

# ***PUBLIC SERVICES NEWS!***

# ***AWICS***

***Independence.....Integrity.....Value***  
Adrian Waite (Independent Consultancy Services)  
Limited



**Fourth Edition**

**November and  
December 2003**

## **In this Edition we focus on Housing**

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## **Our Next Edition will focus on Finance Issues**

**Contributions from readers will be welcome!**

## **Stock Options**

### **Introduction**

The government expects all local authorities to carry out a review of strategic stock options, linked to the Housing Revenue Account Business Plan and Best Value Reviews. The key issue to consider is which housing stock option offers the greatest potential to address any backlog of housing repairs and modernisations and achieve the decent homes standard.

Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683-52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546. 1  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).

Director: Adrian Waite MA CPFA ACIH.  
Company Number: 3713554. VAT Registration Number: 721 9669 13

The options that are available to local authorities are:

- Retention of a traditional council housing service.
- Large Scale Voluntary Transfer
- Arms Length Companies
- Private Finance Initiative
- 'Mix' and 'Match'

### **How is council housing funded?**

Continuing with a council housing service in the same way as at present would mean that existing policies and budgets regarding council housing would continue to apply. At present council housing is funded mainly through rents and housing subsidy that is paid to councils by the government.

The government is restructuring local authority housing rents to achieve convergence between local authority and registered social landlords' rents. This means that rents in local authorities and housing associations will become similar.

The Housing Subsidy system enables the government to exercise considerable control over local authority housing finance. This degree of control will increase as the changes to the system that are associated with rent restructuring are implemented.

The government also controls the funding of capital investment in council housing. While it does not provide all the capital resources that are available to local authorities, it does provide grants and a major repairs allowance and still effectively limits the amount of borrowing despite introducing the new prudential borrowing system. The ability to fund capital investment from the rents is also being reduced

### **Retention of a traditional council housing service**

Authorities that wish to retain a traditional council housing service will have to demonstrate, through the Housing Revenue Account Business Planning process, that they have sufficient resources to bring their stock to a decent standard by 2010.

The proposal to introduce a prudential system of borrowing is unlikely to provide additional resources for the majority of local authorities. This is because the housing subsidy system ensures that most authorities will not have sufficient 'spare' revenue resources to support significant borrowing under the prudential system. It will only be the authorities that gain additional resources through establishing 'Arms Length Management Organisations' that have sufficient 'spare' revenue resources to support significant borrowing under the prudential system.

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 2**  
**52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.**  
**E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

**Director: Adrian Waite MA CPFA ACIH.**  
**Company Number: 3713554. VAT Registration Number: 721 9669 13**

The government has also made clear that it does not favour a traditional council housing service as this does not create the separation of housing management from housing strategy and the political process that they would like to see. They have made it clear that no additional funding will be provided to authorities that retain a traditional council housing service.

## **Conclusions**

Most local authorities do not have sufficient resources to achieve the decent homes standard because the government has set a level of resources at national level that is not sufficient. The government has also made it clear that they will not provide additional resources to local authorities unless to support an arms length management organisation, private finance initiative scheme or stock transfer.

An authority that wishes to retain a traditional council housing service and at the same time achieve the decent homes standard, must either be an authority with stock that is already in a good condition, or an authority that is prepared to make significant savings in its revenue budgets that would enable it to fund significant levels of prudential borrowing.

Models such as Tenant Management Organisations, Community Gateway Associations or Community Based Housing Organisations offer more tenant involvement, but not any additional resources. Adopting such models does not, therefore, allow an authority to avoid considering housing stock options.

We have carried out stock options appraisals for a number of authorities. As an ethical management consultancy our approach is to identify the best solution in each individual situation, taking into account the aspirations of the council and its tenants.

Adrian Waite

Free briefing papers on housing stock options and other housing matters are available on the web site.

[www.awics.co.uk/page24.html](http://www.awics.co.uk/page24.html)

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 3  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

**Director: Adrian Waite MA CPFA ACIH.  
Company Number: 3713554. VAT Registration Number: 721 9669 13**

## **Large Scale Voluntary Transfer – the most recent consultation paper**

### **Introduction**

Transfer or disposal of housing stock can take many forms ranging from the sale of individual dwellings under the 'Right to Buy' up to the disposal of the whole stock. Large Scale Voluntary Transfer is defined in law as a transfer involving more than 499 houses or flats.

