

Overview & Scrutiny AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be audio recorded.

Date: Wednesday, 11 March 2015

Time: 19:15

**Venue: Council Chamber , Braintree District Council, Causeway House,
Bocking End, Braintree, Essex, CM7 9HB**

Membership:

Councillor P R Barlow
Councillor C A Cadman
Councillor Dr R L Evans (Chairman)
Councillor P Horner
Councillor S A Howell
Councillor R P Ramage

Councillor F Ricci
Councillor W J Rose
Councillor A F Shelton
Councillor J S Sutton
Councillor J R Swift

Members are requested to attend this meeting, to transact the following business:-

PUBLIC SESSION

1 Apologies for Absence

2 Member Declarations

1. To declare the existence and nature of any interests relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice (where necessary) before the meeting.
2. To declare the existence and nature of any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Committee or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote on any particular matter

- 3 Minutes of the Previous Meeting**
To approve as a correct record the Minutes of the meeting of the Overview and Scrutiny Committee held on 28th January 2015 (copy previously circulated).
- 4 Public Question Time**
(See paragraph below)
- 5 Scrutiny of North Essex Parking Partnership** **4 - 25**
- 6 Scrutiny Review into Poverty** **26 - 43**
- 7 Decision Planner**
To consider the Decision Planner for the period 1st April 2015 to 31st July 2015 (previously circulated).
- 8 Urgent Business - Public Session**
To consider any matter which, in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.
- 9 Exclusion of the Public and Press**
To agree the exclusion of the public and press for the consideration of any items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

At the time of compiling this agenda there were none.

PRIVATE SESSION

- 10 Urgent Business - Private Session**
To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

E WISBEY
Governance and Member Manager

Contact Details

If you require any further information please contact the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk

Public Question Time

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

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Comments

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended..... Date of Meeting

Comment

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Contact Details:

Scrutiny of North Essex Parking Partnership		Agenda No: 5
<p>Corporate Priority: Place: Protecting Our Environment Prosperity: Promoting and Improving our Town Centres Performance: Providing Value for Money</p> <p>Report presented by: Councillor Mrs. L. Bowers-Flint, Chairman of the Task & Finish Group (North Essex Parking Partnership)</p> <p>Report prepared by: Paul Partridge, Head of Operations</p>		
<p>Background Papers: Overview & Scrutiny Meetings - 4 June and 16 July 2014.</p>		Public Report - Yes
<p>Options: To accept or reject the Group's report and recommendations.</p>		Key Decision: No
<p>Executive Summary:</p> <p>Responsibility for on-street parking in the Braintree District rests with Essex County Council (ECC), as the Highway Authority, and since April 2011 has been undertaken by the North Essex and South Essex Parking Partnerships on their behalf under an agency arrangement. The North Essex Parking Partnership (NEPP) comprises the District/Borough Councils of Braintree, Uttlesford, Tendring, Colchester, Epping, Harlow and Essex County Council (ECC).</p> <p>Off street (car parks) parking enforcement is offered as an optional service by the NEPP and Braintree District Council has taken up this option.</p> <p>As part of its work programme for 2014/15 the Overview & Scrutiny Committee agreed to review the NEPP's relationship with the Council and the services it provides specifically in relation to policy, strategy and finances, parking enforcement and Traffic Regulation Orders (TROs) insofar as it affects the Braintree District.</p> <p>The key findings of the Group were as follows:-</p> <ul style="list-style-type: none"> • The strategic aims and objectives of the NEPP are clearly defined and its policies, protocols and procedures operate on the core principles of fairness, transparency and consistency. • The NEPP is a specialist in its field and offers a wealth of experience and knowledge on parking issues. • The governance process (Joint Committee) is well structured and interaction between Members of the constituent Authorities is good; they have a broad understanding of national, regional and local priorities. However, increasing attendance of the ECC Members at partnership meetings would add a more 		

strategic focus.

- The NEPP has achieved significant efficiencies and provides value for money, however, these in the main relate to the on-street function rather than the off-street function from which Districts/Boroughs directly benefit. There is some concern over the ongoing cost of the off-street operation which could be expected to reflect the efficiencies achieved.
- Difficulties are created by the timing of the NEPP's budget setting process which needs to be brought forward so that it informs our own budgetary process. Improved liaison between all partner authority accountants would also be beneficial.
- There is an over-reliance on variable PCN income (on-street) and residents-only parking schemes which leaves the NEPP financially vulnerable. This has consequence for partner authorities who are required to meet any shortfall under the Partnership Agreement.
- In terms of service delivery, this is very much technology-based (e.g. on-line transactions), with less emphasis on dealing directly with customers. Whilst this reflects the increased use of technology and is customer-led, there are some aspects of customer service that could be improved.
- The Traffic Regulation Order (TROs) process is complicated, time-consuming and cost-regulated and it's not user-friendly.
- The role and functions of the NEPP are not widely understood and need to be clarified.

The Group therefore makes the following recommendations:-

1. That the NEPP reviews the SLA for off-street parking, undertaking a zero based budget as part of that exercise; and brings forward its annual budget setting process for off-street parking so that it informs its partners' own budgetary processes.
2. That the NEPP considers other income-generating opportunities to reduce reliance on PCN income by expanding its customer base; and avoids unnecessary expenditure by ensuring that utility companies reinstate lines/signs following any road-works they carry out or pay for works in default.
3. That the NEPP fills vacant CEO posts promptly to ensure that there is a full complement of staff (using agency staff if necessary).
4. That the NEPP encourages County Council Members to attend partnership meetings to reinforce the concept of partnership working.
5. That the NEPP has further discussions with ECC about the disparity in funding received by the NEPP and SEPP for TROs.
6. That the NEPP reviews the CEO patrol schedules to ensure that it is delivering the required level of off-street enforcement in the Braintree District.

7. That the mobile CCTV car becomes a permanent fixture (subject to changes in legislation) and the NEPP is asked to provide a schedule of planned visits within the Braintree District, as well as clarifying service standards for parking enforcement in rural parishes.
8. That the NEPP ensures that the virtual permit system (MiPermit) is sufficiently robust to deliver expected improvements in customer service in terms of access and timeliness.
9. That the NEPP improves the customer experience by:-
 - (a) Issuing a comprehensive TRO user guide in consultation with partner authorities to clarify the TRO process including eligibility criteria, expected timescales, the scoring matrix and the date of committee meetings;
 - (b) Publishing a quarterly or six-monthly newsletter on its website to update customers on new initiatives and issues that may be of interest;
 - (c) Simplifying the TRO application form to ease completion;
 - (d) Explaining enforcement relating to dropped kerbs;
 - (e) Ensuring good liaison with applicants, particularly with regard to extensive or complex TROs;
 - (f) Publishing its service standards; and
 - (g) Seeking customer feedback and using this to deliver service improvements.
10. That the TRO process be amended to require applicants to clearly demonstrate majority support for their proposal from other local residents, as well as support from their local County/ District/Parish/Town Council *before* they submit an application. (This is the approach adopted by the Local Highways Panels for highway schemes.)
11. That the NEPP considers reinstating white advisory H-bars across drives *in rural areas only* on request and at residents' expense, to discourage inconsiderate parking.
12. That consideration be given to creating a common/shared database for use by ECC and NEPP to avoid duplication of TROs. Customers could be given (restricted) access to enable them to track progress with their requests.
13. That the NEPP reviews staffing levels to reduce Call Centre waiting times, lets the caller know where they are in the queue and includes information that is helpful and more generic to the whole partnership (rather than just Colchester) e.g. availability of MiPermit.
14. That the NEPP challenges ECC's 5-yr policy relating to the introduction of TROs following the adoption of new roads and that consideration of TROs is included as part of the planning application process where appropriate.
15. That the NEPP undertakes benchmarking with the SEPP and other local authorities who have formed a similar partnership for parking services (e.g. Bromley and Bexley) to demonstrate that it provides value for money.

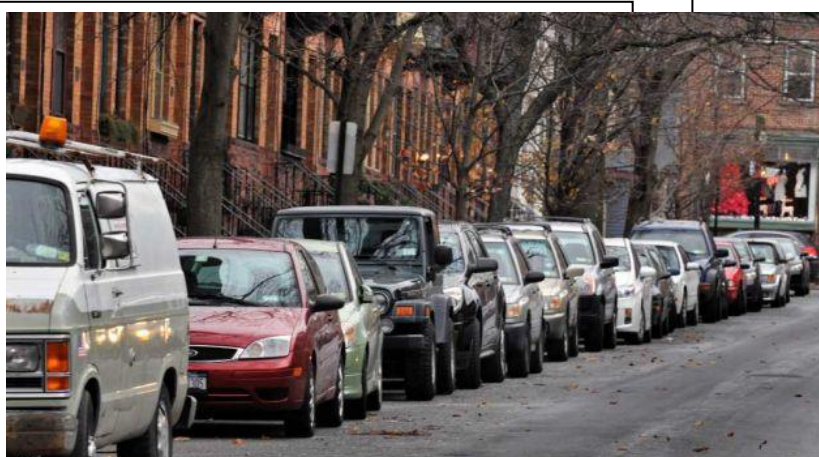
The full report is attached at Appendix 1.

