



Epping Forest District Council

HOUSING SCRUTINY STANDING PANEL **Tuesday, 15th December, 2009**

Place: Committee Room 1, Civic Offices, High Street, Epping

Room: Committee Room 1

Time: 5.30 pm

Democratic Services Officer M Jenkins - The Office of the Chief Executive
mjenkins@eppingforestdc.gov.uk 01992 56 4607

Members:

Councillors S Murray (Chairman), Mrs R Gadsby (Vice-Chairman), Mrs R Brookes, K Chana, J Collier, D Dodeja, Mrs A Grigg, Mrs J Lea, Mrs P Richardson, Mrs J H Whitehouse and J Wyatt

PLEASE NOTE THE TIME OF THIS MEETING

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

3. DECLARATION OF INTERESTS

(Assistant to the Chief Executive). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

4. NOTES FROM THE LAST MEETING (Pages 5 - 14)

To agree the notes of the last meeting of the Sub-Committee, held on 30 July 2009.

5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 15 - 20)

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents.

6. FIRE SAFETY RISK ASSESSMENT IN BLOCKS OF FLATS (Pages 21 - 24)

(Director of Housing) To consider the attached report.

7. INCREASING AFFORDABLE HOUSING - REPORT OF THE AFFORDABLE HOUSING SUB GROUP (Pages 25 - 64)

(Director of Housing) To consider the attached report.

8. HOUSING SERVICE STANDARDS (Pages 65 - 106)

(Director of Housing) To consider the attached report.

9. HOUSING DIRECTORATE STRATEGIES (Pages 107 - 150)

(Director of Housing) To consider the attached report.

10. HRA BUSINESS PLAN 2009/10 - 6 MONTH PROGRESS REPORT (Pages 151 - 160)

(Director of Housing) To consider the attached report.

11. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

12. FUTURE MEETINGS

The next programmed meeting of the Panel will be on Thursday 21 January 2010 at 5.30p.m., and then on:

Thursday 25 March 2010 at 5.30p.m.

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Housing Scrutiny Standing Panel **Date:** Thursday, 30 July 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 5.00 - 8.25 pm

Members Present: S Murray (Chairman), Mrs R Brookes, Mrs M Carter, K Chana, D Dodeja, Mrs A Grigg, Mrs J Lea, Mrs P Richardson, Mrs J H Whitehouse and J Wyatt

Other Councillors: B Rolfe and D Stallan

Apologies: - Mrs R Gadsby

Officers Present: R Wilson (Assistant Director (Operations)), R Wallace (Housing Options Manager), L Swan (Assistant Director (Private Sector & Resources)) and A Hendry (Democratic Services Officer)

Also in attendance: G Osbourne and J Grainger

45. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitute members reported.

46. DECLARATION OF INTERESTS

Councillor Mrs Whitehouse declared a general personal interest in so far as she was scrutinising the same subjects as a County Councillor.

47. NOTES OF LAST MEETING

RESOLVED:

That the notes of the meeting held on 23 March 2009 be agreed, subject to clarification being sought on minute item 38 that stated that "...the Government only expected to exclude properties that conformed to all Government policies regarding council housing." This did not seem to make sense.

In item 41, the second bulletin point should include the word "not" after the word "should".

48. IN TOUCH SUPPORT

The Chairman introduced Gloria Osbourne from the 'In Touch Support' organisation and Jo Grainger from Essex County's 'Supporting People' team.

'Supporting People' was a major Government initiative on policy and funding for housing related support services which started in April 2003. These services included housing related support delivered to vulnerable tenants and applicants living in the community or in temporary accommodation.

In April 2007 'In Touch Support' was appointed by the Supporting People Team as the service provider for the London Commuter Belt which includes Epping, Brentwood, Uttlesford, Chelmsford and Harlow.

Ms Osbourne told the Panel that 'In Touch' was a registered charity and was part of the Hyde Group (a major Registered Social Landlord). 'In Touch' currently provided support services across the Southern Home Counties, London and the East of England. They are entirely funded by the Essex Supporting People Team but have occasional access to grants from other charities.

They provide a short term service for vulnerable people at risk of homelessness and offer an individual service to people in their homes which would "float" off when the support was no longer required. Hence, they are also known as a floating support service.

They offered advice and support on housing related issues and provided links to other statutory and voluntary care and support services. They assisted clients to build up skills to manage their finances, help develop social skills and provide access to health and other professional services. They also:

- Provide support for up to twelve single homeless vulnerable people housed in Council accommodation who are provided with a 'floating' support worker until they have sufficient skills to live more independently;
- Provide support to vulnerable tenants throughout the District referred by Housing Management;
- Provide support to single vulnerable homeless applicants placed in bed and breakfast accommodation;
- Provide specialist support to residents in sheltered accommodation when the Scheme Manager requires additional assistance;
- Provide specialist support to residents in the Council's homeless person's hostel, Norway House, North Weald when managers need additional assistance; and
- Provide assistance to tenants who are moving to smaller accommodation, thereby assisting the Council's aim to reduce under occupation.

Prior to receiving this service all tenants and applicants are referred through the 'In Touch Support' assessment "Gateway" to ensure that those in most need are supported and that the service is appropriate for the user. 'Gateway' staff determine eligibility, assess priority, hold, manage and prioritise the waiting list and monitor performance of partners and other providers.

'In Touch' provides support to all types of client groups. Their eligibility criteria is from the age of 16 onwards. Their oldest client was 92 years old. They also work with ex-offenders, people with substance misuse, people who are homeless or at risk of homelessness, young people at risk, people with HIV Aids or long term medical conditions such as MS and people with sensory and or physical disabilities.

People can access their services by self referrals, referrals from professionals, friend or family, from other agencies, telephone or email referrals. However, they are not funded to work in residential homes.

Their contact details are:

In Touch
2nd Floor, Rosebery House,
41 Springfield Road,
Chelmsford
Essex CM2 6JE

Tele. 01245 607154

Councillor Mrs Richardson asked if 'In Touch' helped people not in council accommodation. Ms Osbourne said they were not just Council accommodation based; they also worked with owner occupiers etc. Councillor Mrs Richardson was concerned about the state of some people's houses. Ms Osbourne said that they are not responsible for the condition of properties but did provide advice on health and safety issues and also worked with local church groups who helped clear houses and take the rubbish to the dump.

Councillor Mrs Whitehouse asked how many people worked for their organisation. Ms Osbourne confirmed that they employ 31 staff to cover the whole of their areas. They worked around their current clients and their waiting list. They would call the people on the waiting list every two weeks and ask if there were any changes in their circumstances.

Councillor Mrs Whitehouse asked what they did about assisting people move to smaller accommodation. The Assistant Director of Housing explained that discussions have taken place with 'In Touch' support about providing this service which was previously delivered by VAEF. Now the funding has been passed to 'In Touch' they will accept referrals.

Councillor Mrs Brookes asked how long they worked with a client who had a crisis in their home. Ms Osbourne said they would normally work for about six weeks, but longer if they thought it necessary. They would work with them and if necessary refer them to other agencies.

Councillor Mrs Brookes then asked how they dealt with tenants with a bad history, such as with previous notices of eviction due to anti-social behaviour. Ms Osbourne said they would visit up to two or three times a week. The clients would also be able to contact them at any time as they would have their mobile phone numbers. It would also depend on the individual.

Councillor Mrs Grigg asked for an example of the specialist support given to Scheme Managers. Ms Osbourne said it was difficult for Scheme Managers on site if say, one of their tenants had high debts – they would go in and do structured work with the tenant and then hand back to the Scheme Managers. Also, if there was a lot of clutter, and a tenant was hoarding items they would work with them to sort it out and help them to dispose of their unnecessary belongings. They found that older people did not like to confide in their Scheme Manager who they saw every day and would prefer to speak to an outsider on personal matters.

Councillor Wyatt asked if they got involved with the other teams that were awarded floating support contracts in Essex. He was told that they worked in partnership with them but did not get involved with their casework.

Councillor Murray asked, as the finance was contract based, was there enough flexibility? Jo Grainger from Supporting People replied that the team had set it up so it was flexible for each persons needs, and according to the hours they needed.

Councillor Murray then asked about the 'Gateway' procedures, who would get the lowest priority. Ms Osbourne said that would be where their housing was not at risk, (but may become at risk) but were just about managing. They would contact those on the waiting list every two weeks. Only with the agreement of the client would they close a case down. The trouble was that some people wanted their help but were reluctant to engage with them.

Councillor Mrs Whitehouse asked about the Gateway panel, how often did they meet and who was involved. Ms Osbourne explained that 5 case workers, with their four senior workers and the administrator and the Area Manager met to discuss the case referrals. Last week they had 20 referrals to consider. Cases get screened when they arrive and the background is checked, also an 'at risk' assessment is carried out. If eligible they look to see if they are in crisis, if so it would go to the IRTT or the holistic service. They (the holistic service) would go out and do their own assessment. Once assessed they would be prioritised and they would have a priority meeting every month.

Councillor Murray asked if the members had any comments to pass on to the Portfolio Holder. Councillor Mrs Whitehouse said the information was very generalised so it was hard to make specific comments. As the officers had worked closely with the service what did they feel about it. Roger Wilson said they did have their concerns in the early days about communication between officers and 'In Touch' but they had some meetings and had resolved these problems. The officer's feedback has to be that they are very good. Russell Wallace the Housing Options Manager added that the Council was satisfied with the support provided by 'In Touch'.

Councillor Murray thanked Ms Osbourne for her informative and interesting presentation.

RESOLVED:

That the Housing Standing Panel received a presentation from the 'In Touch Support' and commented, as above, on the services provided to the Portfolio Holder.

49. OLDER PEOPLE'S STRATEGIC REVIEW - RESPONSE TO CONSULTATION

The Panel noted that Jo Granger from the Counties 'Supporting People' Team was attending the meeting to answer any questions on the Older People's Strategic Review.

The Assistant Director of Housing (Operations), R Wilson explained that housing related support was funded through 'Supporting People'. That team had just undertaken a consultation exercise in which the following changes to the way the Scheme Manager Service was provided was recommended:

- That the Scheme Manager Service be provided by the 'Hub and Spoke' model, with the sheltered scheme being the hub and the support reaching out to older people in the community, like the spokes of a wheel;
- That the service be provided on a tenure neutral basis;
- That all service users will be assessed through the existing floating support gateway.

The Older People Strategic Review report outlined 10 key principles in section 3.1. The aim was to help ensure consistent service delivery. 9 of these 10 principles were already met by this Council; the one exception being point 6 that "Services should be available across the county and to everyone regardless of who owns the accommodation i.e. tenure neutral". Section 3.2.2 of the report outlined why Hub and Spoke was the preferred delivery model and attached to the report was the officer response to the report. Since writing that response Mr Wilson had met with Ms Grainger and they had dealt with some of the issues raised in his response. It was noted that Scheme Managers and residents had been consulted and they agreed in general terms that the Hub and Spoke system was the best option. Scheme

Managers were concerned about the impact the changes would have on their jobs they also felt the Supporting People Team should be more specific about the type of support they would be expected to deliver. Residents, via the 'Sheltered Forum' had some concerns about changes to services and the possible loss of sheltered accommodation. They were in favour of the ten key principles and believed that EFDC already operated the 'Hub and Spoke Model'. Officers had concluded that this Council had been providing services in an effective and efficient manner and that they had already been working in the spirit of the 'Hub and Spoke system'. The implementation date was flexible but the earliest would be April 2010. Residents who just received the basic Scheme Manager Service would not be referred through the gateway.

Ms Grainger added that the Older People Strategic Review had been continuing for about two and a half years across the county. The 'Hub and Spoke' was the preferred model. They will hold meetings with all councils before they implement any changes. It would not be a 'big bang' start, but would be a phased approach over time. The 'Hub and Spoke' system was spread out across England and not just Essex.

Councillor Mrs Whitehouse asked how the preferred model would work in practice. Mr Wilson this was a service the Council had been operating for some years. Over 20 years ago it was recognised that Scheme Managers has some spare capacity and were therefore asked to visit outside properties.

Councillor Murray was happy with the officer response to the consultation exercise. Councillor Mrs Grigg was also happy with the letter and thought it was very useful to have the glossary of terms included.

Councillor Mrs Brookes queried the procedure for users in need of support in an emergency situation. She was told that they always had the use of the Careline Service. Ms Grainger added they were making sure that procedures were in place for emergency situations.

RESOLVED:

Subject to the comments made, the Panel endorsed the officer's response on the Older People's Strategic Review.

50. BREAK IN MEETING

The meeting then took a 20 minute break and reconvened in Committee Room 1.

51. DRAFT HOMELESSNESS STRATEGY

Mr Wilson introduced the strategy saying the Council were required to review and publish their Homelessness Strategy on at least a five year basis; however Members had wanted it reviewed every three years to keep it up to date. The draft Homelessness Strategy had been sent out to all Town and Parish Councils and all organisations with an interest in homelessness seeking their comments. The results of this consultation were tabled at the meeting. Any comments made by the Panel would also be added to these results.

The Panel noted that:

- Some minor typo's were highlighted;

- On page 5, paragraph 5.6, Ongar Town Council would like an explanatory note on what “tenure neutral” means;
- Page 7, paragraph 10.3, the last sentence to be deleted;
- This strategy was to be approved by the Portfolio Holder and not the Cabinet;
- Page 9, paragraph 2.2 should read 5000 homes and not 5700. Also it should not be “affordable” but just read as ‘5000 homes’;
- Pages 10& 11, paragraph 1.5, the last line should read “estimated” additional 34 pitches.

Councillor Mrs Richardson commented on owner occupiers who had problems with their repayments. It was explained that the Citizen Advice Bureau (CAB) would advise on these difficulties. But she believed that the CAB was having problems with the volume of people asking for advice. Mr Wilson said that she was right; the CAB was having difficulties with the volume of people asking for advice in the current financial climate. This Council had a very effective homelessness prevention team, who worked in partnership with the CAB. They also offered advice through the homelessness prevention team. It would depend on the circumstances on how each case was dealt with. In the final analysis, the CAB’s problems were outside the council’s control. Mr Wallace, the Housing Options Manager, advised that the CAB were having problems nationwide, being inundated for advice. The Council had provided the local CAB with extra funds to increase their capacity.

Councillor Stallan said that in our literature and on the website people are advised to call on the council if they had problems. Mr Wallace said officers would look to see if this message was being put forward clearly enough.

Councillor Mrs Lea had the impression that homeowners should go to the CAB for help. It was pointed out that anyone threatened with homelessness could also approach the council for advice.

Councillor Wyatt asked if the council distinguished between intentionally and unintentionally homelessness with regards to family exclusions. Mr Wallace said that they did. The Council has a Mediator who assists with cases and had an 80% success rate in preventing this type of homelessness.

Councillor Wyatt queried a Housing Association (NACRO) who purchased houses and put in difficult tenants. Could the council assign areas where these houses were put? Mr Wallace said that they only owned one property outright in our district, and they did have 39 bed spaces in other areas.

In preventing homelessness, Councillor Mrs Richardson asked if the council would act as guarantor to a mortgage company. Mr Wilson said they would not, but would help in other ways. They would assess their needs and look to keep them in their home. They could also give a small, interest free loan, to help pay the mortgage.

Councillor Murray asked if officers would report back on the action plans on a six monthly basis. It was agreed that a report would be submitted to the Panel after the first six months and then yearly afterwards.

AGREED: that a report be submitted on progress with the action plan in six months and thereafter on a yearly basis.

That once agreed an item be placed in the Members Bulletin explaining that the Strategy was available on the website.

