

# Supplementary Committee Agenda



## ***Housing Scrutiny Standing Panel Monday, 30th April, 2007***

**Place:** Members Room, Civic Offices, High Street, Epping

**Time:** 5.30 pm

**Committee Secretary:** Adrian Hendry, Research and Democratic Services  
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**8. ETHNIC MONITORING (Pages 3 - 6)**

(Head of Housing Services) To consider the report to follow.

**9. REVIEW OF THE INTRODUCTORY TENANCY SCHEME (Pages 7 - 8)**

(Head of Housing Services) to receive a late report on the Introductory Tenancy Scheme.

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## **Report to Housing Scrutiny Panel**

**Date of meeting: 30 April 2007**

**Portfolio:** Housing – Councillor D Stallan

**Officer contact for further information:** Roger Wilson ext. 4419

**Committee Secretary:** Adrian Hendry, ext.4246

**Subject:** Ethnic Monitoring

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### **Recommendation:**

**That no recommendations be made concerning amendments to the Council's Allocations Scheme due to ethnicity as current figures do not show a significant disparity between the ethnicity of applicants in housing need in the District and those allocated both general needs and sheltered accommodation through the Housing Register.**

### **Report:**

1. The Council has a Policy Statement for Equal Opportunities in the Provision of Housing Services. The Policy Statement includes a requirement for an annual review of the ethnicity of applicants on the Housing Register, compared with the ethnicity of those allocated accommodation. In addition during 2006, the Council undertook Race and Diversity Impact Assessments across all Services. When assessing Older Peoples Housing Services it was identified that the ethnicity of applicants allocated sheltered accommodation should be monitored separately and is therefore included in this report.
2. The reason for the review is to identify whether or not there are any indications to suggest the Council may be discriminating against any one ethnic group. The review is undertaken by the Housing Scrutiny Panel.
3. The breakdown of the ethnic origin of applicants on the Housing Register at 31/03/07 is set out in the following table:

<b>Ethnic Group</b>	<b>Percentage (%)</b>
White British/Irish	78.3
Bangladesh/Pakistan/India	0.8
African/Caribbean	2.0
Mixed Race	0.5

Other	2.8
<b>Ethnic Group</b>	<b>Percentage (%)</b>
Not Stated	15.6

4. The breakdown of the ethnic origin of Housing Register applicants allocated Council accommodation in 2006/2007 is set out in the following table:

<b>Ethnic Group</b>	<b>Percentage (%)</b>
White British/Irish	75.3
Bangladesh/Pakistan/India	0.4
African/Caribbean	1.3
Mixed Race	0.7
Other	2.2
Not Stated	20.10

5. Generally, the statistics confirm that the ethnicity of applicants allocated accommodation is similar to those of different ethnic groups on the Housing Register.

6. The following table shows the breakdown of the ethnic origin of applicants on the Housing Register awaiting sheltered accommodation as at 31/03/07.

<b>Ethnic Group</b>	<b>Percentage (%)</b>
White British/Irish	75.9
Bangladesh/Pakistan/India	0.8
African/Caribbean	0
Mixed Race	0

Other	0.9
Not Stated	22.4

7. The breakdown of the ethnic origin of Housing Register applicants allocated sheltered accommodation during 2006/2007 is set out in the following table:

<b>Ethnic Group</b>	<b>Percentage (%)</b>
White British/Irish	61.3
Bangladesh/Pakistan/India	0
African/Caribbean	0
Mixed Race	0
Other	0
Not Stated	38.7

8. As can be seen, the breakdown of ethnic groups allocated sheltered housing does raise some concerns as no properties were let to non-white British/Irish applicants last year. However, as a relatively high proportion (38.7%) of applicants allocated sheltered accommodation have not stated their ethnicity, some of these applicants could be from other ethnic groups. Furthermore, there may not be any applicants in such groups wanting the properties which have become available. Moreover, as there are only around 430 sheltered housing properties in the Council's stock with just 62 allocations made in 2006/2007, the sample is far smaller than the breakdown of all Housing Register applicants referred to earlier. When comparing the ethnic breakdown, there appears to be no significant disparity between the ethnicity of applicants in need of sheltered accommodation in the District and those allocated sheltered accommodation.