Decision:	
Members are invited to consider the findings and recommendations and refer the report to Full Council.	
Purpose of Decision: To agree the report and recommendations to Council and Cabinet.	
Corporate implications	
Financial:	Potential reduction/increase in the annual contribution made to the NEPP for the off-street function.
Legal:	Potential amendments to the SLA for off-street depending on any changes in service delivery required.
Equalities/Diversity	None
Customer Impact:	The report includes recommendations to improve the customer experience.
Environment and Climate Change:	None
Consultation/Community Engagement:	Consultation has been carried out with relevant stakeholders e.g. Chairman of the NEPP, Cabinet Member for Uttlesford District Council, officers of the NEPP, SEPP, ECC and Colchester Borough Council, and customers in relation to TROs.
Risks:	On street income is variable which poses a risk not only to the NEPP, but also each partner authority in being required to meet any deficit support. There is also the risk of a loss of income to Districts/Boroughs arising from off-street enforcement. If the NEPP's costs for off-street continue to increase, partners to the SLA will be expected to pay more.
Officer Contact:	
Paul Partridge	
Designation:	
Head of Operations	
Ext. No.	
3331	
E-mail:	
paul.partridge@braintree.gov.uk	



Overview & Scrutiny Task & Finish Group

Review of the North Essex Parking Partnership



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1. INTRODUCTION

- 1.1 At its meeting on 4 June 2014, the Overview & Scrutiny Committee approved a programme of work for 2014/15 which included a review of the North Essex Parking Partnership (NEPP). The Terms of Reference were agreed at that meeting and they specifically excluded the management and operation of the Council's car parks as that was reviewed in depth the previous year. The composition of the review group was approved at the Committee's meeting on 16 July 2014.
- 1.2 The review focused on the Council's partnership and its relationship with the NEPP specifically in relation to policy, strategy and finances, parking enforcement, and the process for creating Traffic Regulation Orders (TROs) insofar as it affects the Braintree District.
- 1.3 The Task & Finish Group (NEPP), led by Cllr. Mrs. Bowers-Flint, met for the first time on 6 October 2014 and has met 5 times in total, supplemented by informal meetings with work stream leads and officers to update and monitor progress. A schedule of meetings is attached at Appendix 1.

2. BACKGROUND

- 2.1 Following the decriminalisation of parking in Essex in 2002/4, **on-street** parking enforcement was carried out by the Essex Districts/Boroughs under an agency arrangement with Essex County Council (ECC), the cost of which was fully met by ECC on a deficit support basis. Districts/Boroughs continued to fund and manage their own off-street parking functions.
- 2.2 In April 2009, whilst still operating under the agency agreement with ECC, Braintree, Colchester and Uttlesford Councils formed a Parking Partnership, with Colchester as the lead authority, aimed at achieving efficiencies and ensuring that the parking services in the three authorities were effective and financially viable. This focused primarily on parking enforcement (on and off-street) and cash collection, with responsibility for TROs, lines and signs remaining with ECC.
- 2.3 In 2009/10, ECC took the decision to terminate the agency agreements on the basis that the deficit support was unsustainable. A review group was established to find a way of delivering a more efficient service and this resulted in the creation of two Parking Partnerships in April 2011– one in North Essex (NEPP) and one in South Essex (SEPP) – each overseen by a Joint Committee comprising a nominated Member and client officer from each partner authority and led by a single Authority (Colchester in the North and Chelmsford in the South).
- 2.4 The NEPP undertakes on-street parking enforcement, Traffic Order making responsibilities, sign and line maintenance and the business unit processes relating to permit applications, the enforcement of issued Penalty Charge Notices and other legal documentation. It also offers an optional off-street parking enforcement service (including car park ticket machine maintenance and cash collection) which it currently provides for all of its partners except Tendring.

The map below shows the composition of each Partnership, with ECC being the common link.



3. TERMS OF REFERENCE AND MEMBERSHIP OF THE REVIEW GROUP

3.1 Terms of Reference:

- To review the relationship between the Council and the North Essex Parking Partnership.
- To consider and understand the services provided and the service standards set within the arrangement and the standard of delivery.
- To consider the overall budget, cost benefit to the Council and the efficiency of the service provided.
- To understand the process for Traffic Regulation Orders and the service standards for their implementation.
- To consider customer service standards and customer feedback.
- To make appropriate recommendations for improvements to the Parking Partnership.

3.2 Membership of the Group

Members:

Cllr. Lynette Bowers-Flint (Chairman)
 Cllr. Bill Rose (Vice-Chairman)
 Cllr. Phil Barlow
 Cllr. Hylton Johnson
 Cllr. Celia Shute
 Cllr. Patrick Horner
 Cllr. Tom Cunningham

Officers:

Paul Partridge, Head of Operations
 Samir Pandya, Customer & Business Support Mgr
 Carol Clayman, PA to Head of Operations
 Sarah Sherry, Administrative Officer

4. KEY ROLES AND RESPONSIBILITIES

It was agreed that Members would organise their own research, consultations and visits and produce the report and that officers would arrange the Group's meetings, distribute the agendas and minutes and offer guidance and support as and when required.

5. PROCESS OF THE REVIEW

5.1 The review was separated into three work streams, with two members appointed to each and the Chairman dividing her time between them, as follows:-

- (1) Policy, Strategy & Finances (Cllrs. P. Horner & T. Cunningham)
- (2) Enforcement (Cllrs. Ms C. Shute and H. Johnson)
- (3) Traffic Regulation Orders (Cllrs. W. Rose and P. Barlow)

5.2 A programme of work was developed listing sources of information, consultees and issues for consideration (see Appendix 2).

5.3 Each work stream undertook their own research and consultation and then reported back to the main group at scheduled meetings.

5.4 Progress updates were reported to Overview & Scrutiny Committee on a regular basis.

6. RESEARCH AND CONSULTATION

6.1 Policy, Strategy and Finances

- Meetings were held with Vicky Duff, (Network Management Manager) Essex County Council, David Moss, BDC Accountant and Nick Binder, (Parking Manager) SEPP.
- SEPP Business Plan and NEPP Accounts were reviewed.

6.2 Enforcement

- Meetings were held with Lisa Hinman, Enforcement Area Manager and Christine Belgrove, Parking Manager, NEPP; and Brenda Baker, Chairman of Chamber of Commerce and George Yard Centre Manager.
- Two Civil Enforcement Officers were accompanied on their patrols for a day to see how enforcement works on the ground.
- A range of documents were reviewed including the NEPP Annual Report 2013/14 and the Service Level Agreement between the NEPP and its constituent authorities.

6.3 Traffic Regulation Orders

- Consultation took place with Shane Taylor from the NEPP, representatives of The Grove Residents' Association, Witham, and residents of Halstead and Cressing who had applied to the NEPP for parking restrictions to be implemented on local roads.
- Documents were reviewed including 4 case studies relating to TRO applications, the Policy for TROs, Department of Transport's New Procedures for TROs (2012) and NEPP's prioritisation methodology.

6.4 Guest Speakers

A presentation was given to the Group by Matthew Young, Head of Operational Services, Colchester Borough Council and Richard Walker, Group Manager, NEPP, on the background/history to the NEPP and its management and operation.

The Group also invited Cllr. Robert Mitchell, Chairman of the NEPP Joint Committee, and Cllr. Susan Barker, District & County Councillor for Uttlesford District, to attend group meetings to give an overview of the NEPP from their perspectives.

7. KEY FINDINGS

7.1 Policy, Strategy & Finances

- The strategic aims and objectives of the NEPP are clearly defined and it operates on the core principles of fairness, transparency and consistency. Enforcement is focused on dangerous, careless and negligent parking.
- The policies/protocols and procedures are robust and well-structured and comply with current legislation.
- The NEPP has a tendency to be Colchester-centric e.g. the telephone message played whilst callers are on hold relates specifically to Colchester when it should be promoting NEPP's services on behalf of the whole Partnership.
- The **on-street** income is variable from year to year and dependent primarily on the number of Penalty Charge Notices (PCNs) issued and Residents-Only parking schemes. This poses a significant risk as the more drivers are compliant, the less income will be received. This is recognised by the NEPP who maintain reserves in the event that a deficit occurs in any one year.
- The budgets for the **on-street** account are set by the NEPP, with the aim of reaching and maintaining a position where the service is self-financing. Any operating deficit by the NEPP has to be shared equally by the constituent partners and so it is in the interests of all partners to ensure that the NEPP achieves break-even point. At the end of 2013/14 there was a small operating surplus and this is also expected to be the case in the current financial year.
- The NEPP's budget setting process runs parallel with that of the local authorities and needs to be brought forward so that Districts/Boroughs can consider NEPP's budgetary issues alongside their own budget setting process. It should be more open and transparent which could be achieved by involving finance officers from partner authorities.
- When the two Partnerships were established, the SEPP received a higher subsidy than the NEPP from ECC to undertake TROs. This was inequitable and has enabled the SEPP to deliver more TRO schemes than the NEPP.
- The published year end accounts are extremely brief and it is difficult for customers to make any judgement about value for money.
- BDC's base contribution (£145k p.a.) for the off-street function has not changed since the *original* Parking Partnership was disbanded, despite several operational changes over the past 4 years. The existing budget contribution is based on the cost of the service that BDC previously undertook in-house. An increase of 3% has been applied each year and there is concern that this will continue to rise.
- The NEPP is open and transparent and has a wide range of specialist skills, knowledge and experience from which all partner authorities benefit. There is good partnership working and a clear understanding of local priorities and pressures faced by Districts/Boroughs in relation to both on and off-street parking.
- The relationship between officers and Members within the NEPP is very good and they work well together. However, concern was expressed about the lack of attendance by ECC Members at partnership meetings. Cllr. Mitchell has proved an excellent Chairman – a view endorsed by ECC.