RESOLVED:

That subject to any comments made, the Panel endorsed the Draft Homelessness Strategy.

52. TERMS OF REFERENCE / WORK PROGRAMME

1. The Terms of Reference and Work Programme were noted by the Panel.
2. The item on the shortage of affordable housing within the District proposed by Councillor Mrs Brookes was considered by the Panel. They considered the option of adding it to their work programme or have a small sub-group look at this.

It was agreed that a sub-group be set up to consider the matter. Mr Wilson said that the Director of Housing was the expert on affordable housing and would be happy to attend the sub-group. This was last considered in 2006 when a report was produced by the Director Housing who looked at all the options for providing more affordable housing. This report could be updated and submitted to the sub-group. The Panel were reminded about the call for sites which is currently going on.

RESOLVED:

1. That a sub-group be established to consider the Shortage of Affordable Housing within the District.
2. That the Sub-group consist of the following members: Councillors Mrs R Brookes, K Chana, Mrs A Grigg, Mrs J Lea and S Murray.

53. HOUSING KEY PERFORMANCE INDICATORS - OUTTURN 2008/09

The Assistant Director of Housing (Operations), R Wilson, introduced the Housing Key Performance Indicators report. The targets for the KPIs were based on upon the most recently available national performance information. Annual Improvement plans were produced for each KPI to reflect year on year initiatives which are in place to achieve targets.

An item was tabled setting out the latest outcomes of LPI 07, 08, 09 and 10; all of which were being currently being met or exceeded. It was anticipated that these would continue to be met based on the changes that have been introduced as part of the on-going review of the DLO.

RESOLVED:

That the performance of the Housing Directorate in relation to its Key Performance Indicators for 2008/09 be noted.

54. ETHNIC MONITORING

Mr Roger Wilson introduced the annual report on Ethnic Monitoring. There was a requirement for an annual review of the ethnicity of applicants on the Housing register, compared with the ethnicity of those allocated accommodation. The review was to identify whether or not there were any indications to suggest the Council may be discriminating against any one ethnic group.

The statistics confirmed that the ethnicity of the applicant's allocated accommodation is similar to those of different ethnic groups on the housing register. Also, when compared, there appeared to be no significant disparity between the ethnicity of

applicants in need of sheltered accommodation in the District and those allocated sheltered accommodation.

It was evident from the analyses shown in the report that the ethnic make up of the Housing Register mirrored the allocation of the 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 were recommended.

RESOLVED:

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

55. C.A.R.E. HANDYPERSON SCHEME

The Assistant Director of Housing (Private Sector and Resources), Lyndsay Swan, introduced the report on the CARE (Caring and Repairing in Epping Forest) Handyman Scheme. The scheme was funded jointly between Essex County Council's Adult Social Care and Community Wellbeing (ASC&CW) who contribute £11,417 and Epping Forest District Council who pay for the work. The Council's current budget for the Handyman Service work was £12,250. Currently the service is free of charge and clients can have work undertaken up to a maximum of £150, provided they are on means tested benefit. Those not receiving benefit pay in full for the work. They can only use the service once in any one calendar year. The work is carried out by local private contractors from CARE's preferred contractors list.

The qualifying criteria had not been reviewed for some years and they had found that £150 did not cover the cost of work being carried out (this has not increased since 2003). Officers have analysed the service provided in the past few years and using this data have drawn up new draft recommendations to update the criteria. The draft recommendations had been put to the Tenants and Leaseholders Federation who raised no objections and also went to the CARE Advisory Panel who also raised no objections.

RESOLVED:

That the following revised criteria for the CARE Handyman Scheme be agreed and recommended to the Portfolio Holder:

(i) That the number of jobs that can be carried out be increased to a maximum of 3 times a year with applications being at least 3 months apart;

(ii) That the cost limit is increased to a maximum of £250 in any application but no more than £400 be allowed in any one year;

(iii) That the remit of qualifying works be extended to:

- Plumbing (e.g. tap washers, toilet cisterns, ball valves, overflow, provision of lever taps);
- Remedial carpentry;

- Minor electrical works (Renewing light bulbs, fitting battery operated smoke detectors);
- Glazing;
- Security works (window/door locks);
- Curtain rails;
- Minor tiling;
- Falls Prevention and safety works (fixing carpets, lowering cupboards, putting up shelves);
- Small roof and guttering jobs that can be carried out within the cost limits, bearing in mind Health and Safety considerations;
- Small works to assist in the early release from hospital (although within the scope of the Service it may not be possible to carry out emergency works).

(iv) That following works be excluded from the Scheme:

- Decorations;
- Work to gas installations;
- Fencing;
- Electrical appliances (e.g. kettles, cookers);
- Gardening (except clearing paths for access where safety is a consideration);
- Window cleaning;
- Roofs and guttering works involving scaffolding or extensive Health and Safety measures;
- Small works to common parts (except in exceptional circumstances where permission is given by the freeholder)

56. REVIEW OF THE PRIVATE SECTOR HOUSING RENEWAL STRATEGY 2007-2009

The Assistant Director of Housing (Private Sector and Resources), Lyndsay Swan, introduced the review of the private sector housing renewal strategy 2007-09. The current strategy expires in 2009; it was implemented in April 2007. Local authorities have a legal duty to consider the condition of their private sector housing stock in terms of statutory responsibilities and the provision of assistance with housing renewal.

The strategy included an action plan which the Panel considered and agreed. It also contained a detailed review of the Private Sector Assistance Policy, a summary of the Empty Property Strategy including a review of its success and a review of the houses in multiple occupation, which the Panel noted.

It was noted that the new strategy could not be developed until officers had carried out a new housing condition survey, this should take about a year and they hoped to start in early 2010.

RESOLVED:

That the Panel noted the outcome of the review of the current Private Sector Housing Renewal Strategy.

57. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Panel considered that the following items should be reported verbally to the next Overview and Scrutiny Committee meeting:

- a) In touch support;
- b) Older people's strategic review – response to consultation;
- c) Draft homelessness strategy;
- d) Setting up of a sub-group to look into affordable housing in the district;
- e) The renewal of the private sector housing renewal strategy.

58. FUTURE MEETINGS

1. The dates of the Panel's future meeting were noted.
2. Due to unavoidable clashes with other duties the Chairman asked that two of the future meeting start at a later time. The Panel agreed that the following meetings now start at **7pm**. They are the 21 January 2010 meeting and the 25 March 2010 meeting.

TERMS OF REFERENCE - STANDING PANEL

Title: Housing

Status: Standing Panel

Terms of Reference:

(1) To undertake reviews of public and private sector housing policies on behalf of the Overview and Scrutiny Committee, Housing Portfolio Holder or Head of Housing Services and to make any recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate.

(2) To undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee, and to make any recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate.

(3) To consider and provide comments to the Housing Portfolio Holder on the following matters, prior to consideration by the Cabinet:

- (i) Draft Housing Strategy (to be adopted by full Council in accordance with the Council's Constitution)
- (ii) Draft Private Sector Housing Strategy
- (iii) Draft Private Sector Housing Grants Policy
- (iv) Annual Review of the Housing Allocations Scheme

(4) To consider and provide comments to the Housing Portfolio Holder on draft versions of the following documents:

- (i) Housing Revenue Account (HRA) Business Plan
- (ii) Local Supporting People Strategy
- (iii) Housing Service Strategies

(5) To undertake the Annual Ethnic Monitoring Review of Housing Applicants and Housing Allocations, in accordance with the Code of Practice in Rented Housing.

(6) To monitor progress with the actions plans contained in the following documents, on a six-monthly basis:

- (i) Housing Strategy
- (ii) Local Supporting People Strategy
- (iii) Private Sector Housing Strategy
- (iv) Housing Services Development Plan

(7) To consider the Housing Portfolio Holder's draft response to any consultation papers relating to public or private sector housing that the Housing Portfolio Holder considers warrants a response from the Council.

(8) In relation to Traveller issues to consider and monitor: **(NEW)**

- (a) the position regarding tolerated sites and;
- (b) the management of travellers who enter onto land within the district with a view to unauthorised encampments, with particular reference to the legal remedies available, interactions with other agencies such as Essex Police and Essex County

Council and the provision of emergency and/or transit sites within the district;

(c) Government's guidance on the needs of travellers in the context of the Council's review of its District Local Plan and the Essex Housing Needs Assessment;

(d) the results of the Commission for Racial Equality's study on traveller issues in which this Council participated, once published;

(9) To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

Chairman: Cllr Stephen Murray

Housing Standing Panel – 2009/10

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Annual Ethnic Monitoring Review of Housing Applicants	High	Completed - July 2009 meeting	15 December 2009
(2) Review of the Homelessness Strategy	High	Completed - July 2009 meeting	21 January 2010 25 March
(3) Review of Housing Performance Indicators	Low	Completed - July 2009 meeting	
(4) Older Peoples' Strategic Review – Response to Consultation	High	Completed - July 2009 meeting	
(5) Private Sector Housing Strategy	High	Completed - July 2009 meeting	
(6) Revised Criteria for the CARE Handyperson Scheme	High	Completed - July 2009 meeting	
(7) Presentation by In Touch Support	Medium	Completed - July 2009 meeting	
(8) Review of Housing Standards	Medium	Next meeting - December 2009	
(9) Housing Service Strategy on Housing Allocations	Medium	Next meeting - December 2009	

Item	Report Deadline / Priority	Progress / Comments
(10) Housing Service Strategy on Housing Advice	Medium	Next meeting - December 2009
(11) Housing Service Strategy on Equality and Diversity	Medium	Next meeting - December 2009
(12) Six-monthly Progress report on Housing Business Plan Action Plan	Low	Next meeting - December 2009
(13) Policy on Fire Escape Routes in Flats	High	Next meeting - December 2009
(14) Affordable Housing Sub-Group: (a) Increasing Affordable Housing (b) Council House-building	High	Next meeting - December 2009
(15) Homelessness Strategy – Action Plan Progress Report	Low	Scheduled - For January 2010 meeting
(16) Housing Service Strategy on Harassment	Medium	Scheduled - For January 2010 meeting
(17) Council response to the TSA's Consultation Paper on its new Regulatory Framework	Medium	Scheduled – For January 2010 meeting
(18) Annual review of the Housing Allocations Scheme	High	Deferred – Until Revised Government Guidance on Allocations is published. Possibly available for January 2010 meeting
(19) Six-monthly Progress report on Housing Strategy Action Plan	Low	Scheduled - For March 2010 meeting

Item	Report Deadline / Priority	Progress / Comments	
(20) Updated draft HRA Business Plan	High	Scheduled - For March 2010 meeting	
(21) Tenant Participation Progress Report	Low	Scheduled - For March 2010 meeting	

This page is intentionally left blank



Report to the Housing Scrutiny Panel

Date of meeting: 15 December 2009

SCRUTINY

Portfolio: Housing – Cllr D. Stallan



Subject: Fire Safety in Common Parts of Flat Blocks

Officer contact for further information: Paul Pledger, Assistant Director of Housing (Property) (01992 56 4281)

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations/Decisions Required:

- 1. That the Council notes the petition received from 84 residents of Torrington Drive;**
- 2. That the Council continues to enforce the removal of personal belongings and any other items stored in common parts of flats, with the exception of the following concessions as put forward by the Workplace Fire Safety Officer of the Essex Fire and Rescue Service:**
 - a. Pictures hung on the wall, provided that they do not contain glass in the frame.**
 - b. Mats placed outside front doors, provided that these are rubber backed (non-slip) and have a chamfered edge all around.**
 - c. Curtains at windows that are flame retardant**
 - d. Non-flammable items which are aesthetically pleasing (eg plant pots) stored in recesses away from any means of escape routes, and not on window cills.**
- 3. That letters be sent to all tenants and leaseholders in the blocks advising them of these concessions.**

Background

Legislation - The Regulatory Reform (Fire Safety) Order 2005

- 1. The Regulatory Reform (Fire Safety) Order 2005 was introduced in October 2006 by HM Government, which put the onus on people who have some level of control in premises to take reasonable steps to reduce the risk from fire and make sure people can safely escape if there is a fire. The order applies to virtually all premises and covers nearly every type of building, structure and open space including the shared areas of properties several households live in. It does not apply to people's private homes, including individual flats in a block or house.**
- 2. In order to comply with the Order, the Council are required to:**
 - carry out a fire-risk assessment of each block of flats identifying any possible dangers and risks;**
 - consider who may be especially at risk;**
 - get rid of or reduce the risk from fire as far as is reasonably possible and provide general fire precautions to deal with any possible risk left;**
 - take other measures to make sure there is protection if flammable or explosive materials are used or stored;**
 - create a plan to deal with any emergency; and**
 - review the findings when necessary.**

3. In response to this, the Council appointed a specialist company to undertake fire risk assessments of the complex blocks (annually) such as sheltered accommodation and the Council's hostel, and following staff training, the Council's Repairs Inspectors undertake fire risk assessments of the common areas to flat blocks (tri-annually). Fire Risk Assessments exist for all of our buildings which fall into the legislation, and are next due for review in April 2010.
4. The risk assessments, as far as is reasonably practical, make sure that everyone on the premises, or nearby, can escape safely if there is a fire. They also consider everyone who might be on the premises, whether they are visitors or members of the public. They pay particular attention to people who may have a disability or anyone who may need special help.

Building Regulations

5. Approved Document B of the Building Regulations paragraph 2.34 states that "*Common stairs need to have a satisfactory standard of fire protection if they are to fulfill their role as areas of relative safety during a fire evacuation*". Paragraph 2.40 states that "*A protected stairway needs to be relatively free of potential sources of fire. Consequently, it should not be used for anything else, except a lift well or electricity meters.*" Whilst the Building Regulations are not retrospective, they are expected to be used as a benchmark when undertaking fire risk assessments in accordance with the Regulatory Reform (Fire Safety) Order 2005.

Follow-up to Fire at Lakanal House in Camberwell, London

6. On 3 July 2009 at Lakanal House in Camberwell, London, 6 people lost their lives as a result of a fire. Shortly afterwards, the Housing Minister John Healey wrote to Local Authorities and Registered Social Landlords asking them to offer some reassurance to tenants, including practical measures that they could take to protect themselves from fire.
7. As a result of this request, the Housing Portfolio Holder reported at Full Council in July 2009, that in conjunction with the Essex Fire and Rescue Service, the Council had issued an information leaflet for tenants on fire safety, which was delivered to every Council property.
8. Letters were also sent to residents living in flat blocks explaining that the Council would be carrying out additional inspections of all the flat blocks, to ensure that personal belongings such as door mats, carpets, potted plants, sports equipment (i.e. bikes, scooter), chairs & tables, shoes, pushchairs, gates etc were not obstructing the communal areas or causing a potential hazard. Where personal belongings were found, residents were asked to remove them.

Petition

9. This action led to the Council receiving a petition signed by 84 residents of Torrington Drive, Loughton objecting "to the extreme measures that Epping Forest District Council intend to implement relating to alleged fire safety concerning personal belongings in communal areas." Signatories "therefore object to the removal of any of the items listed below that are currently insitu" The items that residents were objecting to having to remove include carpeting, door mats, wall pictures, pot plants and net curtains. An extract from the petition is attached at appendix 1.