Since 1988, over 780,000 homes have transferred from local authorities to housing associations. At the moment, local authorities own more houses and flats than Registered Social Landlords. However, it is estimated that, because of Large Scale Voluntary Transfer, Registered Social Landlords will own more houses and flats than local authorities by 2007.

### **The Annual Large Scale Voluntary Transfer Programme**

To make a Large Scale Voluntary Transfer, the following process must be followed:

- Applications are invited every autumn/winter.
- The Council selects a transfer landlord, makes an offer to the tenants and determines the transfer price.
- The Council gets a place on the government's transfer programme.
- Tenants are balloted on a specific offer.
- Terms and conditions are agreed with the new Landlord.
- The new landlord secures funding and registers as a Registered Social Landlord with the Housing Corporation.
- The Secretary of State consents to transfer.
- Conveyancing and contractual completion.

### **The Local Authority**

After a large-scale voluntary transfer the local authority is no longer a landlord, but it retains significant housing responsibilities. It is still the strategic housing authority and the need for clear leadership on housing issues is still important. They must also monitor and co-ordinate services delivered by many different organisations so that they are seamless to tenants and other service users. It is considered that the more successful post-transfer authorities have used stock transfer as part of a long-term strategy to build and maintain sustainable communities, balancing housing markets and improving housing services.

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683-52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546. 4**  
**E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

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Company Number: 3713554. VAT Registration Number: 721 9669 13**

## **The Tenants**

Council tenants have statutory rights, but the tenants of Registered Social Landlords are 'assured' tenants. However, tenants rights are usually preserved at transfer, and new tenants usually enjoy the same rights with the exceptions of the 'Right to Buy' and any rent guarantees.

## **Housing Transfer – A Consultative Paper**

In October 2003 the Office of the Deputy Prime Minister issued a consultation paper that suggested streamlining the large scale voluntary transfer process by using standard documents thus making transfers faster and cheaper.

Government objectives are to:

- Develop incentives to help ensure the benefits of transfer offered to tenants are realised
- Improve the decision making process when considering the financing of transfers by removing barriers in the process
- Encourage financial innovation with the potential for alternative funding structures that create better incentives and opportunities to perform
- Assist new transfers by ensuring the necessary advice, information, guidance and best practice is available

The key measures that are suggested in the paper are:

- Funding advisers and new finance directors to be involved earlier
- The quality of funding advice to play a bigger part in the Housing Corporation's decision to register a transfer
- The Office of the Deputy Prime Minister will give an assurance that where the transfer criteria are met and there is an option appraisal signed off by the Government Office for the Region, applications for a place on the programme will be successful
- Housing Associations would meet the cost of lenders' bills rather than local authorities thus giving an incentive to negotiate lower interest rates
- Tenanted Market Value would be used to examine and validate the costs and serve as a reserve valuation from which an authority would negotiate the price upwards
- The requirement to have thirty years' funding in place would be replaced with a requirement to have a thirty year funding strategy in place, with an initial funding tranche in place at the outset to meet the transfer price and the transfer promises made to tenants

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 5  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

**Director: Adrian Waite MA CPFA ACIH.  
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The government also wishes to see the housing transfer model developed as follows:

- The new landlord involvement could start earlier in developing the transfer proposal with tenants, including in scheme development and business planning.
- The Office of the Deputy Prime Minister will promote partnership working and incentivise local authorities to explore the scope for working with existing housing associations
- It will become a requirement for the new landlord to take the lead in developing the business plan
- The Office of the Deputy Prime Minister will explore areas where greater standardisation and process guidance could produce benefits. Standard agreements which could save time and reduce legal fees are anticipated.
- Local authorities would be required to set up a good quality central stock database and due diligence library to avoid duplication of effort.
- National database pooling advice and experience will be promoted

The consultation period ends on 12th January 2004 and it is intended to implement any changes from April 2004.