- Economies of scale have been achieved throughout the Partnership and there is greater flexibility in terms of service provision and business continuity, common pricing and a consistent approach across North Essex. For Braintree's off-street function, it offers greater expertise, flexibility and service resilience. However, as the NEPP continues to deliver efficiencies, BDC would expect the savings to be reflected in its annual contribution.
- The NEPP provides a democratic forum which allows for engagement with residents. However, residents do not fully understand the NEPP's role and some see it as a means of preventing parking outside their homes. Clarifying their role would improve customer understanding.

7.2 Enforcement

- The NEPP has 3 enforcement hubs based in the East, Central and West of the County, with one administrative hub at Colchester. Having an area based approach ensures that Civil Enforcement Officers (CEOs) have a good working knowledge of their areas and the service is more efficient operationally. In Braintree's case, it gives us direct access to staff at the central hub which is based at our George Yard Multi-storey car park.
- The demographic of the partner authorities i.e. mix of rural and urban, means that greater emphasis is placed on the urban areas where most of the restrictions are in place. There appears to be some disparity between the number of CEOs in each hub in relation to the size of the areas that they enforce. However, the number of CEOs in the Central hub comprise the original number of CEOs employed by BDC & UDC pre-NEPP and if this were increased, there would be a corresponding cost to both Authorities.
- The split between on-street and off-street patrols is 70:30 respectively. It was difficult to evidence that this was being achieved and there is a general view across the Partnership that off-street is not routinely receiving 30% of the CEOs' time.
- From April to October 2014, the number of PCNs issued in the Council's car parks was 1,261 – an average of 180 per month. This compares with 1,704 PCNs issued in the same period the previous year – an average of 243 per month.
- The PCN appeals process is explained on the reverse of the PCN. It was not possible to speak to any recipients of PCNs to gauge customer satisfaction, but the process appears to be clear and easy to understand. The NEPP does not undertake Customer Surveys for enforcement as they consider it too sensitive an area for meaningful feedback; nevertheless, they will reconsider their position.
- The CEOs adopt a sensible and pragmatic approach to parking enforcement and despite popular belief are not set targets based on the number of PCNs issued.
- Customers have the option of appealing to an independent body – the Traffic Penalty Tribunal (TPT) - if they feel that a PCN has been issued incorrectly. The TPT's decision is binding on both the appellant and the NEPP.
- Whilst on patrol with the CEOs in Braintree, Members noted that the signs in car parks are very good and the yellow lines quite clear in the town. However, in some cases where utility companies dig up the road, the lines are not always reinstated on completion of works.

- The mobile CCTV works well and has helped to control parking outside schools, on clearways and in other areas. However, the software is limited to operating within one district/borough at a time i.e. cross border working is not possible, and so the system is not as effective as it could be.
- MiPermit was introduced in the Braintree District in May 2014 and this is a more effective and efficient way of paying for parking and actively encourages people to stay longer in our car parks and town centres. Over the longer term, it will reduce back office costs in relation to residents' parking permits as this will become a paperless system ('virtual' permits).
- In terms of customer service generally, Members of the Group have had personal experience of trying to contact the NEPP by telephone and have met with lengthy delays in getting through on several occasions with the quality of the responses from NEPP staff not always to a consistent standard. There have also been unacceptable delays in receiving permits/ season tickets renewals. The latter will soon become available via MiPermit and Members would like an assurance from the NEPP that the system is sufficiently robust and will deliver the expected improvements.
- When first formed, accessing the NEPP systems and operations was mostly via postal application to the Colchester office, but the NEPP is modernising its operations and is now very much geared towards electronic transactions and payments. It has already moved more recently towards issuing 'virtual' tickets/ permits for parking, although at the time of gathering evidence, these virtual permits were not available in every locality. When complete this should simplify and speed up service delivery for the majority of customers, although there will be some who prefer a more traditional approach.
- Service standards are not easily identifiable [and therefore measurable] and should be more accessible to customers.

7.3 Traffic Regulation Orders

- TROs are implemented for a variety of reasons including assisting with traffic flow, controlling or directing traffic, improving safety of road users, preserving or improving the character or amenity of an area, and preventing serious damage to roads and bridges. Prior to NEPP, these criteria may not have been adhered to on a consistent basis across local authorities.
- The TRO process (Appendix 3) is lengthy and time consuming and is cost regulated meaning that the number of TROs that can be approved is restricted and each local authority is competing for the available funding. Historically, it has been agreed that 4 schemes per Authority per TRO Committee Meeting can be considered.
- Considerable errors are found on application forms requiring additional work by NEPP to correct. Better guidance to applicants would avoid this.
- The NEPP receive a large number of requests relating to access to/from people's driveways, for which TROs are not an appropriate resolution. Better information about the type of requests that can be considered would significantly reduce workloads and manage customer expectation.
- There was evidence cited that one complex TRO needed to be revised due to the applicant not being involved in the details of the restrictions in the first Order. Better liaison between the applicant and NEPP officers would clearly have prevented this from happening.

- Parking enforcement across driveways does not require a TRO, but can be enforced at the specific request of the householder/occupier. This works well in urban areas where CEOs regularly patrol, but less so in rural areas where the vehicle may have moved by the time a CEO arrives. This is not well-communicated and would improve customer understanding if made clear.
- There is a requirement for applicants to seek consent/agreement to their proposal(s) from other residents in their road, but this is rather ambiguous in the application form. It would shorten the process and eliminate abortive work if it were made clear to applicants that local support needed to be obtained at the outset.
- There is no requirement for applicants to obtain support for their proposal from their County/District/Town/Parish Council. If that were done, by making clear to applicants that they involve their local councillors, it would help filter out any unreasonable/inappropriate requests prior to being seen by the NEPP, saving a considerable amount of time and effort (NEPP and applicant) with requests that do not meet the criteria.
- There is a common scoring matrix (Appendix 4) used by the NEPP, however, it is felt that this could be refined to more accurately reflect the true value of some of the criteria e.g. if a scheme is self-funded, it should score more highly than one that requires funding.
- The scoring matrix is not made known to applicants, but would help them understand how cases are determined. They are also not made aware of anticipated timescales for decisions, kept informed about progress of their request or dates of committee meetings. Better guidance would improve the customer experience.
- Schemes that are self-financing e.g. residents-only parking, are considered alongside those that require funding and are included in the max.4 schemes that can be put forward at each meeting. Some of these could be done *in addition to* non-funded schemes which would avoid unnecessary delays.
- It is not possible at present for authorities to access any common database and so some schemes that are generated through the Local Highway Panels (ECC-led) may also attract requests via the TRO process, resulting in duplication.
- ECC has a policy that prevents any new development being considered for TROs within 5 years of it becoming adopted highway. This results in valid requests being received that ordinarily may be supported, but are rejected on the basis of this rule. This may be something that could be improved through the planning application process whereby TROs could be considered as a condition of the planning approval.

8. CONCLUSIONS AND RECOMMENDATIONS

8.1 Policy, Strategy & Finance

Despite the obvious challenges of six different authorities working in partnership with different corporate and political priorities, the NEPP works well, with good strategic direction. It has robust policies and procedures in place and offers a wealth of experience and knowledge relating to parking issues. The partnership would perhaps be strengthened by regular attendance of the ECC portfolio holder at its meetings and greater involvement of partner authorities' accountants in budgetary issues generally.

The NEPP relies heavily on income from PCNs and residents-only parking and this can leave it financially vulnerable.

The off-street parking service generally offers good value for money for BDC and should continue to be provided by the NEPP. However, there are some concerns around the timing of the budget setting process, staff (CEO) vacancies, the annual fixed increase on the off-street account and the anomaly relating to TRO funding from ECC.

It is RECOMMENDED that the NEPP:

1. Reviews the SLA for off-street parking, undertaking a zero based budget as part of that exercise; brings forward its annual budget setting process for off-street parking; and involves partner authorities in this process and in the preparation of accounts
2. Considers other income-generating opportunities to reduce reliance on PCN income by expanding its customer base; and avoids unnecessary expenditure by ensuring that utility companies reinstate lines/signs following any road-works they carry out or pay for works in default.
3. Fills vacant CEO posts promptly to ensure that there is a full complement of staff (using agency staff if necessary).
4. Encourages ECC Members to attend partnership meetings to reinforce the concept of partnership working.
5. Has further discussions with ECC about the disparity in funding received for TROs between the NEPP and the SEPP.

8.2 Enforcement

The process, practices and procedures for parking enforcement are clear and robust. CEOs are well trained and have good local knowledge of the areas that they patrol. Priority is given to enforcement in urban areas (town centres) and we believe that the NEPP has the balance between urban and rural enforcement about right.

However, there is a perception by some Parish Councils within the Braintree District that TROs in their areas are not being enforced adequately. There is also some question as to whether the 30% allocation of CEO time to off-street parking enforcement is being fully delivered.

It is RECOMMENDED that:

6. The NEPP reviews the CEO patrol schedules to ensure that it is delivering the required level of off-street enforcement in the Braintree District.
7. The mobile CCTV car becomes a permanent fixture (subject to changes in legislation) and the NEPP is asked to provide a schedule of planned visits within the Braintree District, as well as clarifying service standards for parking enforcement in rural parishes.
8. The NEPP ensures that the virtual permit system (MiPermit) is sufficiently robust to deliver expected improvements in customer service in terms of access and timeliness.

8.3 Traffic Regulation Orders

The TRO process is complicated, time-consuming and cost regulated, with NEPP partners being restricted to putting forward a max. of 8 schemes each per year to the Joint Committee for approval. Schemes that are funded or self-financing (residents-only parking) are more likely to receive approval and could be considered *in addition* to the current limit of 8 p.a., subject to back office resource implications.