Consultation

10. At their meeting on 27 November 2009, the Tenants and Leaseholders Federation were consulted on the issues, and in particular the views expressed in the petition. However, there was no clear opinion or preference from the Federation on a way forward. Three

options were put to the Federation, and members voted for their preferred option:

- | | | |
|----|--|---------|
| a. | To remove all items from the common areas and landings in line with the Council's letter to residents in July 2009 | 2 votes |
| b. | To allow residents to continue to place personal belongings in the common areas and landings. | 1 vote |
| c. | To find a middle ground, allowing ornaments and pictures in areas not on the means of escape, and for non-slip floor mats outside of flat entrance doors | 3 votes |
| d. | Don't know | 1 vote |

11. The Workplace Fire Safety Officer at Essex Fire and Rescue has been consulted on the dangers and risks associated with common parts of flat blocks. He was quick to confirm that all common parts to flat blocks, which form a means of escape must be 'sterile'. However, this is a subject he deals with on a daily basis, and he is mindful of the fact that these areas of flat blocks are also part of the buildings that people live in and therefore like to make feel more homely. Therefore, he has in the past conceded on the following:
- a. Where pictures are hung on the wall, they do not contain glass in the frame.
 - b. Where mats are placed outside front doors, these are rubber backed (non-slip) and have a chamfered edge all around.
 - c. Any curtains at windows must be flame retardant
 - d. Any plant pots must be stored in recesses away from any means of escape routes, and not on window sills.

These views were expressed verbally and despite a request are not available in writing.

Management Issues

12. Some items that are often stored by residents in common parts include such items as bikes, scooters, pushchairs etc. Whilst these would not contribute towards a fire hazard if stored in a recess (ie beneath the stairs), they are often regarded as a nuisance by other residents as they are unsightly, but also presents a problem for Caretakers and Cleaners, who are unable to keep these areas clean due to obstruction. It is therefore recommended that the Council continues to enforce the removal of such large items that are not aesthetically pleasing and would prevent the Caretakers and Cleaners from undertaking their duties to keep the common parts clean.

Scrutiny Panel

13. The Housing Portfolio Holder has asked that the Housing Scrutiny Panel discuss this matter in more detail, taking account of the views of the petitioners, the Tenants and Leaseholder Federation, the Council's obligations under the Regulatory Reform (Fire Safety) Order 2005 and the views of the Workplace Fire Safety Officer at Essex Fire and Rescue. The lead petitioner, Mrs J Figgins, and one other has been invited and will be in attendance at the meeting to express the petitioners' views in more detail.

We the undersigned herewith object to the extreme measures that Epping Forest District Council intend to implement relating to alleged fire safety concerning personal belongings in communal areas. We therefore object to the removal of any of the items listed below that are currently in situ.

Name	Address	Signature	Carpeting	Door Mat	Wall Pictures	Pot Plants	Other
A. TAYLOR	33 TORRINGTON DRIVE	<i>[Signature]</i>	✓	✓	-	-	-
C. WILLIAMSON	" " "	<i>[Signature]</i>	✓	✓	-	-	-
K. MILLS	59 " " "	<i>[Signature]</i>	✓	✓	-	-	-
R. LEWIS	61 " " "	<i>[Signature]</i>	✓	✓	✓	✓	-
V. JAMES	71 " " "	<i>[Signature]</i>	-	✓	-	-	-
E. MERCER	27 " " "	<i>[Signature]</i>	✓	✓	-	-	-
V. BRIGGS	31 " " "	<i>[Signature]</i>	-	✓	-	✓	-
C. VINNING	29 " " "	<i>[Signature]</i>	-	✓	-	✓	-
L. HAMMETT	25 " " "	<i>[Signature]</i>	-	✓	-	✓	-
M. WRIGHT	23 " " "	<i>[Signature]</i>	-	✓	✓	✓	-
M. COX	21 " " "	<i>[Signature]</i>	-	✓	-	-	-
P. KIMSEY	11 " " "	<i>[Signature]</i>	✓	✓	-	-	-
M. HAVARD	43 " " "	<i>[Signature]</i>	✓	✓	-	-	-
M. SEACU	41 " " "	<i>[Signature]</i>	-	✓	-	-	NET CURTAIN
R. ANDERSON	85 " " "	<i>[Signature]</i>	-	✓	-	-	-
P. BATES	87 " " "	<i>[Signature]</i>	-	✓	-	✓	-
I. TUNSTALL	97 " " "	<i>[Signature]</i>	✓	✓	-	-	LANDING CURTAIN
M. WEIGANT	99 " " "	<i>[Signature]</i>	✓	✓	-	-	-
D. SORRELL	107 " " "	<i>[Signature]</i>	-	✓	-	-	-



Report to the Housing Scrutiny Panel

Date of meeting: 15 December 2009

SCRUTINY

Chairman of Sub-Group: Cllr Mrs R. Brookes



Subject: Report of the Affordable Housing Sub-Group on Ways to Increase the Amount of Affordable Housing within the District and the Possibility of the Council Re-Commencing a Social House-Building Programme

Officer contact for further information: Alan Hall, Director of Housing (01992 564004)

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations:

- 1) That the report and recommendations of the Affordable Housing Sub-Group, attached as Appendix 1, on ways to increase the amount of affordable housing within the District and the possibility of the Council re-commencing a social house-building programme be considered;**
- 2) That the Housing Scrutiny Panel submits the report to the Cabinet for consideration, together with its own recommendations based on the report;**
- 3) That the report be presented to the Cabinet at its meeting on 1st February 2010 by the Chairman of the Housing Scrutiny Panel;**
- 4) That the Director of Housing, in consultation with the Assistant Director of Finance and ICT (Accountancy), submits to the Cabinet for approval a draft letter to the Minister of State for Housing and the Chief Executive of the Local Government Association (LGA) asking them if, in view of the Government's previous commitment to remove any obstacles that stop councils from building new Council homes, they could assist the Council to overcome the identified problem relating to the Council's Capital Financing Requirement, that currently makes a programme of new Council house-building financially unviable, due to the detrimental effect it would have on the Council's General Fund; and**
- 5) That those members of the Scrutiny Panel in attendance at the meeting of the Sub-Group approve the minutes, attached as Appendix 2, as a correct record of the meeting.**

Report

1. At its meeting in July 2009, and at the suggestion of Cllr Mrs R. Brookes, the Housing Scrutiny Panel agreed to set up an Affordable Housing Sub-Group to consider ways of increasing the amount of affordable housing provided in the District.
2. The Sub-Group met on the 26th November 2009 and considered two detailed reports from the Director of Housing on ways in which the Council could increase the amount of affordable housing within the District and on the possibility and implications of the Council re-commencing a social house-building programme.
3. The Scrutiny Panel is asked to consider the detailed report and recommendations of the Sub-Group, attached as Appendix 1. It is suggested that the Scrutiny Panel submits the report to the Cabinet for consideration, at its meeting on 1st February 2010, together with its own recommendations based on the report.

4. The report identifies a problem relating to the Council's Capital Financing Requirement (CPR), that currently makes a programme of new Council house-building financially unviable, due to the detrimental effect it would have on the Council's General Fund. One of the report's recommendations is that the Council writes to the Minister of State for Housing and the Chief Executive of the Local Government Association (LGA) asking them if, in view of the Government's previous commitment to remove any obstacles that stop councils from building new Council homes, they could assist the Council to overcome the identified problem. It is suggested that the Director of Housing, in consultation with the Assistant Director of Finance and ICT (Accountancy), drafts a letter to the Minister and LGA for approval by the Cabinet at the same meeting.

5. Since the Sub-Group does not intend to meet again, members of the Sub-Group are asked to approve the minutes, attached as Appendix 2, as a correct record of the meeting.



1. Introduction

1.1 At its meeting in July 2009, the Housing Scrutiny Panel agreed to set up an Affordable Housing Sub-Group to consider ways of increasing the amount of affordable housing provided in the District. This followed a suggestion by Cllr Mrs R. Brookes. She commented at our first meeting that, apart from ward constituency business, housing was the issue that had made the biggest impression on her since joining the Council. She was particularly struck by the information provided at the Housing Strategy Conference during the year and, in particular, the fact that average property prices in the District are around 11 times the average earnings for the District. She had also noted the high number of expressions of interest made by housing applicants for vacant properties, through the Home Options Choice Based Letting Scheme. She had wondered whether, at this time of low interest rates, more affordable housing - in the form of social rented housing and intermediate housing - could be provided by the Council.

1.2 The Housing Scrutiny Panel had appointed the members of the Sub Group, as follows:

Councillor Mrs R Brookes
Councillor Mrs A Grigg
Councillor Mrs J Lea
Councillor S Murray
Councillor D Stallan

1.3 We had our first (and only) meeting on the 26th November 2009. Unfortunately, Cllr K Chana was unable to attend. We appointed Cllr Mrs R. Brookes as our Chairman. The Director of Housing, Alan Hall, and the Assistant Director of Finance (Accountancy), Peter Maddock, were in attendance to advise the Sub Group. We were also pleased that the Housing Portfolio Holder attended our meeting, and assisted with the discussions.

1.4 We had the benefit of two detailed reports from the Director of Housing to consider. The first report set out the assessed need for affordable housing; the past, current and future provision; and identified some ways in which the Council could increase the amount of affordable housing within the District. The second report considered the possibility and implications of the Council re-commencing a modest Social House-Building Programme, following a relaxation of the financial regulations by the Government that previously inhibited such activity.

2. Increasing the Provision of Affordable Housing

Regional Spatial Strategy - The East of England Plan

2.1 The Regional Spatial Strategy for the East of England has currently planned for the provision of 48,600 additional dwellings in the Region by 2021, including 3,500 dwellings in Epping Forest (an annual rate of 175 per annum), plus a requirement for the Epping Forest District to contribute towards the expansion of Harlow by making provision for an additional, currently unspecified, number of homes close to Harlow.

2.2 Of the required 3,500 additional homes within the District, 1,784 additional homes were built between April 2001 and April 2009, which count towards this target. Furthermore, by April 2009, outline planning permissions had already been granted for 565 additional homes and detailed planning permission granted for a further 790 homes to be

built. Therefore, the minimum amount still to be provided in the Epping Forest District (through new planning permissions) between 2009 and 2021 (excluding those homes required to contribute towards the expansion of Harlow) is just 361 – an annual rate of around just 30 homes per annum, comprising both market housing and affordable housing.

2.3 Assuming that all 361 additional homes are on large sites, of which 40% would be provided as affordable housing, the East of England Plan only requires the Council to identify land to provide just 145 affordable homes between April 2009 and 2021 (in addition to the number of affordable homes to be provided from the total homes to be provided in the Epping Forest District around Harlow, to meet the growth requirements of that town).

Need for Affordable Housing

2.4 For some years, Government guidance on housing and planning has emphasised the requirement for local authorities to assess local housing need and develop strategies to address that need. This assessment process has generally been achieved by conducting Housing Needs Surveys. The Council last undertook a District-wide Housing Needs Survey in 2003, covering the period from 2003 to 2008.

2.5 However, in 2006, a national framework was introduced under Planning Policy Statement 3 (PPS3) for carrying out Strategic Housing Market Assessments (SHMAs), with final guidance published in March 2007. These assessments continue to provide information on the level of need and demand for housing locally, but they also contribute to the sub-regional and regional levels of planning.

2.6 A Strategic Housing Market Assessment (SHMA) analyses the entire local housing market, which is normally wider than local authority boundaries. It forms a crucial part of the evidence base that informs planning policies. The Council is within the Eastern Region for planning purposes, and part of the London Commuter Belt (LCB) Sub Region for housing purposes. Since the LCB Sub Region comprises 15 local authorities, it was considered too large an area for the production of a detailed and meaningful study. Therefore, 6 districts of the Sub Region, including Epping Forest, joined to form the London Commuter Belt (East)/M11 SHMA Area and commissioned Opinion Research Services (ORS) and Savills to undertake a comprehensive and integrated SHMA. The other 5 districts in the SHMA area are Brentwood, Broxbourne, East Herts, Harlow and Uttlesford. The research used secondary data from sources such as the UK Census, the former Housing Corporation, HM Land Registry and the Office for National Statistics, along with a consultation programme with a wide range of stakeholders.

2.7 We were advised that the SHMA found that an estimated 7,100 households in Epping Forest are considered to be unsuitably housed. The term 'unsuitably housed' is used to encompass households:

- that are homeless or have insecure tenure;
- that are 'mismatched' to the dwelling they live in;
- living in dwellings that lack amenities or are in a poor condition; and
- with social needs that can only be resolved through a move.

2.8 Some unsuitably-housed households may choose to move elsewhere, but not all problems of unsuitable housing require a move from the householder's current home. For example, a problem may be resolved by extending or repairing the home, or - where overcrowding exists - one or more member(s) of the household may be able to move out of the property. Where such solutions could not be applied, due to affordability or other

reasons, a household is considered to be in 'housing need' (a much rarer event than being unsuitably housed).

2.9 According to Land Registry data, the average (mean) property price in Epping Forest in 2008 (Quarter 4) was around £340,000. The average property price rose by 133 % between 2000 and 2008 (Quarter 1) - the highest increase in the SHMA Area.

2.10 In 2002, the average property price in Epping Forest was 9 times the median full-time earnings of someone working in the District. This rose to 11 times the median earnings by 2007 (compared to 6.5 times earnings in Harlow) – which is, by far, the highest ratio in the SHMA Area, although the largest increase in ratio was in Brentwood.

2.11 In determining mortgage borrowing, the Government states that it should be assumed that a single earner will borrow up to 3.5 times his/her earnings, with two-income households borrowing no more than 2.9 times their joint income. On this basis, the SHMA report identified that virtually no owner-occupied housing is affordable to households earning less than £30,000 per annum, and only 12 % of properties sold in the area would be affordable to individual earners with incomes of less than £50,000, borrowing at the maximum 3.5 times ratio, assuming little or no equity. For households to be able to consider the cheapest 25% of properties on the market in the SHMA Area, individual earners would need to earn at least £55,000 - £60,000, with joint-borrowers needing incomes of £65,000 - £70,000 or more. This equates to a property price of nearly £200,000, which is well below the average property price in Epping Forest.

2.12 For households earning £20,000 or less (typically assumed to require social rented housing) in the SHMA Area, just 17 % of local housing would be affordable – almost entirely in the social housing sector (with or without benefit support).

2.13 Around 50% of the stock in the SHMA Area requires earnings of over £65,000, with around a third requiring annual incomes of more than £80,000 per annum. Since over 75% of the stock is owner-occupied, many households will have existing equity and will not depend exclusively on the household income. However, most newly-forming households (and households moving out of rented housing) do not benefit from this additional finance.

2.14 In conclusion, we were advised that the SHMA Report identified that, based on long-term trends, there is an overall housing requirement by 2026 of 50,100 properties in the SHMA area, of which 47% (23,400) should be affordable housing.

2.15 The SHMA Report also identified that there is a residual requirement for 6,600 homes to be delivered in Epping Forest between 2007 and 2026, including an assumed provision of an additional 3,000 new homes in the District for the growth of Harlow. Bearing in mind this shortfall, the SHMA breaks down the projected residual housing requirement from the East of England Plan into the "ideal" amounts required for different tenure types.

2.16 Because house prices in 2007-8 were 21.5% above the long-term house price trend, the projections for the housing mix are based on a reduction of 21.5% from the 2007/8 level, to take account of the long-term house price trends.

Housing Requirement	Based on Long-Term Trends	
	Epping Forest	Harlow & M11 Corridor
Market housing	2,000 (30 %)	27,200 (54 %)

Intermediate affordable housing	1,800 (26 %)	12,100 (24 %)
Social rented housing	2,900 (44 %)	10,800 (22 %)
Total Housing Requirement	6,600	50,100

2.17 We noted that Epping Forest has the highest predicted percentage requirement of the total allocation for affordable housing, compared to the other local authorities, in the SHMA Area. The lowest is Harlow (11.5%).

