • Briefing on Scrutiny : <ul style="list-style-type: none"> - Setting the scene - The terms of reference for the Committee - How the Committee operates, ways of working– Discussion - The Council’s new Council Plan and scrutiny arrangements - discussion 	Lee Hickin – Managing Director Jayne Dethick – Director of Finance & Resources and S151 Officer Sarah Sternberg – Assistant Director of Governance & Monitoring Officer Damon Stanton – Senior Scrutiny Officer
	EXAMPLE – Medium Term Financial Plan	MTFP Financial Outturn 2022/23	Jayne Dethick – Director of Finance & Resources and S151 Officer
	Draft Scrutiny Work Programme	To consider the draft Scrutiny Work Programme	Committee Members/ Damon Stanton – Senior Scrutiny Officer
20 SEPTEMBER 2023	Performance Management	Developing the Performance Framework to support the new Council Plan	Amar Bashir – Improvement Officer

	Cabinet Reports and the Forward Plan of Executive Decisions	To review recent Cabinet Reports, receive an overview of Cabinet business, and review the Forward Plan	Portfolio Holder Senior Officer Leader/Deputy Leader
	Policy Development	Empty Homes – Council Tax Premium	Jayne Dethick – Director of Finance & Resources and S151 Officer
	'Horizon Scanning'	Briefing Paper on Legislative Changes to Housing Services	Jayne Dethick – Director of Finance & Resources and S151 Officer
	Scrutiny Work Programme	To consider the Committees' work programme	Damon Stanton – Senior Scrutiny Officer
15 NOVEMBER 2023	Performance Management	Council Plan Targets Performance Update	Q&A with the Portfolio Holder Relevant Service Managers/Directors Kath Drury – Information, Engagement and Performance Manager Amar Bashir – Improvement Officer
	Cabinet Reports and the Forward Plan of Executive Decisions	Five Year Housing Land Supply	Helen Fairfax – Planning Policy & Environment Manager - CONFIRMED
	Policy Development	To contribute to major Policies being considered by the Council	Lead Officer

	'Horizon Scanning'	PROVISIONAL – Damp and Mould in Social Housing	Rykneid Homes Jayne Dethick – Head of Finance & Resources & S151 Officer
	Scrutiny Work Programme	To consider the Committees' work programme	Damon Stanton – Senior Scrutiny Officer
28 FEBRUARY 2024	Performance Management	Council Plan Targets Performance Update	Q&A with the Portfolio Holder Relevant Service Managers/Directors Kath Drury – Information, Engagement and Performance Manager Amar Bashir – Improvement Officer
	Cabinet Reports and the Forward Plan of Executive Decisions	To review recent Cabinet Reports, receive an overview of Cabinet business, and review the Forward Plan	Portfolio Holder Senior Officer Leader/Deputy Leader
	Scrutiny Work Programme	To consider the Committees' work programme	Senior Scrutiny Officer
	Residents Survey	Committee to discuss the outcomes of the Residents Survey and to determine if they want to look at any areas as part of their Work Programme	Senior Scrutiny Officer

	Damp & Mould Implications	To receive an update on the Housing Options work to address Damp and Mould problems in private sector rented properties, and to assess the implications of the new social Housing standards	Ken Eastwood, Assistant Director of Environment – ACCEPTED
08 MAY 2024	Performance Management	Council Plan Targets Performance Update	Q&A with the Portfolio Holder Relevant Service Managers/Directors Kath Drury – Information, Engagement and Performance Manager Amar Bashir – Improvement Officer
	Cabinet Reports and the Forward Plan of Executive Decisions	To review recent Cabinet Reports, receive an overview of Cabinet business, and review the Forward Plan	Portfolio Holder Senior Officer Leader/Deputy Leader
	Policy Development	To contribute to major Policies being considered by the Council <ul style="list-style-type: none"> Adaptations Policy 	Lead Officer
	Community Safety Partnership	To receive an update on the work of the Community Safety Partnership	Faye Green – Community Safety Manager – ACCEPTED
	Scrutiny Work Programme	To consider whether the Committee’s Work Programme has been completed	Senior Scrutiny Officer

NOTES

- Angelique Foster PCC to be invited to 2024/25 meeting.

- Charities to be invited to 2024/25 meeting.
- Activities for younger children/older children/teenagers incl. community activities and outdoor activities
- Update on Combined Authority – Who's Who and NEDDC Roles (Lee Hickin)
- Affordable Homes/Social Housing – proposed scheme at Stonebroom / purchase of units in Calow
- Five Year Housing Land Supply