The timescale for processing TRO applications is overly long and there is a need to develop a smarter working process to reduce the timescale from submission to outcome. The TRO application form is not user-friendly and should be simplified to ease completion.

From a customer perspective, the process may be seen as being overly bureaucratic and the rationale for introducing TROs is not well understood, which can result in disappointment and expectation not being met. Clarifying the eligibility criteria and requiring applicants to undertake some preliminary consultation would help reduce waiting times and filter out requests that would automatically be rejected based on the assessment criteria (scoring matrix).

The ability to enforce across driveways without a TRO is not widely known and should be better advertised. However, whilst it can be effective in urban areas where CEOs regularly patrol, it is less so in rural areas where a vehicle may have moved by the time a CEO arrives. This could be perceived by some as a two-tier system.

The lack of communication between LHPs and the NEPP can result in duplicity of effort which could be avoided if information were shared.

It is RECOMMENDED that:

9. The NEPP improves customer experience by:-
 - (a) Issuing a comprehensive TRO user guide in consultation with partner authorities to clarify the TRO process including eligibility criteria, expected timescales, the scoring matrix and the date of committee meetings;
 - (b) Publishing a quarterly or six-monthly newsletter on its website to update customers on new initiatives and issues that may be of interest;
 - (c) Simplifying the TRO application form to ease completion;
 - (d) Explaining enforcement relating to dropped kerbs;
 - (e) Ensuring good liaison with applicants, particularly with regard to extensive or complex TROs;
 - (f) Publishing its service standards; and
 - (g) Seeking customer feedback and using this to deliver service improvements.
10. The TRO process be amended to require applicants to clearly demonstrate majority support for their proposal from other local residents, as well as support from their local County/ District/Parish/Town Council *before* they submit an application. (This is the approach adopted by the Local Highways Panels for highway schemes.)
11. The NEPP considers reinstating white advisory H-bars across drives *in rural areas only* on request and at residents' expense, to discourage inconsiderate parking.
12. Consideration be given to creating a common/shared database for use by ECC and NEPP to avoid duplication of TROs. Customers could be given (restricted) access to enable them to track progress with their requests.

13. The NEPP reviews staffing levels to reduce Call Centre waiting times, lets the caller know where they are in the queue and includes information that is helpful and more generic to the whole partnership (rather than just Colchester) e.g. availability of MiPermit.
 14. The NEPP challenges ECC's 5-yr rule relating to the installation of TROs following the adoption of new roads and that consideration of TROs is included as part of the planning application process where appropriate.
 15. That the NEPP undertakes benchmarking with the SEPP and other local authorities who have formed a similar partnership for parking services (e.g. Bromley and Bexley) to demonstrate that it provides value for money.
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Acknowledgements

The Chairman and Members of the Task and Finish Group would like to thank all those who assisted them with research, consultation, advice and guidance, enabling them to complete their review.

APPENDICES

Appendix 1 – Draft Programme for Task & Finish Group

Appendix 2 – Schedule of Meetings

Appendix 3 – TRO procedure flow chart

Appendix 4 – TRO Scoring Matrix

DOCUMENTS RESEARCHED

Policy, Strategy & Finance (Work stream 1)

- SEPP Partnership Business Plan
- NEPP Parking Partnership account document

Enforcement (Work stream 2)

- Parking Partnership, Guidance for Members
- Notices of Non-Payment of Fines 1.4.2013/14 and 2014/15.
- E-mails from David Moss, BDC Accountant, giving income figures for car parks and related services.
- Parking Partnership Annual Report 2013/14
- Overview of NEPP
- Service Level Agreement dated December 2012
- Parking Partnership Organisation Diagram
- Colchester Borough Council - Core Goals for Employees (given to NEPP staff)

Traffic Regulation Orders (Work stream 3)

- NEPP TRO Procedure Flow Chart
- NEPP Officer Responsibility Flow Chart.
- NEPP Prioritisation Methodology.
- Dept. of Transport - New Procedures for TROs (2012)
- 3 x TRO Applications
- NEPP – TRO General Policy

GLOSSARY

BDC Braintree District Council

CEO Civil Enforcement Officer

DOT Department of Transport

ECC Essex County Council

LHP Local Highway Panel

NEPP North Essex Parking Partnership

SEPP South Essex Parking Partnership

TPT Traffic Penalty Tribunal

TRO Traffic Regulation Order

SCHEDULE OF MEETINGS

Type of Meeting	Attendees	Date	Time	Meeting Room	Key Milestones
Main Group Meeting	All	13 November 2014	6pm	Cm Rm 3	26th November 2014: High-level progress update to Governance Team. (Report deadline 7/11/14)
Interim Group Meeting	Work Stream Leads	27 November 2014	6pm	Main Training Rm	
Main Group Meeting	All	9 December 2014	6pm	Cm Rm 3	
Interim Group Meeting	Work Stream Leads	7 January 2015 Cancelled	6pm	Cm Rm 3	
Main Group Meeting	All	14 January 2015	6pm	Cm Rm 3	28th January 2015: High-level progress update to Governance Team. (Report deadline 9/1/15)
Interim Group Meeting	Work Stream Leads	29 January 2015	6pm	Cm Rm 3	
Main Group Meeting	All	11 February 2015	6pm	Cm Rm 3	11th February 2015: Review of draft report to Overview and Scrutiny. 20th February 2015: Report deadline for final report to Overview and Scrutiny Committee. 11 March 2015: Meeting of Overview & Scrutiny Committee. 13 April 2015: Meeting of Full Council.

MAIN GROUP MEETINGS: To bring together the work progressed by all work streams.

INTERIM GROUP MEETINGS: To check progress of each work stream.

Policy, Strategy & Finances CLRs. Tom Cunningham and Patrick Horner	Enforcement CLRs Ms Celia Shute and Hylton Johnson	Traffic Regulation Orders CLRs Bill Rose and Phil Barlow
<p><u>Documentation</u></p> <p>Joint Governance Agreement Parking Partnership Enforcement Policy Parking Partnership Operational Protocol Partnership Dispensation – Suspension Policy Partnership Enforcement & Discretion Policy Agenda & Minutes of NEPP Joint Cttee Mtg - 26 June 2014 Annual Report Service Level Agreement between NEPP & BDC for off-street parking enforcement (attached) Parking Partnership – Guidance for Members NEPP presentation to Task & Finish Group 6 Oct 2014</p>	<p><u>Documentation</u></p> <p>Parking Partnership Enforcement Policy Parking Partnership Operational Protocol Partnership Dispensation – Suspension Policy Partnership Enforcement & Discretion Policy Penalty Charge Notice Service Level Agreement between NEPP & BDC for off-street parking enforcement (attached) Parking Partnership – Guidance for Members NEPP presentation to Task & Finish Group 6 Oct 2014</p>	<p><u>Documentation</u></p> <p>Policy for Traffic Regulation Orders TRO process flow chart TRO Application Form Criteria/Scoring Sheet Agenda & Minutes of NEPP Joint Cttee Meeting - 16 October 2014 Parking Partnership – Guidance for Members Service Level Agreement between NEPP & BDC for off-street parking enforcement (attached)</p> <p><u>Case Studies</u></p> <p>The Grove, Witham (residents-only) (to Cttee 8 Aug 2013) (tranche 4) APPROVED Century Drive, Braintree (tranche 4) APPROVED High Street, Kelvedon (Tranche 5) REJECTED Kings Road, Halstead (1007_04_57) REJECTED</p>
<p><u>Consultation</u></p> <p>Richard Walker, NEPP Group Manager Christine (Lou) Belgrove, Partnership Business Manager & Deputy Group Manager Vicky Duff, ECC (relationship between ECC, NEPP & BDC) David Moss, BDC Accountant (parking income and other budgetary info) Cllr. Robert Mitchell, Chairman of the NEPP Joint Cttee TBC – Another Member who is part of the NEPP Joint Cttee.</p>	<p><u>Consultation</u></p> <p>Lisa Hinman, NEPP (Area Enforcement Manager) <i>(You are welcome to accompany one of the CEOs on patrol if wished)</i> Emma Day, Back Office Team Leader (Penalty Charge Notice appeals process – Challenge, Representation, Appeal) Customer consultation:</p> <ul style="list-style-type: none"> • Town Centre Strategy Groups/Chambers of Commerce (from business perspective) • BDC Focus Group (for non-business perspective); exit poll at say George Yard? • Results of any customer surveys undertaken by NEPP. 	<p><u>Consultation</u></p> <p>Alan Waight, Grove Residents Association Trevor Degville, Technical Services Mgr, NEPP Shane Taylor, Technical Team Leader, NEPP Cllr Robert Mitchell, Chairman of NEPP Joint Cttee Cllrs James Abbott & Lady Newton (ECC ward members) and Cllrs Mike Banthorpe (local ward member) and John Clark (BALC) representing Braintree on the Local Highways Panel. District Members and Parish/Town Councils who have had involvement with TRO requests. Individuals /Groups who have applied for a TRO.</p>