2.18 However, we noted that the Council's recently completed Housing Strategy 2009-2012 recognised that it is unrealistic to expect that only 30% of the required 6,600 new homes provided in the District will be in the form of market housing, since the provision of most new housing is brought forward by developers, for whom it would be uneconomic to provide such a low level of market housing. Since it is unlikely, both for commercial and economic viability reasons, that the amount of affordable housing required of developers on development sites will be increased from the current requirement of 40%, the following table – reproduced from the Council's Housing Strategy provides a more realistic breakdown:

Epping Forest ("Realistic")	Housing Requirement 2007-26
Market housing	3,960 (60 %)
Intermediate affordable housing	925 (14 %)
Social rented housing	1,715 (26 %)
Total Housing Requirement	6,600

2.19 Since this will provide just 2,640 new affordable homes - an annual rate of around 132 per annum - it will leave a projected shortfall of around 2,060 affordable homes in the Epping Forest District, compared to the need for 4,700 affordable homes assessed by the SHMA, based on long-term house price trends.

Ability to Provide Affordable Housing

2.20 We noted that the Council's ability to increase the amount of affordable housing in the District is constrained by three main issues:

Land

2.21 We were made aware that the Council has not yet produced either its Core Strategy or its Site Specific Allocations under the Local Development Framework. The latter document will set out the locations where additional housing in the District will be allowed to meet the requirements of the East of England Plan.

2.22 Moreover, prior to the adoption of the East of England Plan, we were advised that the Council exceeded the previous Essex and Southend-on-Sea Structure Plan targets for new house-building, 8 years ahead of schedule; so all allocated sites were developed a number of years ago. Therefore, for a number of years, all new developments (including

associated affordable housing) have been on unplanned “windfall” sites. This will not change until the Council allocates additional land through its Site Specific Allocations.

2.23 We noted that the current position is that, following the issue of a “Call for Sites” inviting landowners to submit proposals for land to be included within the Site Specific Allocations, the submissions are currently being assessed by planning officers and will then be considered by the Local Development Framework Task and Finish Panel.

Grant

2.24 Although affordable housing can be provided without grant from the Homes and Communities Agency (HCA – one of the successors to the former Housing Corporation) or the Council, we were advised that the amount of affordable housing (compared to the percentage of market housing on Section 106 sites) is significantly reduced without grant. In any event, land is still needed.

Members' Priorities

2.25 We acknowledged that the Council is responsible for delivering many different – often conflicting - policies and services, and must balance these priorities. We recognised that, although more affordable housing could be provided in the future, it could have to be at the expense of other Council priorities.

Housing Register

2.26 We were advised that there are currently around 4,740 housing applicants registered on the Council's Housing Register in need of affordable housing. We were concerned to note that this number had increased by an incredible 20% over a four month period during 2009, and by over 30% over the past 18 months. This can be compared with just 1,480 households registered on the Housing Register in March 2002. We recognised that the main reasons for the significant increase are due to the recent collapse in the property market and the effects of the "credit crunch" and the recession on residents within the District.

Recent Affordable Housing Completions

2.27 Due to the dearth of housing sites in recent years, resulting from the early achievement of the previous Structure Plan target, we were advised that there have been very low numbers of affordable homes provided in past years. However, we noted that the number of expected completions this year is more significant, as shown below:

Tenure	2009/10 (Forecast)	2008/9	2007/8	2006/7
Rented (exc. special needs)	77	9	4	14
Shared Ownership	30	25	10	5
Totals	107	34	14	19

2.28 We were advised that the expected completions in 2009/10 are for the following developments (some of which have already been completed):

Development	No. of Affordable Homes
Epping Forest College, Loughton	56
St. Margarets Hospital, Epping	40
Spencer House re-provision	2
Pyrls Lane, Loughton	9
Totals	107

Affordable Housing Pipeline

2.29 We were advised that, in addition, a further 10 developments have either detailed or outline planning permission and are either on-site or have not yet started. It is expected, subject to the effect of the economic climate, that all these developments will be completed by March 2011 and will provide an additional 356 affordable homes, as follows:

Site	No. of Affordable Homes	Status (as at 1.11.09)
Epping Forest College (Phase 2), Loughton	39	On Site
White Lodge/The Limes, W/Abbey	96	Not yet started
Ongar Station, Ongar	19	Not yet started
Merlin Way, North Weald	80	Not yet started
Jennikings Nursery, Chigwell	54	Not yet started
St. Johns School, Epping	38	Not yet started
Church Hill, Loughton	4	To be tendered by EFDC
Acres Avenue, Ongar	12	Not yet started
Theatre Resource, Ongar	9	Not yet started
Off site provision from Warren Hill development, Loughton	5	Not yet acquired
Totals	356	

2.30 In addition, we noted that active consideration is currently being given by developers for the development of a further 8 sites in the District. Although unlikely, based on the developers' current proposals, we were advised that if all 8 developments receive planning permission, it would result – as at 1st November 2009 - in the provision of a further 178 affordable homes.

The Council's Capital Strategy

2.31 Each year the Council produces a Capital Strategy, which is a "high level" strategic document, linked to the Council's other key strategic documents. This follows the annual re-assessment of the Council's Key Capital Priorities, which set out the main areas in which the Council will invest its capital resources. These Key Capital Priorities are ranked, so that capital resources can be targeted at those ranked highest.

2.32 We noted that there are 8 Key Capital Priorities set out in the latest Capital Strategy, of which one is "Meeting Housing Need". Last year, this Key Capital Priority was ranked as the 2nd Highest Priority. However, at the Cabinet meeting on 16th November 2009, the Capital Strategy for 2009-2010 was approved, and it was agreed to raise the ranking of "Meeting Housing Need" to the **Highest** Priority, replacing the Key Capital Priority of "Improving the Council's Housing Stock", which is now the Council's 2nd Highest Key Capital Priority (having been the Highest one for last few years).

2.33 However, despite this ranking, we noted that, of the £53m being spent by the Council on capital projects over the five-year period 2009/10 - 2013/14, only £554,000 (1%) has been allocated to fund new affordable housing initiatives to help meet housing need.

Capital Funding Availability

2.34 Notwithstanding the low amount of capital resources currently allocated to fund affordable housing initiatives, we were advised that there is limited scope within the Capital Programme to divert funding from other projects. Therefore, if any additional funding is made available for new affordable housing initiatives to help meet housing

need, it would be necessary to increase the Council's Capital Programme, funded from capital receipts.

2.35 We noted that it is currently predicted that the balance of usable capital receipts will fall from around £19.24m in April 2010 to around £11.03m in April 2014 (after taking into account capital projects needing capital funding over this period). We also noted that the Council is currently benefiting from the revenue income generated by the investment of these balances. The full year effect of funding, say, £1m of additional expenditure from capital receipts would be to reduce investment income by approximately £10,000 per annum at current interest rates. Any additional expenditure would therefore have an impact on either the level of the Council Tax or the level of other services being provided.

Ways of Increasing the Amount of Affordable Housing

2.36 Following consideration of the background outlined above, we then considered a detailed report from the Director of Housing on possible ways the Council could modestly increase the amount of affordable housing within the District.

Open Market Shared Ownership

2.37 We noted that the Cabinet has made provision of £350,000 within the Capital Programme for one of the Council's Preferred RSL Partners (Moat) to operate a bespoke low cost home ownership scheme for Epping Forest, called Open Market Shared Ownership. Under the proposed scheme, housing applicants would be able to purchase a one-bedroomed property on the open market on a shared ownership basis ("part rent – part buy").

2.38 The benefit of this approach would be that, firstly, it does not rely on new developments coming forward by developers on Section 106 sites and, secondly, it would provide much greater flexibility to applicants than "NewBuild" shared ownership, since instead of being restricted to new-build opportunities that may arise on a specific new development in a specific location, applicants could choose the home they wish to purchase within a prescribed maximum purchase price.

2.39 We were advised that, under the scheme already agreed by the Cabinet, applicants would purchase a 50% equity share in a one-bedroomed flat that they select on the open market, which would be funded by the applicant through a mortgage and any deposit. The Council and Moat would purchase two remaining shares, totalling the remaining 50%. Based on the purchase of a flat valued at £190,000, Moat's share would be 21% and the Council's would be 29%. The applicant would pay Moat an annual rent, initially equivalent to 2.5% per annum of the value of the equity held by both Moat and the Council, which Moat would use to fund the cost of the loan required to purchase its share. The amount of equity that Moat could purchase would be directly dependent on the rental income received; the Council would then purchase the remaining equity. No rent would be payable to the Council for its equity share.

2.40 We noted that, under the proposed scheme, the shared-owner would be able to purchase additional tranches of equity from Moat and the Council, up to the full 100% equity (referred to as "staircasing"). The price for the tranches would be linked to the open market value of the property at the time of purchase. The proceeds from each tranche purchase would be split between Moat and the Council, according to the respective percentage equity holdings. Therefore, over time, the Council would recoup its initial investment, plus the increased value of its equity (provided property prices increase). It was proposed that the capital receipts received by the Council as a result of staircasing would be held by the Council and used to fund further purchases in the future, in the

same way. Similarly, any net receipts received by Moat from staircasing (after repaying its loan to purchase the initial equity) would be kept by Moat in an interest-bearing account, ring-fenced, and used to supplement further equity purchases by the Council (or, at the discretion of the Council, to fund other affordable housing schemes).

2.41 However we noted that, soon after the Cabinet had agreed the bespoke scheme, the Government introduced a very similar new national scheme (through the Homes and Communities Agency - HCA), called "MyChoice Homebuy", which was more generous to applicants. Therefore, we noted that, in April 2008, the Housing Portfolio Holder decided that the Open Market Shared Ownership Scheme should be held in abeyance, and that no further work should be undertaken, until the demand and success of the new MyChoice HomeBuy Scheme could be assessed. However, we also noted that he had decided that the budget provision for the Scheme should be retained in the Capital Programme, and that a decision on whether or not to implement the scheme - and continue to make budget provision within the Capital Programme - should be made at a later date.

2.42 We were advised that, in Autumn 2009, the Government closed the MyChoice Homebuy Scheme. This was because the Government wanted to shift the resources allocated to MyChoice Homebuy, to new-build affordable housing, to assist with the credit crunch and the stalled house-building industry.

2.43 We were interested to note that MyChoice Homebuy had proved to be a very popular, flexible, scheme to assist first time buyers and that the Director of Housing had therefore made contact with Moat to ascertain whether or not they would be interested in either introducing the Open Market Home Ownership Scheme previously agreed in principle, or discussing an alternate scheme based on the MyChoice Homebuy model, but with the Council taking the place of the HCA.

2.44 However, we were advised by the Director of Housing that Moat Housing Group had said that it was no longer interested in working with the Council on such a scheme, because it was now targeting its efforts on providing shared ownership schemes through new-build. The Director of Housing explained that, in view of this, he had recently made contact with Orbit Housing Group, which is the Homebuy Agent for another part of the Country, to ask if, in principle, Orbit would be interested in working with the Council on either;

- (a) The Open Market Shared Ownership Scheme already agreed by the Cabinet;
or
- (b) An alternate scheme, similar to Moat's successful MyChoice Homebuy Scheme, but with the Council undertaking the role of the Homes and Communities Agency

2.45 At the time of our meeting, a response was awaited. However, we asked the Director of Housing to provide an oral report to the Housing Scrutiny Panel on the outcome of this approach, when it considers this report.

2.46 Subject to the outcome of the discussions with Moat Housing, it is likely that the £350,000 budget could fund the purchase of around 6 properties under the Open Market Shared Ownership Scheme, or around 5 properties under an alternate MyChoiceHomebuy Scheme. It should be noted, however, that this investment would not just fund one purchase since, when the applicant purchases additional tranches of equity - or sells their property - the Council would receive a capital receipt, which could be used to assist further applicants. Ultimately, the Council would recover its investment - which

would be either more or less than its original investment, depending on whether the value of the properties purchased with the grant has increased or decreased in value.

2.47 After discussion, we concluded that we should recommend that the budget provision of £350,000 should be retained within the Capital Programme, but that no increase in the budget should be sought at this stage, in view of the current uncertainty of a provider.

Home Ownership Grants

2.48 We recalled that, in October 2007, the Cabinet approved a pilot scheme for the provision of five Home Ownership Grants of £34,000 each, totalling £170,000, to be awarded to five Council tenants in 2008/9 (subject to them meeting an agreed criteria). The grants enabled secure tenants to purchase a property on the open market and give vacant possession of their Council property on the day of completion. Once their property was vacated, the Council then made this vacancy available through the HomeOptions Choice Based Lettings Scheme. The Scheme therefore assisted five tenants to enter home ownership, and a further five housing applicants to access Council housing. We noted that the Cabinet also agreed that the Housing Portfolio Holder should review the Pilot Scheme after six month's operation, including whether the funding allocation was sufficient.

2.49 We were advised that, due to the successful promotion of the Scheme, 38 applications were received and that the Housing Portfolio Holder had therefore subsequently agreed a selection criteria to allocate the five grants; all five applicants completed their house purchase.

2.50 We further noted that, in March 2009, the Cabinet had reviewed the success of the scheme and, in view of the economic climate and the difficulties for first-time buyers to secure mortgages to purchase properties on the open market, had agreed to make capital provision of a further £170,000 in 2009/10, to fund a further five Home Ownership Grants.

2.51 We noted that the Scheme continues to be popular and successful and that, following a marketing exercise earlier in the year, 31 tenants had applied for Home Ownership Grants. Five had been shortlisted, who are currently in the process of finding homes on the open market.

2.52 There is currently no budget provision within the Housing Capital Programme to fund any further grants. However, at the Cabinet meeting in March 2009, it was agreed that the Housing Portfolio Holder should review the success of the Scheme's continuation after nine month's operation and reports to the Cabinet on whether or not the Scheme and associated funding should be continued into 2010/11.

2.53 We therefore considered whether or not we should recommend the continuation of the Scheme in 2010/11. We concluded that the Scheme should continue, since it assisted both first time buyers and applicants on the Council's Housing Register. However, in view of the relatively high interest shown in the grants by tenants, we felt that there may be benefits in reducing the individual amount of grant from £34,000 to £28,000, which would enable 6 grants to be provided within the budget of £170,000, instead of 5 grants.

2.54 The Assistant Director of Finance and ICT (Accountancy) explained that the Cabinet undertakes a full review of the Capital Programme in the Autumn each year. However, he further explained that the Capital Programme could be updated at any time during the year, and we therefore agreed to recommend that budget provision of

£170,000 be made for the provision of 6 Home Ownership Grants in 2010/11.

2.55 We also decided to recommend that, in the first instance, all those unsuccessful applicants for the Home Ownership Grant Scheme this year should be contacted, to see if they are still interested in grants and, if so, that they should be selected in accordance with the established criteria. We felt that, only if there are insufficient numbers interested, should another marketing exercise be undertaken.

Development of Under-used Difficult-to-let Council Garage Sites

2.56 We were reminded by the Director of Housing that Estuary Housing Association had recently completed the development of six small developments on land previously owned by the Council - mainly on difficult-to-let garage in Loughton, Buckhurst Hill and Waltham Abbey - to provide homes for local people on the Council's Housing Register.

2.57 The six sites have provided 29 new homes – 18 homes are for rent, at affordable rents with long term assured tenancies and 11 homes are for shared ownership for first time buyers, enabling the occupiers to buy equity in their home, and to increase the amount of equity in future years, up to full home ownership.

2.58 We were advised that the Council had enabled the developments to be built, by providing a capital grant to Estuary Housing Association of £1 million and by transferring the land for free. The remainder of the costs were funded by Estuary's private finance (a loan from a funding institution). All residents for the rented housing were nominated by the Council, through the Council's HomeOptions Choice Based Lettings Scheme.