## **Conclusions**

Large-scale voluntary transfer appears to be the main way in which the government envisages private funding being used to bring social housing up to the decent homes standard. A considerable number of large-scale voluntary transfers have taken place, and despite some recent high profile rejections of stock transfer by tenants, there continues to be a significant transfer programme. In the Communities Plan of February 2003 the government has continued to encourage this process by removing some of the obstacles that some local authorities would face if they transferred their stock. This process is set to continue with the publication of the most recent consultation paper.

**Adrian Waite**

Free briefing papers on large scale voluntary transfer and other housing matters are available on the web site.

[www.awics.co.uk/page24.html](http://www.awics.co.uk/page24.html)

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683-52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546. E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

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**Director: Adrian Waite MA CPFA ACIH.  
Company Number: 3713554. VAT Registration Number: 721 9669 13**

## **Arms Length Management Organisations**

### **Introduction**

By July 2003, 21 councils had passed the management of more than 350,000 homes to arms length management organisations. A further fourteen councils applied to fund 200,000 homes in the third round of bidding. In September 2003 nineteen authorities with a combined stock of 300,000 bid for £2.1billion in the fourth round of arms length management organisations.

In July 2003, Gordon Perry, Chair of the National Federation of Arms Length Management Organisations, said:

*“Within the next few months, ALMOs could have more homes under management than large scale voluntary transfers have secured in fifteen years. The ALMO movement is a significant third force in social housing – it’s gaining momentum and is here to stay.”*

### **What are Arms Length Management Organisations?**

In its statement on Housing policy of December 2000 the government first offered local authorities that perform well the option of establishing an Arms Length Management Organisation for the management of their housing stock as an alternative to a Large Scale Voluntary Transfer. Arms Length Management Organisations:

- Are arms length companies that are wholly owned by the local authority
- Are included within the public sector for purposes of calculating public expenditure and the public sector borrowing requirement
- Have a board that includes tenant representatives and where council nominees are in a minority
- Manage council housing, including investment, on behalf of the local authority
- Are limited to the management of no more than 12,000 dwellings

The government favours Arms Length Management Organisations because they facilitate the split between the Strategic and landlord functions. To establish an Arms Length Management Organisation, an authority must meet the following conditions:

- Clear separation of the housing strategic and landlord roles with housing management and investment the responsibility of the Arms Length Management Organisation.
- The Best Value Inspectorate must have given the authority an ‘excellent’ rating for housing management, or a good rating with a likelihood of improvement to the excellent level.

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 7  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

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## Recent Developments

The audit commission has been particularly impressed with the performance of arms length management organisations and has awarded them high gradings accordingly. For example, Roy Irwin, Chief Inspector of Housing at the Audit Commission said of Brent:

*“We were particularly impressed by the improvement in the all-round quality of their services and the innovative approaches that were developed to improve access and customer care, tackle anti-social behaviour, increase tenant participation and improve rent collection.”*

Meanwhile, ‘Housemark’ has studied the first 21 arms length management organisations and has concluded that they have raised performance significantly when compared with previous levels.

ALMOs are arguing that they should be given additional freedoms and flexibilities. It is understood that the government has yet to decide on the best way to enable the highest performing arms length management organisations to become self-financing, but consultation is expected soon. One option is for council housing debt to be restructured so that authorities would not need housing subsidy and could operate in a more ‘businesslike’ way. This may mean that some authorities would have to make a substantial payment as the price of ‘opting out’ of the subsidy system and realising greater flexibilities. Other authorities may receive a payment to help them to repay debt.

## Conclusion

The government sees the arms length management organisation as their preferred structure for local authority owned housing, and it prepared to provide additional public funding to arms length management organisations. Many authorities are attracted to the option because they retain ownership of the stock, but the government has decided that the option should be confined to those authorities that achieve a high level of performance.

We are currently assisting authorities with the preparation of their bids to establish arms length management organisations and with training members of the boards of arms length management organisations.

**Adrian Waite**

Free briefing papers on arms length management organisations and other housing matters are available on the web site.

[www.awics.co.uk/page24.html](http://www.awics.co.uk/page24.html)

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 8  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

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Company Number: 3713554. VAT Registration Number: 721 9669 13**

## Independent Tenant Advisors

### Introduction

Independent Tenants' Advisors are increasingly being appointed. Tenants' associations and federations have the right to request independent advice and should be fully involved in selecting, managing and monitoring Independent Tenants' Advisors.