Policy, Strategy & Finances Cllrs. Tom Cunningham and Patrick Horner	Enforcement Cllrs Ms Celia Shute and Hylton Johnson	Traffic Regulation Orders Cllrs Bill Rose and Phil Barlow
<p><u>Issues for consideration</u></p> <p>Income generated from on-street parking enforcement.</p> <p>Income derived from off-street penalty charge notices -v- cost of enforcement – are we getting value for money?</p> <p>The process involved in setting money aside to offset the County’s deficit in relation to parking enforcement.</p> <p>The cost of reclaiming unpaid Penalty Charge Notices.</p> <p>The subsidy given to the NEPP in comparison to what the South Essex Parking Partnership received (was there an imbalance?)</p> <p>The content of the Joint Governance Agreement.</p> <p>The fine balance to be drawn between securing income from parking fees and enforcement and not adversely affecting the local economy or the public.</p> <p>The need to consider other options for generating income e.g. <i>should BDC consider allowing the installation of parking meters in some roads to generate more income?</i></p> <p>£150k budget for maintenance of lines and signs – is this adequate? How does it compare to what ECC spend in SEPP’s area?</p>	<p><u>Issues for consideration</u></p> <p>Use of mobile CCTV for outside schools - is it working?</p> <p>Number of CEOs patrolling the Braintree District and how they do this.</p> <p>What is the level of cover in towns and rural areas?</p> <p>Average number of PCNs issued.</p> <p>Is enforcement proportionate and measured? (Spend time out with CEOs observing the process.)</p> <p>How does on-street enforcement compare with off-street in terms of level of enforcement carried out? Is there a good balance?</p> <p>Review the customer experience for paying or challenging an off-street PCN. (In-depth look at PCN appeals process – is it clear/ easy to understand? Speak to recipients of PCNs.)</p> <p>What percentage of PCNs issued are appealed and subsequently rescinded?</p> <p>What % of appeals to the Traffic Penalty Tribunal are upheld? Does this suggest any failing on NEPPs part to ensure that PCNs are issued correctly?</p> <p>What is the overall condition of lines and signs throughout the Braintree District? Is there a programme for renewal or is it dealt with on an ad-hoc basis? Does this ensure satisfactory maintenance of lines and signs?</p>	<p><u>Issues for consideration</u></p> <p>Review the process for creating/introducing Traffic Regulation Orders (TROs)</p> <ul style="list-style-type: none"> • Is the governance process sufficiently robust? • Do the scoring criteria adequately reflect the main considerations for Braintree? • Improve understanding about how TROs are used and in what circumstances (to avoid unrealistic expectations). How do we get this message across to customers? <p>Review the overall customer experience in terms of applying for a TRO and the decision making process.</p> <ul style="list-style-type: none"> • Is the TRO application form clear and easy to understand/user friendly? • Is the decision making process clearly communicated and understood? • Consult with applicants to seek their views. • Should there be advisory literature explaining in what circumstances a TRO would be considered – to help manage expectations? <p>Residents-only parking schemes – how does the scheme work, who can participate, what is the cost, is it valued? (Consult with Shane Taylor, NEPP, and residents who have been through the process of obtaining a residents-only parking scheme.)</p>



TRAFFIC REGULATION ORDERS – PRIORITISATION METHODOLOGY (July 2012)

Scheme:	Available Points	Initial Score	Final Score
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Viability

Contribution to economic development	6		
Sustainability – does NOT contribute to displacement	6		
Sub-total	12		

Finance

Support from NEPP budget	4		
Support from LOCAL budget	3		
Supports the hierarchy of routes (TRO Policy)	3		
Sub-total	10		

Impact

Parking regularly occurs within 10-15 metres of site	4		
Personal injury / collision recorded	7		
Parking has been contributory factor in personal injury	12		
Conservation Area or parking is significantly visually intrusive; OR Scheme significantly contributes to noise quality improvement or air quality improvement.	5		
Sub-total	28		

Accessibility

Parking inhibiting emergency services etc.	7		
Parking close to school, hospital, etc.	5		
Parking conflict residents / non-residents etc.	3		
Long-term parking restricts short-term parking etc.	3		
Sub-total	18		

Localised congestion

Parking causes localised congestion	5		
Parking causes congestion in peak periods etc.	7		
Parking in a traffic sensitive street	3		
Parking occurs on a bus route etc.	5		
Sub-total	20		

Enforcement

Parking occurs during day	3		
Parking of a long duration	4		
Parking close to existing restrictions	5		
Sub-total	12		

TOTAL SCORE	100		
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Scrutiny Review in to Poverty in the Braintree District		Agenda No: 6
Corporate Priority:	Encouraging flourishing communities Building a prosperous district – Boost employment skills and support businesses, Promoting and improving our town centre, Securing appropriate infrastructure and housing growth	
Report presented by:	Emma Wisbey, Governance and Member Manager	
Report prepared by:	Chloe Glock, Governance and Members Officer	
Background Papers:	Public Report	
Reports and Minutes of Overview and Scrutiny Committee of 16 th July 2014, 24 th September 2014, 10th December 2014 and 28 th January 2015.		
Options:	Key Decision: No	
Executive Summary:		
Further to the Committee’s scrutiny review into Poverty in the Braintree District, Members are asked to consider the final report and recommendations to Cabinet.		
Following Members’ approval the scrutiny report will be presented to the meeting of Full Council on 13 th April 2015 and the meeting of Cabinet on 15 th June 2015.		

Decision

To consider and refer the Scrutiny Review report into poverty in the Braintree District to the meeting of Full Council on 13th April 2015 and Cabinet on 15th June 2015.

The Overview and Scrutiny Committee Recommend to Cabinet:

- 1. Prior to the implementation of Universal Credit the Council works with the Department of Work and Pensions (DWP) and Job Centre Plus to identify those claimants who will be affected to offer appropriate support replicating the good practice established with the Welfare Reforms.**
- 2. To improve access to appropriate advice and support, including sign posting to individuals to external organisations.**
- 3. To provide internet access for customers in the Council reception to access advice and supporting organisations.**
- 4. To promote schemes which help individuals to manage their finances, receive debt management advice.**
- 5. Improve communications between Job Centre Plus, the Council, Food Banks, Citizens Advice Bureau, service providers and residential groups to ensure that those accessing food banks are aware of the support available to enable them to develop income management skills.**
- 6. That Council works with the Credit Union to promote the availability of low interest loans as a better alternative to pay day lenders, including providing links on the Council's website.**
- 7. To consider the opportunity for the Council to work with Greenfields Academy to provide budgeting support to residents of the district.**
- 8. To encourage Greenfields Community Housing Association to open up its Greenfield Academy to non-tenants of the district.**
- 9. To consider developing a programme with community groups, organisations and the Greenfield Academy to engage with schools and children to develop understanding of money management and budgeting from an early age.**

Purpose of Decision:

To enable Committee's report to be referred to Full Council and Cabinet in accordance with the procedure rules for Scrutiny.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	None arising out of this report.
Legal:	None arising out of this report.
Safeguarding	None arising out of this report.
Equalities/Diversity	None arising out of this report.
Customer Impact:	As set out in the report.
Environment and Climate Change:	None arising out of this report.
Consultation/Community Engagement:	As set out in the report.
Risks:	None arising out of this report.
Officer Contact:	Emma Wisbey
Designation:	Governance and Member Manager
Ext. No.	2610
E-mail:	emma.wisbey@braintree.gov.uk

Overview and Scrutiny Committee Scrutiny Review of Poverty in the Braintree District

March 2015

Overview and Scrutiny Committee

Scrutiny Review of Poverty in the Braintree District

1. Terms of Reference

At its meeting on 4th June 2014, the Overview and Scrutiny Committee agreed that the main topic for review would be Poverty in the Braintree District.

The purpose of the review was to examine poverty in the Braintree District with particular focus on the effects of changes to the benefits system and the forthcoming introduction of universal credit.

The terms of reference for the review were agreed by the Committee and are set out below:

- To investigate the cumulative impact of recent changes to welfare benefits; with reference to the poorest residents of the district.
- To receive and consider in the wider context the report and recommendations of the Task and Finish group on the operation of the Council Tax Support Scheme.
- Consider the trends in use and demand on Food Banks, Citizen Advice Bureau and other relevant voluntary agencies.
- Consider relevant Council policies and their impacts.
- Draw conclusions on the implications for residents and recommend changes to Council policy based on this.

Due to the District Elections on 7th May 2015, the Committee was required to complete its work and report to Council on 13th April 2015.

It should be noted that the recommendations arising from this review will be referred to a meeting of Cabinet after the elections and it will be for the new Administration to receive and respond to the recommendations.

2. Recommendations of the Overview and Scrutiny Committee to Cabinet:

1. Prior to the implementation of Universal Credit the Council works with the Department of Work and Pensions (DWP) and Job Centre Plus to identify those claimants who will be affected to offer appropriate support replicating the good practice established with the Welfare Reforms.
2. To improve access to appropriate advice and support, including sign posting to individuals to external organisations.
3. To provide internet access for customers in the Council reception to access advice and supporting organisations.
4. To promote schemes which help individuals to manage their finances, receive debt management advice.
5. Improve communications between Job Centre Plus, the Council, Food Banks, Citizens Advice Bureau, service providers and residential groups to ensure

that those accessing food banks are aware of the support available to enable them to develop income management skills.

6. That Council works with the Credit Union to promote the availability of low interest loans as a better alternative to pay day lenders, including providing links on the Council's website.
7. To consider the opportunity for the Council to work with Greenfields Academy to provide budgeting support to residents of the district.
8. To encourage Greenfields Community Housing Association to open up its Greenfield Academy to non-tenants of the district.
9. To consider developing a programme with community groups, organisations and the Greenfield Academy to engage with schools and children to develop understanding of money management and budgeting from an early age.

3. Evidence Gathering

The Committee received presentations and reports at its meeting of the 16th July 2014, three evidence gathering sessions were held during its meetings of the 24th September 2014, 10th December 2014 and 28th January 2015. In addition a number of public reports have been considered along with a Survey conducted by the committee to encourage public participation.