2.59 We noted that a further development by Estuary Housing Association - of 12 shared ownership homes for first time buyers at Acres Avenue, Ongar – is due to commence shortly, once the legal agreements have been finalised. This scheme is being funded by the Homes and Communities Agency.

2.60 The Council continues to have a number of difficult-to-let garage sites with: more than 20% of the garages vacant; many of the garages used for storage; and no applicants on the waiting list.

2.61 We were advised that, some time ago, seven difficult-to-let garage sites had been identified by the Director of Housing as potentially having development potential. The Cabinet had agreed that Home Housing should undertake an initial feasibility study to assess the potential number of affordable homes that could be provided on these sites, with a view to undertaking the development. This had established that, potentially, 40 new affordable homes could be provided on these sites, subject to the receipt of planning permission.

2.62 We understand that, more recently, a simple desk-top exercise has identified a further 43 difficult-to-let garage sites, that may also have development potential, and that site visits are currently being undertaken to these sites to ascertain whether or not they could be developed.

2.63 We agreed to support the principle of undertaking more detailed feasibility studies of these sites to assess the development potential further, and agreed to recommend that a report on this exercise should be presented to a future meeting of the Cabinet. However, in so doing, the members of our Sub Group made it clear that we could neither support nor oppose proposals for any *individual* locations, since not only did we not know the sites, we recognised that such a declaration could fetter our individual members' discretion, if such sites were to result in a planning application.

Local Housing Company

2.64 It was reported to us that, at its meeting on 7th September 2009, the Cabinet had considered an initiative promoted by the Leader and Deputy Leader of the Council, and the Housing Portfolio Holder, that could potentially provide a better rate of return for the Council than its current investments (currently less than 1%). Under the proposal, the Council would set up a Local Housing Company to purchase a number of properties on the open market and then let them at market rents, with a loan from the Council. In addition to the Council receiving the loan interest (which would currently amount to around 4%), any surplus rental income (after the deduction of the loan interest and other costs such as a legal, management and corporation tax) would also be returned to the Council through a legal agreement. The Directors of the Company would be Council members.

2.65 We noted that initial costings by the Asst. Director of Finance & ICT (Accountancy) suggested that, for every 10 properties purchased and let in this way, the Council could potentially receive additional investment income (currently) of around £57,000 per annum more than from that obtained from normal investments.

2.66 However, we were advised that such an arrangement would be fairly unique and that the Cabinet had therefore agreed to obtain specialist legal advice on, amongst other things:

- How the company would have to be set up
- How the company would operate
- The legal powers available
- The required consents
- Initial tax advice

2.67 In addition, we were advised that it would be necessary to undertake a more detailed financial appraisal of the potential costs and income, and whether the initiative would be financially viable.

2.68 We noted that, once the Cabinet has this information, it would be in a position to make a prudent decision on whether or not to proceed with such an arrangement and, if so, in what way. If the scheme was to go ahead, a decision would also need to be made on the level of loan that should be provided to the Local Housing Company.

2.69 We also noted that, although this initiative would not provide any additional affordable housing, the purchased properties would be let to homeless applicants and other housing applicants on the Council Housing Register, who would normally be unable to access the private rented market, due to the need to fund rent and deposits in advance. Since applicants on low incomes would be eligible to a full or partial local housing allowance (housing benefit), the proposal could assist the same client group as those assisted with the provision of affordable housing.

2.70 We therefore considered it appropriate to draw the Housing Scrutiny Panel's attention to this initiative.

Purchasing Properties off the Open Market

2.71 We were advised by the Director of Housing that the Homes and Communities Agency (HCA) no longer funds housing associations to buy properties off the open market, to let at affordable rents. This is because the HCA's priority is to use its resources to help

with new house-building, and the purchase of existing properties does not benefit the house-building industry. However, such an arrangement would increase the amount of affordable housing in the District.

2.72 We noted that the Council has, in the past, provided significant amounts of Local Authority Social Housing Grant to housing associations to provide affordable housing in the District (around £8.1m since 1993). The last scheme to receive LA SHG (£1m) was the development of six former Council-owned sites by Estuary Housing Association, referred to earlier in our report. Generally, the Council has only funded those developments that, for various reasons, cannot be funded by the HCA.

2.73 Therefore, if the Council was willing and able to provide more Local Authority Social Housing Grant in the future, it could provide grants to one of the Council's Preferred RSL Partners to purchase properties off the open market and to let them at affordable rents. We learnt that grant would only be required for part of the cost; the housing association would obtain private finance for the remaining amount.

2.74 We understand that the provision of 2 and/or 3 bedroom houses could assist more people than smaller properties, since existing Council tenants could transfer into larger 2/3 bedroom houses, leaving their smaller accommodation available for other housing applicants. The amount of grant required would vary, depending on the value of the properties, but we were advised that, on average, a grant of £75,000 could be used to purchase a 2 or 3 bedroomed house, especially if the property was previously a Council property, sold under the right to buy.

2.75 After some discussion, we therefore agreed to recommend that budget provision of £375,000 should be made within the Capital Programme, to fund the purchase of around 5 or 6 two or three bedroomed houses within the District. We also agreed to a suggestion by the Director of Housing that a tendering exercise should be undertaken amongst the Council's Preferred RSL Partners to select an RSL that could provide the best value for money.

Prioritisation of Funding Requests to the Council

2.76 Finally, we gave consideration to a suggestion from the Director of Housing that we should prioritise the funding requests that we were proposing. However, we concluded that, because each of the proposals are so different, and would assist either first time buyers and/or housing applicants, it was not possible for us to rank the proposals.

3. New Social House-Building by the Council

Introduction

3.1 We were advised at our meeting that the last new general-needs Council property was built in June 1985 (19 houses built for sale at Mountbatten Court, Buckhurst Hill). Since 1977, the Council has sold around 6,150 properties, predominantly through the Right to Buy. The Council currently owns and manages around 6,500 properties.

3.2 We noted that, since the 1980s, councils have been discouraged by successive governments from building new social housing themselves, and encouraged to act as “enablers”, by facilitating housing associations to build new social housing. To discourage councils from building, the Government has previously established financial rules that penalise many local authorities that build – a high proportion of rent received from Council properties has had to be passed on to the Government, in the form of negative housing subsidy (for this Council – around 44%), and 75% of any capital receipts received from the sale of properties under the right to buy has had to be passed to the Government under its pooling arrangements.

3.3 However, we learnt that the Government’s policy has now changed. Mainly as a result of the collapse of the property market and the credit crunch, the Government is now encouraging local authorities to build once again. Not only has it removed the main financial disincentives, it has also provided capital funding solely for local authorities to assist with the required capital costs.

3.4 A report from the Director of Housing, circulated with our agenda, provided us with information to consider whether or not the Council should start building new affordable homes again itself, to a modest degree. However, an Addendum Report tabled at our meeting provided us with some important financial information, that seriously affects the viability of the Council undertaking which we refer to later in our report.

New Financial Regulations

3.5 We were noted that Section 80B of the Local Government and Housing Act 1989 enables local authorities to exclude specified properties from the operation of the HRA Subsidy System by agreement with the Secretary of State. In August 2009, following a period of consultation, the Government introduced new regulations, which remove the two major disincentives. These change the revenue and capital rules and allow local authorities to:

- Retain all of the rental income received from new properties (built after August 2009); and
- Retain all of the capital receipts from the sale of properties that were built after the introduction of the changes.

3.6 These rules exclude specific **new** properties from both the HRA subsidy system and the capital rules. This must be done through specific agreements between individual local authorities and the Secretary of State. The types of properties that qualify for exclusions under the proposed scheme are:

- New-build properties
- Properties purchased or otherwise acquired

- Derelict or uninhabitable properties brought back into use as a result of significant council investment

3.7 Local authorities must apply for an exclusion for new developments (or acquisitions) to the Homes and Communities Agency (HCA), who will advise the Secretary of State on whether the exclusion should be allowed.

3.8 Applications must include details about the proposed development, including design and development standards, rents and allocation policies. If agreed, the Secretary of State will issue a short letter of agreement in a standard form.

3.9 Although decisions on how a local authority chooses to invest its own resources is essentially a local matter, in granting an exclusion, we were advised that the Secretary of State would expect to see evidence that "appropriate local decision-making processes have been applied, including a robust options appraisal, and that the chosen option offers value for money". The Government only expects to exclude properties that conform to all Government policies regarding council housing. The Government will also have to consider the overall impact on its fiscal policies when considering applications for exclusion.

Why Develop ?

3.10 Since the development of affordable housing by the Council itself will not increase the overall amount of affordable housing that could otherwise be provided in the District by other agencies (since Council-owned sites could be developed by housing associations), we considered the fundamental question of why develop new affordable housing itself and not simply continue to be, only, an enabler of affordable housing by housing associations - as has been the case since the 1980s ?

3.11 Firstly, we recognised that the Council will continue to be the main facilitator/enabler of affordable housing by housing associations in the District. Most new affordable housing will continue to be developed by housing associations, with the assistance of the Council.

3.12 However, we felt that there are a number of reasons why, in principle, the Council should undertake a modest programme of new social house-building, initially on land in its ownership, provided that the financial circumstances are not inhibitive. Some of our reasons for concluding this are as follows:

- (a) Since the late 1970's, with the effects of the Right to Buy, voluntary sales and no new house-building, the Council's housing stock has declined dramatically. Indeed, our housing stock has reduced by around 50% (6,150 homes) since 1977. One of the effects of this decline has been an increase in unit costs. For example, generally, a number of the costs of undertaking a repair/improvement scheme on a housing estate are constant, irrespective of the number of properties involved. An increase in Council properties can therefore reduce unit costs. A similar benefit is obtained in terms of housing management.
- (b) The Government's new regulations remove the two main financial barriers that deterred local authorities from building. We therefore have an ideal opportunity to increase the size of our housing stock, without incurring any financial penalties.
- (c) The Government/HCA is providing significant funding for councils to build new affordable housing. Although this ring-fenced funding may not continue, it is likely that some form of funding will be available in the future. By accessing this funding, we can increase our asset base and the value of our assets at only a partial cost to the Council.

- (d) In the past, the Council has provided significant capital funding and free land to housing associations to provide affordable housing in the District. In the future, the financial benefits of such capital funding and free land would benefit the Council and not housing associations.
- (e) We were advised that, generally, financial appraisals expect developments to break even within 30 years. However, the life expectancy of a property is far longer. Therefore, in the long term, we believe that there will be financial benefits to the Council, since rent will still be received beyond 30 years, whilst one of the main costs (loan interest) will no longer be payable. The Council today is now benefitting financially from Council properties built in the late 1970s.
- (f) We would have greater control over some of the affordable housing provided in the District (in terms of design and layout).
- (g) Although there is no evidence at present, we consider that it is possible that the Audit Commission may, at some time in the future, be critical of the Council for not embracing this Government initiative and the perceived benefits.

Capital Funding Availability

3.13 we noted that, to date, the HCA has held two bidding rounds inviting local authorities (only) to bid for ring-fenced capital funding. Round 1 provided £127m to 47 local authorities to build around 2,000 new council homes – we understand that only 1 local authority is in the East of England (Cambridge). The closing date for Round 2 has passed (30 October 2009) and will provide an additional £180m for new local authority homes. The HCA expects local authorities to provide around 50% of the required capital funding, with the HCA grant funding the remaining 50%. The HCA also expects local authorities to provide the land free of charge.

3.14 Although the Government has not yet announced any further bidding rounds, it is expected that further capital funding will be made available to local authorities in the future, either ring-fenced to only local authorities or, more likely, by allowing local authorities to bid against housing associations for funding from the National Affordable Housing Programme.

3.15 Although the HCA expects to fund local authorities that build on their own land, we believe it is conceivable that, in the future, the HCA could also fund local authority developments on privately owned land, where the land is provided by a developer free, through a Section 106 Agreement (in a similar way to housing associations).

Requirements to Access Funding – The Pre-Qualification Questionnaire (PQQ)

3.16 We were advised that, in order to be able to bid for funding from the HCA, a local authority (or an RSL) must become an “investment partner” of the HCA. To become an investment partner, the applicant must pass a “pre-qualification” process. This involves an application being made to the HCA by the local authority, that must demonstrate that the local authority;

- is of “good standing” (principally through a signed statement of good standing);
- has sufficient technical capacity and experience (through examples of previous development projects); and

- has sufficient financial capacity to handle significant values of grant and has financial viability

Appointment of Development Agent and the Development Process

3.17 When the Council last built Council properties in the 1980s, we had an in-house team with the required skills and experience to undertake the design and to project manage the construction. However, following the effective moratorium on new Council building, these skills and experience have mostly been lost to the Authority. We now only have one Senior Architectural Assistant, who we understand has other commitments and does not have the capacity to undertake even a modest new house-building programme. Moreover, it is unlikely that the Council would pass the PQQ process on its own, since we could not demonstrate that we have either sufficient technical capacity or experience.

3.18 We propose, therefore, that if the Council embarks on a new house-building programme, that we should take a similar approach to smaller housing associations who want to build new social housing – by appointing an existing housing association that is already an investment partner of the HCA to act as Development Agent.

3.19 We understand from the Director of Housing that, in return for a fee (expected to be between 1% - 3% of the works cost), the Development Agent would provide a full development service on behalf of the Council. Initially, we would ask the Development Agent to complete and submit the HCA's Pre-Qualification Questionnaire on behalf of the Council, for us to achieve investment partner status with the HCA. It would then use its existing arrangements and contracts with architects, employers agents and contractors to assist with the development process. We believe that, one of the benefits of this approach, is that we understand most large housing associations already have arrangements with architects, whereby feasibility studies are undertaken by them "at risk". If the development is not viable, or aborted, no fees are payable.

3.20 We would advise that the Council enters into a Development Agreement with the selected Development Agent. We propose that the Development Agent would then, effectively, sub-contract with the required contractors and consultants. The Council would pay the Development Agent for the contractor's and consultants' services under the Development Agreement, which would be in addition to the Development Agency Fee, who would then pass on this payment to the consultants and contractors under their contracts.

3.21 Once a site (or sites) has been identified, we would expect the Development Agent to undertake a Development Appraisal, which would assess whether or not an identified site has development potential, and enable the Council to consider the financial implications, decide whether or not it wishes to proceed, and determine how the development should be funded.

3.22 Following the feasibility stage, we would ask the Development Agent to submit applications to the HCA, on behalf of the Council, to exclude the proposed new Council homes from the operation of the Housing Revenue Account Subsidy System, as explained above.

3.23 Once the application is approved, the Development Agent would then seek planning permission from the Council and capital funding from the HCA on our behalf. Once planning permission and funding approval has been obtained, we would propose that the Development Agent (or its Employers Agent) then selects a contractor and

oversee the construction. At practical completion, the newly-constructed homes would be handed over to the Council for letting to applicants on our Housing Register. The properties would be owned by the Council and we would receive the rental income, and manage and maintain the properties.

3.24 We propose that, if the Council agrees to re-commencing a house-building programme, the Development Agent should be appointed following a competitive process. We were advised that, since the total value of the Development Agreement (which would have to include the costs of consultants and contractors) would be in excess of the current EU Procurement Threshold for Services of £139,893, it would be necessary to follow the European OJEU procurement process to appoint the Development Agent. We would strongly suggest that the selected RSL should have to be an existing investment partner of the HCA and we also suggest that they must also have a development base in either Essex or Hertfordshire at the start of the contract. Although we would suggest that the Council's five current Preferred RSL Partners should be allowed to apply, we believe that other RSLs should also be invited to apply.