Independent Tenants' Advisors can be commissioned to do any work required by tenants or their landlords relevant to the needs, for example:

- Initiating and developing tenant groups
- Training on housing/landlord issues
- Feasibility studies and/or research projects.

Over recent years, Independent Tenants' Advisors have been involved in:

- Option appraisals – where tenants and local authorities explore different options for the management of the council housing stock
- Stock transfers – where local authorities seek to persuade tenants to transfer ownership of council properties to a housing association
- Arm's Length Management Organisations – where local authorities seek to persuade tenants to set up new structures of involvement between tenants and councils for the management of properties.
- Private Finance Initiative projects – where local authorities seek to persuade tenants to agree for the council to attract private finance for investment in the stock.

The role of the Independent Tenants' Advisor is seen as being to:

- Provide independent advice and information to tenants and leaseholders.
- Work with tenants and the local authority in developing options for the area.
- Work with tenant representatives on the detail of the stock transfer proposal.
- Respond to questions on any aspect of the transfer with impartial advice.

### Adrian Waite

Free briefing papers on independent tenants' advisors and other housing matters are available on the web site.

[www.awics.co.uk/page24.html](http://www.awics.co.uk/page24.html)

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 9  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

**Director: Adrian Waite MA CPFA ACIH.  
Company Number: 3713554. VAT Registration Number: 721 9669 13**

## Supporting People – are the costs out of control?

In February 2003, the government estimated the cost of funding 'Supporting People' at £1.4billion, yet by October 2003 it had been forced to increase its budget to £1.8billion. This increase prompted them to launch an independent review prior to making an announcement on pipeline funding for 2004/2005 schemes.

There are 1,233,000 people who benefit from Supporting People, but the cost of the support varies between types of client, as shown below:

	<b>Clients</b>	<b>Budget</b>	<b>Unit cost/week</b>
Older People	953,000	£339m	£6.84
Homelessness	65,000	£353m	£104.27
Mental Health	39,000	£262m	£128.58
Learning Disabilities	34,000	£426m	£238.68
Other	140,000	£424m	£302.86
<b>Total</b>	<b>1,233,000</b>	<b>£1,814m</b>	<b>£28.30</b>

According to government figures the provision of housing-related support has grown from 100,000 units to more than 250,000 units from 2000 to 2003 with the greatest increases being in support for teenage pregnancy, homelessness and people with learning difficulties.

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There are considerable differences in the average weekly cost per unit of support in different authorities. The five highest and lowest cost areas are compared below:

### Highest

Enfield	£95.10
Camden	£83.49
Liverpool	£80.42
Brent	£72.58
Southwark	£69.61

### Lowest

Isles of Scilly	£2.57
East Sussex	£7.25
Redcar & Cleveland	£7.83
Wakefield	£9.43
Stockton on Tees	£10.25

Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683-52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546. 10  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).

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These differences may be explained in part by differences in the composition of Supporting People clients in different areas. However, Nick Sweet, Supporting People National Co-ordinator for the National Housing Federation suggested that:

*“There has been some cost-shunting from social services departments.”*

David Smith, Lead Officer for Supporting People at Sunderland City Council said:

*“Obviously something has happened here and I think the government is quite right to investigate this.*

*“I think they will find large amounts of money have been shifted around by certain authorities. The Office of the Deputy Prime Minister would be quite right to claw back this funding from councils that have flouted guidelines. It doesn’t reflect well on our sector that chief executives and chief financial officers have taken advantage of the situation. They should investigate on an authority by authority basis, and if councils have broken the rules they should be held to account and their names published.”*

Chris Hampson, Head of Policy, Strategy and Service Development at Look Ahead Housing & Care said:

*“This review is probably too late now. Grant conditions need to be tightened up. Large parts of the programme seem to have been hi-jacked by higher-cost care schemes.”*

And that councils would be:

*“Under more pressure in terms of making cuts in the future.”*

It appears that the costs of ‘Supporting People’ are greater than the government initially anticipated. It is likely that one of the reasons for this is the degree of creativity that some councils may have applied to their financial calculations. As a result authorities that appear to be high-cost providers are likely to find themselves under pressure.

**Adrian Waite**

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**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 11**  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).