4. Evidence Gathering Sessions

A range of local stakeholders were identified and invited to attend the committee's evidence gathering sessions; those participating were:

Food Banks
Citizens' Advice Bureau
Essex Chamber of Commerce
Greenfields Community Housing Association
Humber Road Estate Initiative (Residential Group)
Holdfast Credit Union
Ignite Business Enterprise
St Andrew's Hall Food Bank
Witham Town Team
Witham Chambers of Commerce

In addition to the above organisations the following Officers of the Council were identified to provide evidence.

Joanne Albini, Head of Housing and Community
Donna Goodchild, Housing Options Manager
Julie Rigby, Revenues & Benefits Manager
Nicola Ridgewell, Revenues & Recovery Manager
Colin Batchelor, Environmental Health Manager (Housing and Pollution)
Nathan Rowland, Community Projects Officer
Ian Hunt, Head of Governance

5. Survey

The Overview and Scrutiny Committee wanted evidence directly from those who are experiencing or had experienced poverty. Being mindful that, while this is an important issue for inquiry, poverty is often a sensitive issue for individuals and they may not want to be involved in public discussions. For this reason the committee commissioned officers to undertake a survey to seek more detailed information.

The survey was undertaken for a 4 week period during October 2014. It was available electronically on the Council Website and also available in hard copy in the Council's reception.

The Survey was publicised on the home page of the Council's website, on the Council's social media pages, in the local newspaper and in the Council's reception. The Survey was also sent to the Council's People Panel.

The results of the Survey were reported in detail to the meeting of the Overview and Scrutiny Committee on 10th December 2014.

http://www.braintree.gov.uk/download/meetings/id/3404/download_the_agenda

Following the Overview and Scrutiny Committee meeting of 10th December, the Braintree and Witham Times and the Halstead Gazette both published spotlight articles on the Council's survey in December 2014 and January 2015.

A total of 25 responses were received. In comparison to other surveys carried out by the Council with similar communications and methodology this was a very low response. This indicates that either it is a very sensitive issue which individuals do not feel comfortable openly discussing; or alternatively is a topic which did not engage the interest of the wider public.

The Survey ended with an invitation, inviting participants to attend a meeting of the Overview and Scrutiny Committee to speak directly to Members. One member of the public took this opportunity, attending on 10th December 2014, during the second evidence gathering session.

The survey informed the Committee that of those who took part in the survey:

- 52% believed their annual income was below the national average.
- 80% of people indicated that their expenses regularly exceeded their income.
- 64% are currently employed; however 25% of these are in part time work or on temporary contracts.
- 12% of participants are currently unemployed.
- 22% have required help from a food bank.
- 55% had contacted the CAB for advice.
- 40% of those interviewed are aware of someone who has previously or is currently using food banks.
- 76% of people believe that poverty in the Braintree District has increased over the past 10 years.
- 60% believe it will continue to increase for a further 10 years.

6. Additional Evidence/Resource considered

The Committee had access to recently published reports by the Joseph Rowntree Foundation on reducing poverty and a jointly commissioned report by the Children Poverty Action Group, Church of England, Oxfam GB and The Trussell Trust on the use of food banks. These reports provided a national context to the work on causes of poverty and potential solutions and recommendations. Largely the scope of the published reports go beyond terms of reference of the Scrutiny Review and the Council's powers and direct influence, but yet provide an independent view into poverty.

7. Defining Poverty

The Joseph Rowntree Foundation has defined poverty as when a person's resources are not enough to meet their basic needs. Defining poverty in this way means that in order to alleviate poverty there are two things which can be done (either alone or in combination): increasing the resources available to individuals and households, or reducing the costs of meeting their needs.¹ Poverty is dynamic, people's needs change throughout their lives and the resources they require to meet their need changes too.

The recorded causes of poverty at a National level² are reflected in the Braintree district. The Committee heard that the main local causes of poverty³ were:

- Unemployment,
- People finding it difficult to stretch the money throughout an entire month,
- Difficulties in saving for future events and emergencies or finding money to respond to an emergency,
- The money being earned is not sufficient,
- The type of work people are in i.e. part time, weekly paid zero hours contracts,
- Obtaining employment and not being able to afford to travel to work,
- Never previously having to budget,
- Changes in personal circumstances, such as adjusting to a drop in income following breakdown of relationships, ill health, retirement or redundancy.

One of the contributors commented that "there was too much month at the end of the pay packet" for some of their service users.

This was in line with the Committee's own survey result showing that 80% of the participants indicated that their expenses regularly exceeded their income with 76% considering that poverty has increased in the last 10 years and 60% indicating that poverty will increase.

8. Cumulative impact of recent changes to welfare benefits; with reference to the poorest residents of the district

The Committee heard that following the housing benefit cap being introduced in July 2013, there were originally around 80 households in the district affected. This figure

¹ Joseph Rowntree foundation – A UK without Poverty (September 2014)

² Meeting of overview and Scrutiny Committee – 16th July 2014 http://www.braintree.gov.uk/download/meetings/id/3329/download_the_minutes

³ Meeting of Overview and Scrutiny Committee – 10th December 2014

http://www.braintree.gov.uk/download/meetings/id/3414/download_the_minuteshttp://www.braintree.gov.uk/download/meetings/id/3414/download_the_minutes

has reduced and there are now fewer than 40 households⁴ affected, with the majority of the change being related to people returning to work. Greenfields Community Housing Association reported that they originally had 5 or 6 households affected by the benefit cap, but this has reduced to 1⁵.

The Committee were also informed that the take up of the discretionary housing payments had been invaluable in assisting customers to work with the Council in adapting to the changes. The Discretionary Housing Payment Fund is funded by the Department of Work and Pensions (DWP); the fund for 2014/15 being £204,936. At the time of the evidence gathering session (January 2015) £121,000 had been paid out of the Fund to support those with a housing benefit shortfall and to assist in either keeping people in their homes or helping with the removal costs to smaller, more affordable accommodation.

The Discretionary Housing Payment Fund from the DWP for 2015/16 will be reduced by almost a third, to £162,654. The Discretionary Financial Assistance Regulations makes provision for Local Authorities to top up the fund. Based upon the current use of the fund and balance of the fund for 2014/15, there is no current evidence to suggest that the DWP fund will be insufficient to meet the needs of the claimants requiring assistance. Accordingly there is no recommendation from the committee to top up this fund.

The Committee heard evidence that the impact of the changes to the welfare benefits was carefully managed with clear communication and early identification of those families who would be impacted being key factors. Advice and guidance was offered and provided by a number of stakeholders and it was also noted by the Committee during the evidence gathering session⁶ that Greenfields Community Housing Association had taken on Welfare Benefit Advisors to offer support and give advice to its customers⁷ which was welcomed.

Concerns were raised in respect of the forthcoming phased introduction of Universal Credit, which will commence in October 2015⁸ in the Braintree District. This will be administered by the DWP and delivered by the Job Centre Plus.

Universal Credit is a new benefit that supports people who are on a low income or out of work, and helps to ensure that they are better off in work than on benefits. The current benefit system has trapped people in poverty. Universal Credit makes sure that work is the best choice for individuals or families, and provides a route out of poverty and away from benefit dependency. Universal Credit aims to make the welfare system simpler by replacing six benefits and credits with a single monthly payment for people who are on a low income or out of work. Changing the system will help reduce poverty by increasing the rewards that are on offer as claimants move into work. Universal Credit also makes it easier for people to take short-term or part-time work, which can be a crucial step on the road to long-term employment⁹.

A significant change to the system is how claimants will receive their benefits. The DWP will make a single payment directly to the claimant. This will have a significant

⁴ Meeting of Overview and Scrutiny – 28th January 2015 - http://www.braintree.gov.uk/download/meetings/id/3845/download_the_minutes

⁵ Meeting of Overview and Scrutiny Committee – 24th September 2014

http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

⁶ Meeting of Overview and Scrutiny 24th September 2014 - http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

⁷ Meeting of Overview and Scrutiny Committee – 24th September 2014

http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

⁸ <https://www.gov.uk> - Universal- Credit-national-expansion-tranche-three-and-four

⁹ <https://www.gov.uk> – Universal Credits frequently asked questions

impact on those claimants who have not had to manage all their finances for example where housing benefits are being paid direct to landlords.

The Council will retain the responsibility for administering the benefits for those who are of pension age, in support accommodation (i.e. hostels) and the Local Council Tax Support Scheme.

Universal Credit will be paid monthly in arrears, to mimic a monthly wage direct to the claimant. Universal Credit places the onus on claimants to manage the monthly payments to meet all their financial needs i.e. payment of rent, budgeting on monthly basis for food. The removal of direct payments to landlords raises concerns with the Committee for those who experience difficulties in managing their finances. Those who have had direct payment have at times clearly placed reliance on this process, and will in the future have to arrange and manage their own payments to their landlords.

The Committee heard evidence that there is a great need for debt counselling and many of the people seen by the CAB and Holdfast Credit Union have few budgeting skills and often only turn to them for assistance once in deep crisis¹⁰.

The Committee heard of the support given by the Housing Service to those seeking assistance for accessing housing, with debt often only being uncovered by the Housing Services when assessing the affordability of a property or suitability for a loan.¹¹ It is anticipated that rent arrears will increase and a greater burden will be placed on Housing Services to support those seeking assistance with retaining their home due to rent arrears or who have become homeless due to eviction for rent arrears in finding suitable and affordable accommodation. There was anecdotal evidence that in the pilot areas there are delays of up to 8 weeks in payments of Universal Credits to claimants.