3.25 In view of the potential number of applicants, we would suggest that interested RSLs should be asked to complete a PQQ, from which a shortlist of four RSLs should be selected using a pre-determined criteria and invited to provide tender submissions. We propose that tenderers should be invited to give presentations to a Selection Panel, and that an appointment should be made on the basis of price and quality, having regard to the RSLs' Tender Submissions and presentations. We would suggest that the Selection Panel comprises the Housing Portfolio Holder, Director of Housing, Asst. Director of Housing (Property) and Asst. Director of Finance and ICT (Accountancy).

3.26 We also suggest that the Development Agreement should be for a three-year period, with an option to extend the Agreement for three further individual years. We would recommend that a review is then undertaken, towards the end of the development period, to enable the Council to decide on the approach we would like to take in respect of future developments, in the light of experience.

3.27 We noted that the Council's own legal service may not have either the expertise or the capacity to draft the required Development Agreement with the Development Agent. If this is the case, we would suggest that we appoint a firm of solicitors specialising in this area to undertake the legal work, although we understand that there is currently no budget. However, since it is expected that this would cost no more than £2,000, we concluded that it could be easily funded by a virement from an under-spent budget, under the delegated authority of officers.

Potential Development Sites

3.28 We understand that the HCA's guidance for the recent bidding rounds makes it clear that the land for any developments must be provided free of charge, and must be for rent (and not for first time buyers – e.g. shared ownership). This suggests to us that only existing Council land can be developed by local authorities. Members of the Housing Scrutiny Panel may be aware that we have been working in partnership with Estuary Housing Association to develop seven former Council-owned sites across the district to provide 41 affordable homes for rent and shared ownership. These have predominantly been former garage sites that were difficult-to-let. We noted that six of these sites have now been completed and that the last site has planning permission and is due to commence shortly.

3.29 We were reminded that the Council has a "Difficult-to-let Garage Policy", which states that any garage sites that have more than 20% of the garages vacant, with no

waiting list, should be considered for redevelopment. The Council has many such sites and we were advised that the Director of Housing is currently in the process of filtering out those sites that have no development potential. We understand that, already, it is clear that a number of these are suitable for redevelopment, and could be put through the development process by the Council's Development Agent. Indeed, we were reminded that 7 difficult-to-let Council garage sites have previously been identified as potentially having development potential, following initial feasibility studies undertaken by Home Housing (at the Council's request), and we were advised that these could provide, potentially, 40 new affordable homes, subject to the receipt of planning permission.

3.30 We noted that, more recently, a simple desk-top exercise has identified a further 43 difficult-to-let garage sites, that may also have development potential. We understand that site visits are currently being undertaken to these sites to ascertain whether or not they could be developed.

3.31 Moreover, we understand that the Council has a number of land-holdings held within the General Fund that may become surplus to requirements at some time in the future. We believe that if we have a Development Agent appointed at the appropriate time, any affordable housing required on these sites could be provided by the Council, instead of by a housing association.

3.32 Although not specifically covered by the current bidding guidance, we believe it is possible that some of the affordable housing on large private developments required by Section 106 Agreements could be provided by the Council in future, if the land is provided free. However, we would need to ensure that the Council is not given any advantage over the Council's Preferred RSL Partners, who currently provide most of the affordable housing on such sites, since this could be deemed anti-competitive by both developers and RSLs. In any event, we do not suggest that such developments on Section 106 sites are considered as part of any Development Agreement, but we may want to consider that as part of our suggested review of the Development Agency approach towards the end of the development period.

Issues and Implications

Proposed HRA Reforms

3.33 Members of the Scrutiny Panel may be aware that the Government has recently consulted on proposed radical changes to the administration of the Housing Revenue Account (to which the Council submitted a response), and is currently considering the responses received from the consultation. One of the Government's proposals is that the national housing debt (amounting to around £15 Billion) is shared amongst all local authorities, including those that (like the Council) are currently debt-free.

3.34 The Asst. Director of Finance and ICT advised us that he has considered whether or not any decision made by the Council to re-commence the building of Council homes would have any effect on the Council's position in the future, as a result of these HRA reforms, and he had concluded that it would have no effect. We were asked to note, however, that if there are any material implications of the Council no longer having its debt-free status as a result of prudentially borrowing (which we refer to later in our report) these implications would arise, in any event, if the Council received a share of the national housing debt as a result of the HRA Reforms.

Use of Capital Receipts

3.35 We considered that another way to fund the Council's contribution would be to

utilise capital receipts – either in full or in part. This would have the benefit of avoiding or reducing the amount of prudential borrowing required. However, we acknowledged that such use would have an adverse effect on the Council’s General Fund, since the Council would lose the investment interest from those capital receipts, which is currently used to keep council tax to a minimum.

3.36 Therefore, we do not suggest - at this stage - that capital receipts should be used to fund Council-house building. If the Council does decide, at a later stage, to use some capital receipts, this decision would need to form part of the consideration of individual development appraisals (see below).

Development Appraisals

3.37 Once a site has been identified as having development potential, we would expect the Development Agent to undertake a formal Development Appraisal, which would include a financial appraisal. We would propose that all Development Appraisals, at least in the early stages, should be reported to the Cabinet for approval. We believe that this is important, since it will be necessary for the Cabinet to not only approve the development, but to also allocate sufficient funding within the Housing Capital Programme and ensure that the proposed development can be adequately resourced through prudential borrowing and/or capital receipts.

Staff Resources

3.38 We acknowledged that the introduction of this initiative would involve staff time being allocated. However, on the advice of the Director of Housing, we believe that this could be undertaken within existing staff resources and would not have any impact on the Council’s key housing priorities. We believe that the initiative should be led by the Director of Housing, assisted (particularly in relation to technical issues) by the Asst Director of Housing (Property). We were also advised that the Senior Architectural Assistant, who transferred to the Housing Directorate following the Top Management Restructure, should have some capacity in the near future to also provide support and assistance

Timescales

3.39 In his report to us, the Director of Housing provided us with an indicative timescale of the key milestones. However since, for reasons we explain towards the end of our report, we are not recommending that the Council embarks on a new house-building yet, it is not possible for us to provide a list of key dates. However, we have set out below the estimated timescales for each of key milestones, from the date the Cabinet is in a position to approve our proposed approach, assuming that the OJEU Restricted Procedure is followed:

Approval to proposed approach by Cabinet	Month 0
Updating of Prudential Indicators and Treasury Management Strategy by Cabinet	Month 1
Issue of OJEU Notice	Month 2
Out to Tender to shortlisted RSLs from PQQ process	Month 4
Contract Signed	Month 7
Completion/approval of first feasibilities / development appraisals	Month 10
Receipt of planning permission	Month 14
Start on site	Month 18

Key Risks

3.40 Before making a decision in principle to re-commence a programme of new Council building, we believe that it is very important to consider the key risks, since the costs involved will be large. The main risks that we have identified, based on the Director of Housing's advice, are as follows:

Actual Costs are Higher than Estimated

3.41 We know that the Development Appraisal will assess the construction costs and fees, as well as the estimated rental income, loan interest and ongoing management and maintenance costs. However, although some of these will be relatively accurate, a number of costs/income will be based on assumptions. We believe that the effect of actual costs being different from estimated will vary. Some differences will be negligible, whilst some (for example interest rates) could be significant. We consider that it would be important, therefore, that the Development Appraisals include a "sensitivity analysis", which would explain the effects of differing assumptions, so that the Cabinet can make informed decisions based on different scenarios.

3.42 As always, unexpected site conditions can significantly affect costs – we believe that it will therefore be important to ensure that all developments have financial contingencies.

Abortive Costs

3.43 We know it is possible that some developments, that incur costs up to a particular point, do not proceed. An obvious example is if a development does not obtain planning permission. We believe that these costs can be mitigated to some degree by having arrangements with consultants, whereby the consultants work "at risk" up to the feasibility stage. However, we also know it is possible that some proposed developments do not receive planning permission or that, in the event, the Council decides not to proceed with a development. In these cases, the Council would have to accept that it must bear the abortive costs (in the same way as it is accepted by all developing housing associations), on the basis that such a detriment is outweighed overall by the advantages.

Changes in Government Policy

3.44 We know that Governments often change their position on policies, especially in relation to local government and public housing, and especially when there is a change in Government. However, we believe it is likely that the main effect of a change in approach by Government would simply be that the Council would no longer be able to continue developing itself. The only financial effect would be the set-up costs, which will be minimal – mainly officer time.

3.45 We feel some comfort can be taken from the fact that we were advised that the Conservative Shadow Housing Minister has recently been reported as saying that a Conservative Government would introduce incentives for those local authorities that built homes – they would be able to keep the council tax generated by those homes. We were also advised that the Liberal Democrat Shadow Housing Minister was reported as saying, at the same event, that the priority of a Liberal Democrat Government would be to make sure local authorities are able to borrow and build (new homes) quickly.

3.46 We believe that the main risk is if policy changes by the Government or the Tenant Services Authority (TSA – the body that has taken over the regulatory functions for social housing from the former Housing Corporation) have an effect on properties already

developed. For example, we understand that the TSA has policies relating to levels of rent increases by housing associations, linked to the Retail Prices Index – which is currently very low. We were advised that this has resulted in some housing associations experiencing financial difficulties, since their rental income is lower than provided within their business plans. We identified that such a situation could have an effect on the Council in the future, if we developed our own housing again. However, we concluded that it is unlikely that any Government, or the TSA, will implement policy changes that have a catastrophic effect on the majority of social housing providers. In any event, we took comfort from the fact that the Council would have a number of options available to deal with such circumstances, including the sale of vacant properties.

Poor Performance by, or Disputes with, the Development Agent

3.47 We believe that the performance of the Development Agent will be key in this process. It will also be important that the Council has a good working relationship with the Development Agent. Poor performance could cause problems for the Council in future years. Inaccurate development appraisals could result in financial implications for the Council.

3.48 We concluded that the most appropriate way to mitigate such situations is two-fold. Firstly, we feel it is important to ensure a robust selection process. We would suggest that this should involve a filtering of housing association applicants, to ensure that only housing associations that have a good track record in development and a demonstrable capacity of skilled staff are shortlisted for detailed consideration. We would recommend that shortlisted applicants should be required to provide a detailed tender submission setting out their experience, track record and proposed approach - and to give a presentation to the proposed Selection Panel and answer questions. We would recommend that the capabilities of the shortlisted applicants should also be discussed with the HCA and TSA, both of whom we understand regularly monitor - and publicly report on - the effectiveness of housing associations' development functions.

3.49 Secondly, we know that development appraisals submitted by the Development Agent will be scrutinised by Housing and Finance staff, as well as the Corporate Executive Forum (CEF – comprising the Chief Executive and Deputy Chief Executive) prior to their submission to the Cabinet for approval.

3.50 In anticipation of the potential for a dispute arising between the Council and the Development Agent, we feel it important to ensure that the Development Agreement between the two parties sets out clear arrangements for dealing with disputes, including mediation and/or arbitration. Moreover, we would recommend that the Development Agreement should have an appropriate mechanism to ensure that the Council can terminate the contract with the Development Agent in the event of poor performance.

Poor Performance by, or Disputes with, the Consultants or Contractor

3.51 We anticipate that the building contractor and consultants would be appointed by the Development Agent, who would either enter into - or already have - formal contracts with them. Any poor performance by, or disputes with, the consultants or contractor would therefore be matters for the Development Agent to resolve. However, we recognised that such poor performance or disputes could have an effect on the Council, since it would be us that would have to meet any additional building costs or fees, and who would own the properties once built. There could potentially be a problem for the Council, due to the Council having no contractual right to resolve concerns with the consultants or contractor direct, after the properties have been handed-over to the Council; they would have to be taken up by the Development Agent on the Council's behalf. However, we noted that this risk could be mitigated - by requiring the consultants and contractor to provide collateral warranties to the Council, which would give us the legal power to directly require the consultants or contractor to resolve any problems, in accordance with their contracts with the Development Agent.

Contractor Insolvency

3.52 One of the Development Agent's responsibilities will be to appoint the contractor to undertake the construction. In the event of the contractor becoming insolvent, we recognised that the Council would have to deal with the resultant fall-out, including the likely incurring of additional costs. However, we consider that this is no different to the existing risk that the Council experiences when it appoints contractors to undertake any Council development or service. Indeed, arguably - apart from the financial effects - we feel that the implications could be less severe than for major improvement projects on, say, tenanted properties, since the inevitable delays that result from an insolvency can have a major detrimental effect on local residents.

3.53 We concluded that the best way to mitigate such effects would be to ensure that the Development Agent has robust arrangements in place for appointing contractors, including the effective assessment of the contractor's finances and financial capacity.

Prudential Borrowing - A Financial Problem

3.54 We were advised that, under the current funding available from the HCA, there is an expectation that 50% of the required funding will be provided by the HCA in the form of capital social housing grant. The remaining 50% is expected to be provided through a loan taken out by the local authority. We noted that a number of years ago, local authorities could only borrow up to a specified amount approved by the Government. However, local authorities can now adopt an approach called "prudential borrowing".

3.55 We learnt that, under current prudential borrowing rules, the Council is allowed to borrow for capital purposes on the basis that it is able to make the interest payments from its ongoing revenue budget. The Asst. Director of Finance advised us that, in the case of building council homes, it would need to be demonstrated that in the 'long term' (usually assumed to be 30 years for illustrative purposes) the interest and principal repayments on the loan could be financed from the surplus of rental income over expenditure, including major repairs. Clearly, this depends heavily on the interest rate and the level of rent that could be charged, given that the rent would need to be at an affordable level.

3.56 However, we studied an important Addendum Report tabled at our meeting from the Asst. Director of Finance, which reported on the outcome of his investigations into the financial implications of the Council re-commencing new house-building, following advice he had received from the Council's financial advisers, Butlers. The financial issues are very

complex, so were grateful that the Assistant Director of Finance was in attendance at our meeting to explain in more detail and answer our questions.

3.57 His Addendum Report explained that it needs to be borne in mind that only the Council as a legal entity can borrow money, and that the Housing Revenue Account (HRA) cannot in itself 'borrow'. Therefore, if the Council makes such a decision, then the cost of borrowing initially falls on the General Fund and is then recharged to the HRA on a prescribed basis.

3.58 We learnt that the prescribed basis for recharging the cost of borrowing refers to what is called the Capital Financing Requirement (CFR). The CFR is defined as a measure of the Council's need to borrow to finance capital expenditure. The CFR is split between a General Fund (GF) CFR and a Housing Revenue Account (HRA) CFR. We were advised that the overall CFR is currently negative £784,000 - which means that, overall, the Council has no need to borrow to fund our existing Capital Programme. However we can still choose to borrow, as long as it is 'affordable' in the long term.

3.59 For our Council, the split of the CFR is that the HRA CFR is negative £22,803,000, and the GF CFR is positive £22,019,000. We were advised that the HRA CFR is negative because, prior to the requirement to pool HRA receipts from Right to Buy sales, the Council had - by law - to "set aside" 75% of these receipts to repay debt. This was because, at that time, the Council was not debt free. This means that, effectively, the GF has used HRA capital resources to finance capital expenditure and 'borrowed' from the HRA, without cost.

3.60 We were advised by the Asst. Director of Finance that, if the Council borrows £2m and uses this to build houses, the effect would be to increase the overall CFR by £2m - to £1,216,000 (i.e. £2m minus £0.784 m). This would be made up of the HRA CFR being negative £20,803,000 and the GF CFR being positive £22,019,000. Therefore, the HRA would still have no need to borrow; all that would have happened is that the GF would have replaced a loan from the HRA with a loan from an external source.