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### **Meet the Consultants – Peter Sutcliffe**

Peter Sutcliffe has recently returned to work as a consultant and trainer in local government following several years in senior management positions in industry and commerce.

Peter is bringing his broad experience gained as financial accountant, profit improvement and business planning specialist working for such blue chip organisations as GEC, IBM, Deloitte & Touche, and also as a special adviser/ 'company doctor' to the DTI and one of the major high street banks. It is the latter role that he has been working in more recent years helping SME's (*small to medium enterprises*) to grow and prosper through the Small Firms Initiative; thereby helping to develop local economy and job prospects.

Peter's prime interests now relate to facilitating workshops and chairing conferences to transfer knowledge and best practice, and also supporting/ project-managing change in financial related issues *e.g. profit improvement, income generation, cost reduction, value for money projects etc.* Peter also helps to implement effective strategic business planning methodologies at all levels throughout an organisation, incorporating action planning, ownership, accountability and motivation techniques.

Peter lectures for Liverpool Hope University on finance and strategic planning, and is passionate about all initiatives being focused on service standards and the customer- by which, in the end, all success is measured. He is a fellow of the Institute of Financial Accountants, and is also a British Accreditation Bureau listed practice, the prime world wide professional consultancy regulatory body. He is also a certified trainer with Raytheon / General Motors Academy of Excellence and a recognised management consultant on the National Business Link Register.

In his private life, Peter enjoys walking the Cumbrian Fells, playing golf and supporting soccer.

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683- 12  
52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546.  
E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

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## **Points of View:**

These are just two of the e-mails received from people who have had our Newsletter.

Hi Adrian

Thanks for this – it makes very interesting reading!! It's quite useful for me to have news updates as I am not a public services person by trade!! Much easier to find new information if it's served up in a palatable format like this!!

Thanks again,

*Sarah* (London)

Many thanks Adrian

I will certainly send this out to my contacts across the country. Keep sending me anything you want circulated.

Regards

*Paul* (London)

### **AWICS OFFERS NEW TRAINING COURSE – TO BE HELD AT REGIONAL LOCATIONS AND ON OFFER IN-HOUSE**

#### **ALL YOU NEED TO KNOW ABOUT LOCAL GOVERNMENT FINANCE**

**Local Government Finance is sometimes seen as a complex and specialised subject, but more and more people need to understand it!**

**This course is designed for elected members, service managers and other people who need to know about local government finance but are not financial experts!**

**For more information visit the website at [www.awics.co.uk/page15.html](http://www.awics.co.uk/page15.html)**

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Adrian Waite (Independent Consultancy Services) Limited, Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria. CA16 6QH.

Tel: 017683-52347 or 52165. Mobile: 07971-321863. Fax: 017683-52546.

E-mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk)

**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683-52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546. 13**  
**E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

**Director: Adrian Waite MA CPFA ACIH.  
Company Number: 3713554. VAT Registration Number: 721 9669 13**

## **Feedback**

We would be grateful if you could let us have some feedback on 'Public Services News' and some other services that we provide by completing this questionnaire.

## **Public Services News**

Which topics in the Newsletter are of most interest to you?

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Are there any subjects that you would you like to see covered in future issues?

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Do you have any further comments on the Newsletter?

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Have you visited our web site?    Yes                          No   

If you have visited our website what features did you find useful:

Information about the company                      \_\_\_\_\_

Information about products    \_\_\_\_\_

Briefing Papers    \_\_\_\_\_

If you have accessed any of the briefing papers, which did you, find most useful?

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Are there any other subjects on which you would find a briefing paper useful?

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## **Advertisements**

Have you seen an 'AWICS' advertisement? If so, where?

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Do you have any other comments?

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Signed (optional) \_\_\_\_\_ Organisation \_\_\_\_\_ Date \_\_\_\_\_

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**Appleby Business Centre, Bridge Street, Appleby in Westmorland, Cumbria CA16 6QH Telephone: 017683-52347 or 52165 Mobile: 07971-321863. Fax: 017683-52546. 14**  
**E-Mail: [Adrian.waite@awics.co.uk](mailto:Adrian.waite@awics.co.uk). Website: [www.awics.co.uk](http://www.awics.co.uk).**

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