9. The breakdown of the ethnicity of the population of the District is set out in the table below for information (source EFDC Census 2001):

<b>Ethnic Group</b>	<b>Percentage (%)</b>
White British/Irish	92.41
Bangladesh/Pakistan/India	2.14

African/Caribbean	0.78
Mixed Race	1.04
Other	3.63

**Statement in support of recommended action:**

10. Although a large number of housing applicants do not disclose their ethnicity, it is evident from the analyses shown in the report that the ethnic make up of the Housing Register mirrors the allocation of vacancies sufficiently for the Council to be confident that its Allocations Scheme does not racially discriminate, either directly or indirectly. Therefore, no adjustments to the Allocations Scheme are recommended.

**Consultation undertaken:**

11. The Tenants and Leaseholders Federation will be consulted on the report at their meeting on 10 May 2007.

**Resource implications:**

Budget provision: None

Personnel: None

Land: None

Community Plan/BVPP reference: Social inclusion

Relevant statutory powers: Housing Act 1996, as amended

Background papers: None

Environmental/Human Rights Act/Crime and Disorder Act Implications: Human Rights

Key Decision reference: (if required)

## **Report to the Housing Scrutiny Panel**

**Date of Report: 30 April 2007**

**Portfolio:** Housing – Councillor D Stallan

**Author:** Roger Wilson ext. 4419

**Committee Secretary:** Adrian Hendry, ext.4246

**Subject: Review of the Introductory Tenancy Scheme**

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### **Recommendation:**

**That the Housing Scrutiny Panel notes the progress made during the first year of the Introductory Tenancy Scheme for all new Council tenants.**

### **Background Report:**

1. At its meeting on 14 November 2005, the Cabinet approved the introduction of an Introductory Tenancy Scheme for all new Council tenants. Under the Housing Act 1996, local authorities are given discretionary power to operate a scheme of “Introductory Tenancies” whereby all new tenants would not be secure until after a twelve month “trial” period. During the twelve-month period, Introductory Tenants do not have the same statutory rights as secure tenants. Therefore, if the Council wishes to seek possession of the property for any breach of a tenancy condition, (e.g. rent arrears or anti-social behaviour) provided certain procedures are followed, the Introductory Tenancy could be terminated. This is simply by the issuing of a Notice of Proceedings without grounds having to be stated, with the courts having no alternative but to grant possession provided the Council has followed the correct procedures. An Introductory Tenancy, by its very nature, sends out a message to all new tenants as to what is expected of them, particularly in the early months of their tenancy.
2. Before the Council can apply to the court for a possession order, in accordance with the Regulations, it must give the Introductory Tenant at least two warnings, then serve a Notice of Proceedings setting out the Council’s decision to apply for such an order. If a notice has been served and the twelve-month trial period subsequently elapses, the tenancy continues to be an Introductory Tenancy until the proceedings have been determined. Introductory Tenants who are served with notice may request a review of the decision to seek possession within 14 days of the notice being served. Authorities cannot proceed with an application for possession until it knows whether the Introductory Tenant intends to exercise their Right to Review. If requested, the Council must review its decision in accordance with any procedure the Government may prescribe in Regulations. The Cabinet has already agreed that reviews will be undertaken by an officer panel.
3. In accordance with the Housing Act 2004, in cases where the Council has concerns about the way in which a tenancy has been conducted, but not to the extent that it would wish to proceed to Court for possession, the period of the Introductory Tenancy can be extended by a further six months. This gives the Council further time to satisfy itself whether such a tenant should become a secure tenant of the Council. The Introductory Tenant also has the right to a review of this decision.
4. The scheme commenced on 1 April 2006. In the first 12 months, 311 Introductory Tenancies were granted, with 16 Notices of Possession Proceedings being served, all on grounds of rent arrears. In one case, the Council made a subsequent application to the Court, but following the Introductory Tenant exercising her right to a review, the officer panel agreed to extend the

period of the Introductory Tenancy by 6 months. As at 23 April 2007, 5 Introductory Tenancies have been converted to secure tenancies. The majority of the remainder will convert automatically over the coming year.

5. The Panel is asked to note the progress made with the Introductory Tenancy Scheme in the first year of its operation. It is suggested that, as there appears to be no concerns and it sends an important message to new secure tenants, the scheme continues in its current form.