3.61 The cost of the loan would therefore be a charge, initially, to the GF - but there would be an assumption that this would then be recharged to the HRA, based on its CFR. However, the HRA would be negative. Therefore, there would be no basis to recharge the HRA, since it would have no underlying need to borrow. Consequently, the total cost (i.e. the interest and principal) would fall on the GF. This would mean that both the interest (currently estimated at 4.3%) and the Minimum Revenue Provision (MRP - a sum that would have to be set aside from revenue budgets to pay off the loan principal), estimated at 2%, would fall on the GF.

3.62 We noted that interest is charged to the GF at the Consolidated Rate of Interest (CRI), which is the average rate of interest payable on the money borrowed. Since there would only be one loan of (say) £2m - this CRI would also be (currently) 4.3%. If other loans were subsequently taken out, the CRI would move up or down, depending on the rates and terms of those loans. Crucially, the HRA would only contribute to the borrowing costs, once its own CFR becomes positive. i.e. if over £22.803m is borrowed.

3.63 On a slightly separate issue, we noted that the Council receives investment interest from our unused capital receipts and other unused cash, although the rate is currently very low (under 1%), and that the allocation of income between the GF and HRA has to be based on the CFR. This applies regardless of whether the Council has debt or not.

3.64 We were advised, therefore, that if we borrowed, say, £2m to finance new house-building, the HRA would lose some of the interest income from the Council's investments

and that the GF would gain investment income. This is because the allocation of investment income would be based on an HRA CFR of £20.803m, multiplied by the CRI - rather than an HRA CFR of £22.803m.

3.65 However, we were advised that, overall, any proposal to build Council houses at present would be detrimental to the GF. If the Council borrowed £2m to fund, say 40 properties, it would cost the GF an amount estimated at £106,000 per annum (£2m X 6.3% = £126,000) – (£2m X 1% = £20,000 lost investment interest). If £4m was borrowed for the construction of, say, 40 properties, it would cost the GF around £212,000 per annum.

3.66 However, if at some point in the future, investment interest rates exceed the Consolidated Rate of Interest plus the MRP, then the GF would gain. We noted, though, that the likelihood of this is somewhat slim and, again, would only be temporary until interest rates again.

3.67 In simple terms, although the Housing Revenue Account would receive the rental income from any properties that the Council builds, the cost of the loan would have to be borne by the General Fund, which we feel at the current time makes any proposal to recommence a programme of Council house-building financially unviable for the General Fund.

3.68 In passing, we noted that if the Council does adopt the use of prudential borrowing at some time in the future, it would be necessary for the Council to review its Prudential Indicators and Treasury Management Strategy before any development appraisals could be considered.

Views of the Tenants and Leaseholders Federation

3.69 We were advised that, at its meeting held on 24th November 2009, the Tenants and Federation considered the same report from the Director of Housing on New Social House-building by the Council as us. They also had the benefit of the financial information provided by the Assistant Director of Finance. The Addendum Report to our meeting set out the Federation's recommendations to us.

4. Conclusions

4.1 After detailed discussion of all the issues involved, we reached the same conclusions as the Federation (which it had asked the Sub Group to take into account). We therefore agreed that the Federation's recommendations should form the basis of our recommendations to the Housing Scrutiny Panel.

5. The Sub-Groups Recommendations to the Housing Scrutiny Panel

5.1 Having considered all of the issues, we would recommend to the Housing Scrutiny Panel that it reports on to the Cabinet with the following recommendations:

On increasing the amount of affordable housing:

- (1) That the £350,000 budget provision already agreed by the Cabinet to invest in an Open Market Shared Ownership Scheme be retained within the Capital Programme;

- (2) That the Director of Housing contacts other Homebuy agents to discuss the possibility of an existing Homebuy Agent working with the Council to operate either:-
 - (a) the scheme previously proposed in partnership with Moat Housing, already agreed by the Cabinet; or
 - (b) an alternate scheme, similar to the Government's MyChoice Homebuy Scheme, but with the Council undertaking the role of the Homes and Communities Agency; and
 - (c) that a further report be provided to the Cabinet setting out the outcome of discussions with the Homebuy Agents;
- (3) That the Home Ownership Grant Scheme be continued into 2010/11, to fund a further six Home Ownership Grants of £28,000 each (instead of the current amount of £34,000 each) and;
 - (a) That budget provision of £170,000 be made within the Capital Programme for 2010/11;
 - (b) That the existing Selection Criteria for applicants previously agreed by the Housing Portfolio Holder continues to be used; and
 - (c) That, in the first instance, all those unsuccessful applicants for the Home Ownership Grant Scheme in 2009/10 be contacted, to see if they are still interested in receiving a grant;
- (4) That, once the desk-top exercise has been completed to assess the development potential of difficult-to-let garage sites with vacancies in excess of 20% (and no waiting list), more detailed development appraisals be undertaken to assess their development potential further – and the number of homes that could be provided;
- (5) That a report on the outcome of these development appraisals be presented to a future meeting of the Cabinet, with a view to authorising that planning permission be sought for each of the sites so that those sites obtaining planning permission could be developed to provide additional affordable housing;
- (6) That the current position with the proposal of the Cabinet that the Council sets up a Local Housing Company - to which it would provide loans for the Company to purchase properties on the open market to let at market rents, (subject to the properties being let to nominees of the Council on the Housing Register) - be noted;
- (7) That budget provision of £375,000 be made within the Capital Programme for 2010/11 to fund the provision of Local Authority Social Housing Grant to one of the Council's Preferred RSL Partners to fund the purchase of 5/7 two and/or three bedroomed houses off the open market to let at affordable rents;
- (8) That the Preferred RSL Partner to purchase these open market properties be selected through a competitive tendering exercise; and
- (9) That the proposals above requiring capital budget provision be not prioritised in a ranked order.

On undertaking a programme of new social house-building:

- (10) That, subject to (11) below, in principle, the Council should recommence a programme of new social house-building;
- (11) However, in view of the financial difficulties such a programme would currently have on the Council's General Fund, such a programme should not be undertaken until the detrimental financial effect on the Council's General Fund either no longer exists or is only minimal; and
- (12) That the Council should explain this financial difficulty to both the Government's Minister of State for Housing and the Local Government Association (LGA) to ask them if, in view of the Government's previous commitment to remove any obstacles that stop councils from building new Council homes, the Government and the LGA could assist to overcome the problem relating to the Council's Capital Financing Requirement.

This page is intentionally left blank

EPPING FOREST DISTRICT COUNCIL**MINUTES OF THE AFFORDABLE HOUSING SUB GROUP MEETING****held on 26th November 2009****in the Conference Room, Civic Offices, Epping**

Present:

Councillor Mrs R Brookes
Councillor Mrs A Grigg
Councillor Mrs J Lea
Councillor S Murray
Councillor D Stallan
A Hall
P Maddock

1. Appointment of Chairman

Councillor Mrs A Grigg nominated Councillor Mrs R Brookes, seconded by Councillor S Murray, to be the Chairman for the meeting. This was agreed.

2. Apologies for Absence

Councillor K Chana.

3. Reason for Establishing the Sub Group

Councillor Mrs R Brookes, who suggested to the Housing Scrutiny Panel that the Affordable Housing Sub Group be formed, explained the reasons for her suggestion.

She commented that, apart from ward constituency business, housing was the issue that had made the biggest impression on her since joining the Council. She was particularly struck by the information provided at the Housing Strategy Conference during the year and, in particular, the fact that average property prices in the District are around 11 times the average earnings for the District. She had also noted the high number of expressions of interest made by housing applicants for vacant properties, through the Home Options Choice Based Letting Scheme. She had wondered whether, at this time of low interest rates, more affordable housing - in the form of social rented housing and intermediate housing - could be provided by the Council.

4. Increasing the Provision of Affordable Housing

The Sub Group received and considered a detailed report from the Director of Housing setting out some suggestions for increasing the provision of affordable housing within the District.

The report referred to the requirements of the East of England Plan (Regional Spatial Strategy) which, although requiring the provision of 3,500 additional homes within the District by 2021, after taking into account those properties that had already been built and had received planning permission, just 361 new homes needed to be provided by 2021. Assuming 40% of these would be provided as

affordable housing, the Council would only need to identify sufficient land to provide just 145 new affordable homes between April 2009 and 2021. This excludes the additional homes required by the East of England Plan in the District to contribute towards the growth of Harlow.

The report went on to explain the need for affordable housing and it was noted that, compared to the need for 4,700 affordable homes assessed by the recently completed Strategic Housing Market Assessment, just 2,640 new affordable homes were likely to be provided by 2026, resulting in a projected shortfall of 2,060 affordable homes.

The report identified that the ability to increase the amount of affordable housing in the District was constrained by three main issues, namely, the provision of land, the provision of grant and Members' priorities.

The report also gave details of the number of affordable homes that had been completed over the previous three years and the current forecast of 107 affordable homes being provided in 2009/10. It was noted that a further 11 developments had either detailed or outline planning permission, which would provide an additional 362 affordable homes. There was also a further seven sites in the District for which active consideration was currently being given by developers for their development, which could provide up to an estimated 172 homes.

The Sub Group noted that, at its meeting held on 16th November 2009, the Council's Cabinet had approved its Capital Strategy for 2009/2010, for which it had been agreed to raise the ranking of "Meeting Housing Need" to the highest of 7 Key Capital priorities. However, the Sub Group also noted that, of the £53M being spent by the Council on capital projects up to 2013/14, only £554,000 (1%) had been allocated to fund new affordable housing initiatives.

The Sub Group also noted that there was limited scope within the Council's Capital Programme to divert funding from other projects. Therefore, if any additional funding was made available for affordable housing initiatives, it would be necessary to increase the Council's Capital Programme, funded from capital receipts. The Sub Group also noted that the Council was currently benefitting from the revenue income generated by the investments of its capital receipts, which would reduce if capital receipts were utilised.

In his report, the Director of Housing set out a number of suggestions for increasing the amount of affordable housing within the District. He referred to the budget provision of £350,000 made available by the Cabinet for an Open Market Shared Ownership Scheme. The Sub Group noted that although Moat Housing Group was no longer interested in working with the Council on such a scheme, the Director of Housing had recently made contact with Orbit Housing Group, which is the Homebuy Agent for another part of the Country, to ask if, in principle, Orbit would be interested in working with the Council on a similar scheme. A response was awaited. On discussion, the Sub Group concluded to recommend that the budget provision should be retained within the Capital Programme, but that no increase in the budget should be sought in view of the current uncertainty of a provider.

The Sub Group considered the current position with the Council's Home Ownership Grants Scheme, whereby the Cabinet had made budget provision of £170,000 available in both 2008/9 and 2009/10 for the provision of 5 Home Ownership Grants in each year. The Grants enable secure tenants to purchase a property on the open market and to give vacant possession of their Council property on the day of completion, which can then be let to a housing applicant from the Council's Housing Register.

The Sub Group considered whether or not it should recommend the continuation of the Scheme in 2010/11. The Sub Group concluded that it felt the Scheme should continue, since it assisted both first time buyers and applicants on the Council's Housing Register. However, in view of the relatively high interest shown in the grants by tenants, the Sub Group felt that there may be benefits in reducing the individual amount of grant from £34,000 to £28,000, which would enable 6 grants to be provided within the budget of £170,000, instead of 5 grants.

The Assistant Director of Finance and ICT (Accountancy) explained that the Cabinet undertakes a full review of the Capital Programme in the Autumn of each year. However, he explained that the Capital Programme could be updated at any time during the year, and the Sub Group agreed to recommend that budget provision of £170,000 be made for the provision of Home Ownership Grants in 2010/11.

The Sub Group then noted that 7 difficult-to-let Council-owned garage sites had been identified as potentially having development potential. Home Housing had undertaken an initial feasibility study on behalf of the Council to assess the potential number of affordable homes that could be provided, which had established that around 40 homes could be provided, subject to planning permission. The Sub Group also noted that a desktop exercise had identified a further 43 difficult-to let-garage sites which were currently being assessed by the Director of Housing for their development potential.

The Sub Group supported the principle of undertaking more detailed feasibility studies of these sites to assess the development potential further, and that a report on the exercise should be presented to a future meeting of the Cabinet. However, the members of the Sub Group made it clear that they could neither support nor oppose proposals for any individual locations, since not only did they not know the sites, such a declaration could fetter their discretion if such sites proceeded to a planning application.

The Sub Group then noted that the Cabinet was considering an initiative to set up a local housing company to purchase a number of properties on the open market, and to then let them at market rents, with a loan from the Council.

The Sub Group noted that the Council was currently awaiting detailed specialist legal advice on the proposal, following which the Cabinet would consider a report of the Housing Portfolio Holder on whether or not to proceed with such an arrangement. The Sub Group noted that, although this initiative would not provide any additional affordable housing, the purchased properties would be let to homeless applicants and other housing applicants on the Council Housing Register.

The Sub Group then gave consideration to whether or not a recommendation should be made for the Council to make provision within the Capital Programme for the provision of grants to one of the Council's Preferred RSL Partners to purchase properties off the open market and to then let them to housing applicants at affordable rents. The Sub Group agreed to recommend that budget provision of £375,000 be made within the Capital Programme, to fund the purchase of around 5 or 6 two or three bedroomed houses within the District. The Sub Group agreed the recommendation of the Director of Housing that a tendering exercise should be undertaken amongst the Council's Preferred RSL Partners to select an RSL that could provide the best value for money.

The Sub Group then considered whether or not members of the Sub Group themselves had any other suggestions for increasing the amount of affordable

housing within the District, but concluded that they did not have any further suggestions.

Consideration was then given by the Sub Group to a suggestion from the Director of Housing that it prioritises the funding requests being proposed by the Sub Group. However, the Sub Group concluded that, because each of the proposals were so different, and assisted either first time buyers and/or housing applicants, it was not possible for it to rank the proposals.

Recommendations to the Housing Scrutiny Panel

- (1) That the £350,000 budget provision already agreed by the Cabinet to invest in an Open Market Shared Ownership Scheme be retained within the Capital Programme;
- (2) That the Director of Housing contacts other Homebuy agents to discuss the possibility of an existing Homebuy Agent working with the Council to operate either:-
 - (a) the scheme previously proposed in partnership with Moat Housing, already agreed by the Cabinet; or
 - (b) an alternate scheme, similar to the Government's MyChoiceHomebuy Scheme, but with the Council undertaking the role of the Homes and Communities Agency; and
 - (c) that a further report be provided to the Cabinet setting out the outcome of discussions with the Homebuy Agents;
- (3) That the Home Ownership Grant Scheme be continued into 2010/11, to fund a further six Home Ownership Grants of £28,000 each (instead of the current amount of £34,000 each) and;
 - (a) That budget provision of £170,000 be made within the Capital Programme for 2010/11;
 - (b) That the existing Selection Criteria for applicants previously agreed by the Housing Portfolio Holder continues to be used; and
 - (c) That, in the first instance, all those unsuccessful applicants for the Home Ownership Grant Scheme in 2009/10 be contacted, to see if they are still interested in receiving a grant;
- (4) That, once the desk-top exercise has been completed to assess the development potential of difficult-to-let garage sites with vacancies in excess of 20% (and no waiting list), more detailed development appraisals be undertaken to assess their development potential further – and the number of homes that could be provided;
- (5) That a report on the outcome of these development appraisals be presented to a future meeting of the Cabinet, with a view to authorising that planning permission be sought for each of the sites so that those sites obtaining planning permission could be developed to provide additional affordable housing;
- (6) That the current position with the proposal of the Cabinet that the Council sets up a Local Housing Company - to which it would provide loans for the

Company to purchase properties on the open market to let at market rents, (subject to the properties being let to nominees of the Council on the Housing Register) - be noted;

- (7) That budget provision of £375,000 be made within the Capital Programme for 2010/11 to fund the provision of Local Authority Social Housing Grant to one of the Council's Preferred RSL Partners to fund the purchase of 5/7 two and/or three bedroomed houses off the open market to let at affordable rents;
- (8) That the Preferred RSL Partner to purchase these open market properties be selected through a competitive tendering exercise; and
- (9) That the proposals above requiring capital budget provision be not prioritised in a ranked order.