Greenfields Community Housing Association reported to the Committee that a considerable proportion of their income came from housing benefit. 38% of the rent accounts were paid in full by housing benefit and 26% receive some housing benefit to meet to the rent liability; and at the end of 2013 and 2014 rent arrears were 1.7% and 1.4% respectively and for 2015, rent arrears are tracking lower than for the same period last year¹². They expressed concern that this good position could be compromised if residents receiving universal credit are unable to manage their finances appropriately.

The Committee heard that it is important that the Council and other organisations retain its information streams with customers and supporting organisations during the transition to Universal Credits. There will be a need to create an awareness of the new provisions, not only to those who are currently in receipt of benefits, but also those new to the welfare system.

The committees' view is reflected in the research carried out by the Joseph Rowntree Foundation¹³ which suggests that Universal Credit is expected to increase benefit take-up, especially among the poorest households, but it seems likely that it will also have a negative effects. In particular:

¹⁰ Overview and Scrutiny Committee – 24th September 2014 http://www.braintree.gov.uk/download/meetings/id/3414/download_the_minutes

¹¹ Overview and scrutiny Committee - 28th January 2015 http://www.braintree.gov.uk/download/meetings/id/3845/download_the_minutes

¹² Overview and Scrutiny Committee – 24th September 2014 http://www.braintree.gov.uk/download/meetings/id/3414/download_the_minutes

¹³ Joseph Rowntree Foundation- Reducing Poverty in the UK: A Collection of evidence reviews (August 2014)

- it will take time to develop awareness about the new rules, regulations and systems – additional effort will be needed to inform potential claimants, frontline delivery staff, and intermediary organisations that assist more disadvantaged groups and communities;
- there is a risk that digital delivery may reduce and deter take-up among the people who do not have access to computers and/or the necessary skills;
- there is much uncertainty about the impacts on take-up of tougher conditions for out-of-work claimants and the extension of conditions to cover over a million in-work eligible recipients. There need to be communication plan to create awareness of the new system and the impact that it will have on the organisation, in particular the Housing Service.

Recommendations:

- **Prior to the implementation of Universal Credit the Council works with the Department of Work and Pensions (DWP) and Job Centre Plus to identify those claimants who will be affected to offer appropriate support replicating the good practice established with the Welfare Reforms.**
- **To improve access to appropriate advice and support, including sign posting individuals to external organisations**
- **To provide internet access for customers in the Council reception to access advice and supporting organisations.**
- **To promote schemes which help individuals to manage their finances, receive debt management advice.**

9. Local Council Tax Support Scheme

The Committee examined the work and the recommendations of the Task and Finish Group on the operation of the Council's Local Council Tax Support Scheme.

In addition to reviewing the work of the Task and Finish Group, the Overview and Scrutiny Committee further examined what other steps the Council took in assisting those in receipt of the Local Council Tax Support Scheme or whose resources did not meet their needs in respect of payment of Council Tax.

During the evidence gathering session Officers¹⁴ advised the Committee of the provisions available to assist customers experiencing financial difficulties following the introduction of the Local Council Tax Support Scheme (LCTSS). These included:

- Introduction of a reduced Court Summons Fee for new customers who did not previously pay Council Tax.
- In the first year of the LCTSS, a scheme for a reduced summons fee was introduced, with a reduced summons fee of £5.00. This system was only

¹⁴ Minutes of Overview and Scrutiny Committee 28th January 2015 http://www.braintree.gov.uk/download/meetings/id/3845/download_the_minutes

available for the first year of the LCTSS to assist with the transition from former Council Tax benefit to the new scheme.

Although the reduced summons scheme has ceased, the Council has the discretion to adjust the cost of summons payable by customers where Court proceedings have been discontinued due to payment of the arrears or a recovery plan being agreed. This discretion is exercised on a case by case basis having regard to the circumstances of the customer.

- Encouraging customers to pay Council Tax over 12 months

Following the Government's introduction of the 12 month instalment scheme for the payment of Council Tax, the Council has encouraged customers to take up this option to assist them in managing their resources to meet their liabilities. There are currently 2046 customers paying over 12 monthly instalments.

- Payment plans.

The Council allows customers wherever possible to set up special payment plans to assist them in paying their council tax on time. As long as the special payment plan is fulfilled this will prevent customers from having to proceed through the recovery process.

The Committee considered that the Task and Finish Group had carried out a comprehensive review of the scheme. Following the group's recommendations¹⁵, both have been actioned by the Council.

The joint arrangements between Greenfields Community Housing Association and Braintree District Council are being replicated with other social housing providers in the district and funding has been secured for the Collections Support Officer and the Money Advice Service with the Citizen Advice Service. Both of which are welcomed by the committee.

The Overview and Scrutiny Committee has not seen any evidence which requires further recommendations for potential changes to the operation of the LCTSS.

10. Trends in use of and demands on Food Banks, Citizens Advice Bureau (CAB) and other relevant voluntary agencies.

Nationally, the use of food banks has dramatically increased over the last decade and the factors causing the increase are many and varied. Joint research carried out by Oxfam GB, Child Poverty Action Group (CPAG), the Church of England and The Trussell Trust¹⁶, examines why people are turning to food banks, how food bank use fits with their wider coping strategies, and what might be done to reduce the need that leads to food bank use.

The joint research established the following as causes of why people use food banks:

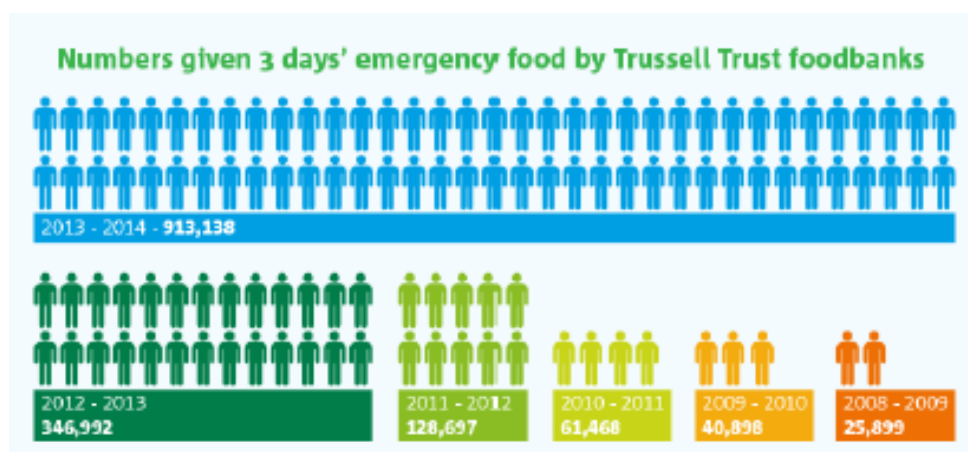
¹⁵Report of the Task and Finish Group - Operation of the Council's Local Council Tax Support scheme Task and Finish Group
http://www.braintree.gov.uk/download/meetings/id/3268/download_the_agenda

¹⁶ Emergency Use Only: Understanding and reducing the use of food banks in the UK (November 2014) – Oxfam GB, Child Poverty Action Group (CPAG), the Church of England and The Trussell Trust

- Use is usually the result of an immediate income crisis
- Loss of earnings from employment
- Change in family circumstance, including bereavement
- Homelessness
- Attributed to problems with benefits
- Waiting for benefits
- Sanctions ceasing/reduction in payment of benefits
- Problems with disability benefits
- Problems with Tax Credits payments
- Ongoing severe shortage or insecurity of income

The key findings of the research showed:

- Food banks were predominantly a last-resort, short-term measure, prompted by an 'acute income crisis' – something which had happened to completely stop or dramatically reduce their income.
- Income crisis could be caused by sudden loss of earnings, change in family circumstances or housing problems. However, for between half and two thirds of the users from whom additional data was collected, the immediate trigger for food bank use was linked to problems with benefits (including waiting for benefits to be paid, sanctions, problems with ESA) or missing tax credits.
- Many food bank users were also not made aware of the various crisis payments available in different circumstances, and even fewer were receiving them.
- 19-28% of users for whom additional data was collected had recently had household benefits stopped or reduced because of a sanction and 28-34% were waiting for a benefit claim which had not been decided.
- Many food bank users faced multiple challenges, including ill-health, relationship breakdown, mental health problems or substantial caring responsibilities. Many were unable to work or had recently lost their job. The frequency of bereavement among food bank users was also a striking feature of this research.



Source: <http://www.trusselltrust.org/stats#Apr2013-Mar2014>

The Overview and Scrutiny Committee heard evidence during the first evidence gathering Session¹⁷ which reflects the national view on the increased use and causes

¹⁷ Meeting of Overview and Scrutiny Committee 24th September 2014
http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

of use of food banks as being replicated within the district. Representatives of the Braintree Area Food Banks advised that the number of people using food banks is increasing and they believed that there will always be a need for food banks in the district. Last year the Braintree Area Food Banks distributed 28.6 tonnes of donated food feeding 2116 adults and 1191 children, with 1436 food vouchers presented. Vouchers entitle users of the food bank to receive a food box containing a minimum of three days nutritionally balanced, non-perishable food.

The food banks are staffed by volunteers providing emergency food to people in crisis. Those food banks which are set up with the Trussell Trust are asked to make a £1500 donation towards the cost of setting up a food bank¹⁸.

The Food Bank in the Braintree District works with 53 agencies who are able to make referrals, including the Council, CAB, Job Centre Plus, Greenfields Community Housing Association and Humber Road Estate Community Initiative. The agencies interview potential clients of the food banks to ensure that they are truly in need of assistance.

The Committee heard that in the last year Council had issued over 200 vouchers, with Greenfields Community Housing Association and Humber Road Estate Community Initiative also making referrals to the food bank. In addition to direct referrals by the Council, Officers have also arranged for food boxes to be delivered to those in need¹⁹ in exceptional circumstances.

Whilst it is acknowledged that food banks are valuable and essential resources for those in crisis, there is concern that there is reliance on the use of food banks to meet day to day needs; they should be a short term stop gap and not an overall solution to a problem.

Those who are accessing food banks should be assisted to identify in the underlying factors as to why they need a food box and supported to resolve this issue. The Committee heard that a lot of the clients of the CAB do not have budgeting skills to manage all their bills, which in the view of the Committee would be an underlying factor as to why there is a need to access food banks.

In addition to the traditional assistance provide by the CAB for debt counselling and advice, the Committee heard that there are other facilities within the community which can be accessed, although the take up has been disappointing. Greenfields Community Housing Association has created and funded the Greenfields Academy which provides life training skills for residents, offering a range of courses from cooking on a budget to money advice and management. The Humber Road Estate Initiative offers advice and assistance and intends to provide training²⁰.

Recommendation:

- **Improve communications between Job Centre Plus, the Council, Food Banks, Citizens Advice Bureau, service providers and residential groups**

¹⁸ <http://www.trusselltrust.org/start-a-foodbank>

¹⁹ Meeting of Overview and Scrutiny – 28th January 2015 - http://www.braintree.gov.uk/download/meetings/id/3845/download_the_minutes

Meeting of Overview and Scrutiny Committee – 24th September 2014
http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

²⁰ Meeting of Overview and Scrutiny Committee 24th September 2014
http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

to ensure that those accessing food banks are aware of the support available to enable them to develop income management skills.

According to research conducted by the Joseph Rowntree Foundation, around 10% of British households have problem debt and among the general population, income drops are reported to be the major cause of financial difficulty by around 4 in 10 households.²¹

A key point of the review of Debt, Credit and Poverty by the Joseph Rowntree Foundation²², which examined the evidence of the links between problem debt, consumer credit and poverty was that the vulnerability of low-income households to income shocks suggests that the promotion of savings and access to preventative money guidance could also have a role to play in the anti-poverty strategy.

Holdfast Credit Union advised the Committee²³ that they are made aware of the difficulties people face in the community by the profiles presented to them by their Members. More people are finding it difficult to stretch their money throughout an entire month contributing to difficulties saving. The Committee heard that Holdfast Credit Union has 800 members of which approximately 300 have taken loans. They also have several hundred junior members as a result of the school savers scheme. A large number of clients are families on low incomes who are finding that they have to stretch their money further each month.

Holdfast Credit Union is self-funded, the fund available consists of what is generated by the deposits of their Members; however, that fund is under pressure due to greater provision from the budget having to be set aside year on year due for bad debt provision (including funding recovery action in the County Court) and having to be tighter with their credit controls demanding more information from their members.

Holdfast Credit Union agrees that there is a greater need for debt counselling. Holdfast Credit Union are having to make more detailed assessments of members before granting loans including about the quality of employment. It is no longer sufficient to consider if an individual is in or out of work, rather the nature of their contract is a key element.

Holdfast Credit Union reported that people are finding themselves having fewer options for credit and consequently some are resorting to payday loans putting themselves into poverty with high interest rates and charges.

As Holdfast Credit Union is not a charitable organisation it is not eligible for many grants, which creates issues for the running of the organisation, including back office functions and support. Due to its key priorities, Holdfast has a lack of funding for advertising the organisation and the support that it can provide and would welcome support from the Council in this area.

The Committee also noted the work of Holdfast Credit Union with schools to teach children about banking, lending and how money works. This work offers an opportunity to create understanding of the importance of money management at an early age, which is recognised as an important life skill.

²¹ Joseph Rowntree Foundation. (August 2014) Reducing Poverty in the UK: A collection of evidence reviews.

²² Joseph Rowntree Foundation. (August 2014) Reducing Poverty in the UK: A collection of evidence reviews

²³ Meeting of Overview and Scrutiny Committee – 10th December 2014

http://www.braintree.gov.uk/download/meetings/id/3414/download_the_minutes

The Citizens Advice Bureau advised the Committee²⁴ that following the welfare reforms they have seen an increase in the number of people accessing their services. There is no particular trend but they are often overwhelmed with clients in person and via telephone calls. The biggest issue in the future is the change in the benefits to Universal Credits and changing over to monthly payments. A lot of clients seen do not have budgeting skills and do not contact the CAB until they are in deep crisis. They have seen an significant increase in the use of payday loans, but not knowingly seen anyone who has sought financial help from a unlicensed lender.

Recommendations:

- **That Council works with the Credit Union to promote the availability of low interest loans as a better alternative to pay day lenders, including providing links on the Council's website.**
- **To consider the opportunity for the Council to work with Greenfields Academy to provide budgeting support to residents of the district.**
- **To encourage Greenfields Community Housing Association to open up its Greenfield Academy to non-tenants in the district.**
- **To consider developing a programme with community groups, organisations and Greenfield Academy to engage with schools and children to develop understanding of money management and budgeting from an early age.**

11. Other matters raised during the Evidence Gathering Session

Research by the Joseph Rowntree Foundation²⁵ states that poverty is a cost which the UK cannot afford, it is wasteful and risky to those who have experienced it and to the wider society and economic success. It goes on to state that when poverty does take hold it can be enduring; experiencing persistent poverty early in life increases the risk of poverty as an adult and poverty in working ages reduces people's abilities to save for retirement.

During the first evidence gathering session²⁶, the Committee heard from Ignite Business Enterprise and the Chamber of Commerce who advised that the main area of concern of poverty is the gap between individuals finding work and being able to afford to get to work and encouraging people into employment when it is not necessary as financially beneficial as staying on benefits. Common issues for young people are travel costs, which can create barriers for business and organisations when trying to secure apprentices. Travelling costs can be disproportionate to apprentice's wages and therefore prohibitive.

In July 2014, the Overview & Scrutiny Committee's review of enabling young people who are not in Education, Employment or Training (NEET) to participate in Employment, Education and Training looked at the issue of travel to the place of employment or training and made a recommendation to Cabinet which proposed

²⁴ Overview and Scrutiny Committee – 24th September 2014 http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

²⁵ A UK without Poverty (September 2014)

²⁶ Overview and Scrutiny Committee – 24th September 2014 http://www.braintree.gov.uk/download/meetings/id/3413/download_the_minutes

Braintree District Employment Skills Board considers schemes for free public transport and a supported moped and bicycle scheme for young people for apprenticeships and vocational training and in the early stages of employment.

Cabinet responded to that recommendation²⁷, advising that following discussions with Essex County Council a Braintree District Employment and Skills Board has been established. This will feed into the work of the Essex Employment and Skills Board.

The Overview and Scrutiny Committee has not seen any direct evidence which requires the earlier recommendations of the Overview and Scrutiny's review with regard to the NEETS to be re-visited.

12. Records of evidence gathering sessions

The reports and minutes of the meetings of the Overview and Scrutiny Committee during which the evidence gathering sessions were held are available on the Council's website.

http://www.braintree.gov.uk/meetings/committee/13/overview_and_scrutiny_committee

The evidence gathering sessions were held on:

- 16th July 2014,
- 24th September 2014,
- 10th December 2014,
- 28th January 2015.

13. Acknowledgements:

The Overview and Scrutiny Committee would like to record its thanks to all those persons who took part in the scrutiny review and in particular, expresses its appreciation and thanks to the under mentioned individuals who contributed their time and expertise during the information gathering stage of the process:-

David Hall – Greenfields Community Housing Association

Davis Burch – Essex Chamber of Commerce

Councillor C Thompson – Witham Town Teams and Witham Chamber of Commerce

David Gronland – Halstead Town Team

Kenneth Davies – Humber Road Estate Community Initiative and Survey Participant

Liz Storey – Ignite Business Enterprise

Caroline Halfarce and Paul Hart – Braintree, Halstead and Witham Citizens Advice Bureau

Jane Walker and David McDonald – Braintree Area Foodbanks

Ray Payne – Holdfast Credit Union

Joanne Albini - Head of Housing and Community

Donna Goodchild - Housing Options Manager

Julie Rigby - Revenues & Benefits Manager

Nicola Ridgewell - Revenues & Recovery Manager

Colin Batchelor - Environmental Health Manager (Housing and Pollution)

Nathan Rowlands - Community Projects Officer

²⁷ Cabinet 21st July 2014 - http://www.braintree.gov.uk/download/meetings/id/3330/download_the_minutes

14. Reference Materials

Reducing Poverty in the UK: A collection of evidence review – Joseph Rowntree Foundation (August 2014),
A UK without Poverty – Joseph Rowntree Foundation (September 2014),
Emergency Use Only Understanding and reducing the use of Food banks in the UK – The Children Poverty Action Group, Church Of England, Oxfam Gb and The Trussell Trust (November 2014),
Universal Credit One year In: The experiences of housing associations – National Housing Federation.

Benefits & Housing Advice Leaflet,
CAB – Local Authority Referral Form to Money Advisor,
DHP for Rent in Advance/Deposits - Procedure,
Eligibility Criteria: Deposit Bond and Rent in Advance Loan Schemes,
Essential Living Fund,
Food bank – Referral Agency Handbook (The Trussell Trust),
Homelessness Support Guide,
NHAS Housing Debt Casework Referral Form.