5. New Social House-Building by the Council

The Sub Group considered a detailed report from the Director of Housing on the possibility, in principle, of the Council undertaking a modest house-building programme.

The report gave a background to the subject, and referred to new financial regulations that had been introduced by the Government allowing local authorities to retain all of the rental income received from newly-built properties and any capital receipts received from the sale of such newly-built properties.

The report set out a number of reasons why it may be beneficial for the Council to develop affordable homes itself on its own land, although it was noted that this would not increase the overall amount of affordable housing within the District.

It was also noted that the Homes and Communities Agency (HCA) had held two bidding rounds to date, inviting local authorities to bid for capital funding totaling over £300M. The report explained that, in order to access grant from the HCA, a local authority must become an Investment Partner of the HCA and must also pass a "pre-qualification" process.

The report set out a proposal whereby the Council would appoint a housing association to act as Development Agent, in return for a fee (expected to be between 1% - 3% of the works costs), to provide a full development service on behalf of the Council. The report set out a number of advantages with this proposed approach.

The report also referred to the number of difficult-to-let garage sites across the District, discussed under the previous agenda item, and that it was these sites that the Council could consider developing itself.

The report set out a number of issues and implications, including the effect of the Government's proposed HRA reforms, the availability of capital receipts, the importance of development appraisals being undertaken, the limited staff resources required, and an indicative timescale. The report also identified and commented on the key risks, covering:-

- Actual costs being higher than estimated
- Abortive costs
- The effect of changes in Government Policy
- Dealing with poor performance by, or disputes with, the Development Agent

- Dealing with poor performance by, or disputes with, the consultants or contractor
- Contractor insolvency

However, the Director of Housing then referred to an Addendum Report, which was tabled at the meeting, which set out the outcome of an investigation by the Assistant Director of Finance and ICT (Accountancy) into the effects and implications of obtaining a loan through “Prudential Borrowing” to fund new house-building. The Assistant Director of Finance explained that, under Prudential Borrowing rules, the Council is allowed to borrow for capital purposes, on the basis that it is able to make the interest payments from its ongoing revenue budget.

The Assistant Director of Finance explained the implications in detail. The main issue related to the Council’s Capital Financing Requirement (CFR), which is defined as a measure of the Council’s need to borrow to finance capital expenditure. The net effect of the implications on the Council’s Capital Financing Requirement was that, at present, any proposal to borrow money to building new Council properties would be detrimental to the General Fund. At the present time, it was estimated that if the Council borrowed £2M, it would result in an estimated cost to the General Fund of around £106,000 per annum. In simple terms, although the Housing Revenue Account would receive the rental income from the properties, the cost of the loan would have to be borne by the General Fund.

The Director of Housing explained that, at its meeting held on 24th November 2009, the Tenants and Leaseholders Federation had considered the report to the Affordable Housing Sub Group, and also had the benefit of the financial information provided by the Assistant Director of Finance.

After discussion on the report and recommendations, the Sub Group agreed with all of the views of the Federation (which it had asked the Sub Group to take into account) and agreed that the Federation’s recommendations should form the basis of the Sub Group’s recommendations to the Housing Scrutiny Panel.

Recommendations to the Housing Scrutiny Panel

- (a) That, subject to (b) below, in principle, the Council should recommence a programme of new social house-building;
- (b) However, in view of the financial difficulties such a programme would currently have on the Council’s General Fund, such a programme should not be undertaken until the detrimental financial effect on the Council’s General Fund either no longer exists or is only minimal; and
- (c) That the Council should explain this financial difficulty to both the Government’s Minister of State for Housing and the Local Government Association (LGA) to ask them if, in view of the Government’s previous commitment to remove any obstacles that stop councils from building new Council homes, the Government and the LGA could assist to overcome the problem relating to the Council’s Capital Financing Requirement.

6. Suggestions from Sub Group Members on other ways to increase the provision of affordable housing

The Sub Group had no further suggestions to make.

7. Reporting Arrangements to the Housing Scrutiny Panel

It was agreed that the Director of Housing should produce, on behalf of the Sub Group, a report to the Housing Scrutiny Panel including the information provided in his reports to the Sub Group and the Sub Group's recommendations.

It was agreed that the Chairman of the Sub Group should present the report to the Housing Scrutiny Panel, with a proposal that the Housing Scrutiny Panel recommends on to the Cabinet, with the Chairman of the Scrutiny Panel presenting the report at the Cabinet meeting.

8. Any Other Business

There was none.

9. Need for Future Meetings

It was agreed the Sub Group had completed the task set for it by the Housing Scrutiny Panel and that there was no need for any future meetings.

The meeting ended at 7.10 pm.

This page is intentionally left blank



SCRUTINY



Report to Housing Scrutiny Panel

Date of report: 15 December 2009

Portfolio: Housing – Cllr D. Stallan

Author: Alan Hall, Director of Housing (01992 56 4004)

Committee Secretary: Mark Jenkins Democratic Services Assistant (01992 56 4607)

Subject: Housing Service Standards 2009 & Housing Charter

Recommendations:

(1) That consideration be given to the attached draft report to the Housing Portfolio Holder and the accompanying;

- (a) Housing Service Standards attached as Appendix 1; and**
- (b) Housing Charter attached as Appendix 2; and**

(2) That the Scrutiny Panel provides any comments on the report and appendices prior to consideration by the Housing Portfolio Holder.

1. A self-explanatory draft report to the Housing Portfolio Holder, reviewing the Housing Service Standards agreed in 2007, and performance against those standards, at Appendix 1, and the Housing Charter at Appendix 2 is attached.

2. The Scrutiny Panel is asked to consider the report and appendices in detail and provide the Director of Housing with any comments prior to submission to the Portfolio Holder.

Consultation Undertaken:

3. By the time the Scrutiny Panel meets, the draft report and appendices should have been considered by the Tenants and Leaseholders Federation on the 24 November 2009. Any comments arising from that meeting will be reported orally for the Scrutiny Panel's information.

This page is intentionally left blank

Draft Decision by Portfolio Holder



**Epping Forest
District Council**

Report reference: C/ /200 - 0

Date of report: TBA

Portfolio: Housing – Cllr D. Stallan **Author:** Alan Hall, Director of Housing
Committee Secretary: Rebecca Perrin

Subject: Housing Service Standards 2009 & Housing Charter

Decision: (1) That performance against the previously agreed Housing Service Standards in 2008/9 (where measured), as set out in Appendix 1, be noted;

(2) That, following consultation with the Housing Scrutiny Panel and the Tenants and Leaseholders Federation, the proposed changes and additions to;

(a) The Housing Service Standards, as set out in Appendix 1; and

(b) The Housing Charter, as set out in Appendix 2;

be approved, and that the relevant leaflets be updated; and

(3) That the Housing Service Standards, and performance against the standards in 2009/10, be reviewed again in either October 2010, or when required in order to comply with the new Regulatory Framework to be introduced by the Tenant Services Authority, whichever is the earliest.

ADVISORY NOTICE: <i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a prejudicial interest. A Portfolio Holder with a personal interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/do not approve (delete as appropriate) the above decision:	
Comments/further action required:	
Signed:	Date:
<i>Personal interest declared by Portfolio Holder/ conflict of interest declared by any other consulted Cabinet Member:</i>	<i>Dispensation granted by Standards Committee: Yes/No or n/a</i>
Office use only: Call-in period begins:	Expiry of Call-in period:

**After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY**

Initialled as original copy by
Portfolio Holder:

Reason for decision:

The Housing Service Standards and Housing Charter were previously agreed by the Housing Portfolio Holder in 2007, following consultation with the Housing Scrutiny Panel and the Tenants and Leaseholders Federation. It is good practice to review the Housing Service Standards and performance against the standards annually.

Options considered and rejected:

- (1) Not to review or update the Housing Service Standards and/or the Housing Charter.
- (2) To make different changes/additions/deletions to the Housing Service Standards and/or the Housing Charter than those proposed.

Background

1. In 2007, following consultation with the Housing Scrutiny Panel, Tenants and Leaseholders Federation and the Housing Customer Interface Project Group, the Housing Portfolio Holder agreed a range of Housing Service Standards, covering all of the Housing Directorate's main areas of activity. An updated Housing Charter was also agreed, which sets out the Council's approach and ethos to the delivery of its housing service to customers.
2. Subsequently, a leaflet setting out all of the agreed Housing Service Standards was issued to all the Council's tenants and added to the Tenants Handbook. In addition, a number of leaflets were produced setting out the Housing Service Standards for particular areas of activity.
3. At the same time as agreeing the Service Standards, it was also agreed that the Housing Directorate's performance against the Housing Service Standards (where possible and appropriate) should be considered annually. It was also agreed that, since the Service Standards did not include standards for Private Sector Housing (since this function had not yet been incorporated within the Housing Directorate), standards for Private Sector Housing should be introduced when the Service Standards were reviewed.

Discussion Paper from the Tenants Services Authority (TSA) – “Building a New Regulatory Framework”

4. The Tenant Services Authority (TSA) is a relatively new organisation, that has taken over the regulatory housing functions of the former Housing Corporation.
5. Earlier in the year, the TSA published a “discussion paper” on “*Building a new regulatory framework*” which set out its initial proposals for a new regulatory framework for housing and the national standards on which the framework will be built. From 1 April 2010, local authorities will also be regulated by the TSA. The discussion paper invited comments, ideas and suggestions from all stakeholders to help shape the standards and overall regulatory regime, following which formal consultation would be undertaken later in 2009. At the time of writing, this formal consultation has not yet commenced.
6. The TSA intends to adopt an approach that it calls “co-regulation”. Whilst the TSA has a key role in regulating and driving forward the quality of services on behalf of consumers, it says that a co-regulatory approach will enable it to scale back the burden of formal regulation whilst increasing the responsibility of landlords to ensure their own high quality, locally focused, performance.
7. The TSA has set out a vision for its approach to regulation, which emphasises greater co-operation between landlords and tenants to improve outcomes for tenants. There is a strong focus on development of a co-regulatory model which encourages landlords, tenants and the regulator to work more closely together to define future direction. The proposals around co-regulation strike a balance between direct regulation and self-regulation.

8. Underpinning the TSA's proposals is the need for flexibility within the regulatory framework, to enable landlords to respond to local issues and provide tailored solutions for local people. Landlords will be encouraged to develop challenging, local standards in partnership with tenants to address local priorities, which will supplement nationally set standards.

9. Although the TSA's proposed form, coverage and content of local standards is not yet known, the Council is "ahead of the game" in not only having agreed its own Housing Service Standards (in consultation with the Tenants and Leaseholders Federation) two years ago, but also through being able to review the appropriateness of the Service Standards and associated targets in the light of two years' experience.

10. Although it may be necessary to review the format, coverage and content of the Council's Housing Service Standards in the future (i.e. once the TSA's final guidance is issued), the Council and the Federation will be in the fortunate position of having a good basis to discuss and agree any revised standards, in order to comply with the new regulatory framework.

Performance Against the Housing Service Standards in 2008/9

11. Appendix 1 provides details of the Housing Service Standards agreed by the Housing Portfolio Holder in 2007, and – where measurable and appropriate – the Housing Directorate's performance in meeting the standards in 2008/9. As a comparison, Appendix 1 also provides details on the performance in 2006/7 (the year before the Housing Service Standards were introduced), which were reported to the Housing Scrutiny Panel, Tenants and Leaseholders Federation and Housing Portfolio Holder at the time the Housing Service Standards were agreed in 2007, to inform the formulation of the Service Standards.

12. It is emphasised that it is not possible to measure performance against every Service Standard. In a number of cases, there is nothing that can be measured, since the Standard is a "statement of intent"; in a number of other cases, whilst performance could potentially be measured, it is considered that the time and resources that would be required to properly record and monitor performance is not warranted.

13. In a small number of cases, performance could be relatively easily monitored, but has not been to date. In these cases, Appendix 1 refers to performance data that is being collected from April 2009, or that will be collected from April 2010.

Proposed Changes and New Service Standards

14. The Director of Housing has reviewed the Housing Service Standards, having regard to performance in 2008/9 and changes in legislation and Council policy. As a result, a number of changes are proposed. These are set out in bold italics under the description of the relevant standard in the first column of Appendix 1.

15. A number of the proposed changes result from:

- (a) The Housing Directorate's intention for the Careline Service to be accredited by the Telecare Services Association (TSA). Accreditation demonstrates that the Careline Service meets nationally agreed standards, and is necessary if the Council is to offer its Careline Service to other councils or housing associations. The TSA has its own standards that the Council would have to adopt and publish – hence the reason for the proposed changes; and
- (b) The proposed introduction of Housing Service Standards for Private Sector Housing, following the incorporation of this function within the Housing Directorate, following the Top Management Restructure in 2007.

Housing Charter

16. The Council's Housing Charter is attached at Appendix 2, and has also been reviewed. Two changes are proposed, which are set out in bold italics at Appendix 2. The first is an additional commitment, to comply with the accreditation requirements of the Telecare Services Association; the second is a revised wording of the commitment relating to equalities, to reflect the requirements and coverage of the Equalities Bill currently passing through Parliament.

Consultation with the Housing Scrutiny Panel and Tenants and Leaseholders Federation

17. The Housing Scrutiny Panel and the Tenants and Leaseholders Federation have been consulted on this report, the performance against the Standards and the proposed changes and additions, at their meetings held on 15th December 2009 and 24th November 2009 respectively.

18. Their comments are as follows:

- (a) The definition of Service Standard HM8 ("Try to meet with you to discuss any rent arrears before any court hearing takes place") should be re-worded to make it clear that officers will make every effort to try to meet with tenants, since the current wording could give the impression that other commitments of officer time could result in no meeting taking place;
- (b) The Federation notes the Housing Directorate's performance against the Service Standards in 2008/9 and supports the proposed changes to both the Housing Service Standards and the Housing Charter for 2010/11.

19. Housing Service Standards HM7 and HM8 have both been amended in the schedule at Appendix 1 accordingly.

Adoption of the New Housing Service Standards

20. It is recommended that the proposed changes and additions to the Housing Service Standards and the Housing Charter - as set out in Appendices 1 and 2 - be approved, that the relevant leaflets be updated and that performance against the standards be reviewed again in either October 2010, or when required to comply with the new Regulatory Framework to be introduced by the Tenant Services Authority, whichever is the earliest.

Consultation Undertaken:

As set out in the detailed report above.

Legal and Governance Implications:

The appropriate setting of Service Standards and the monitoring of performance against those Standards is considered to contribute towards good governance.

Safer, Cleaner and Greener Implications:

None

Background Papers:

None

Impact Assessments:

The regular consideration of Housing Service Standards, to some extent, helps to mitigate risks.

It is not considered necessary to undertake an Equalities Impact Assessment

Key Decision Reference (Y/N):

Yes

Initialed as original copy by
Portfolio Holder:

This page is intentionally left blank

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
------------------	---------------------	---------------------	--------	--------	----------

We aim to....

GENERAL

(G1) Report on our performance against these Service Standards to your Tenants and Leaseholders Federation every year, and review the Standards in the light of performance	Director of Housing	Not measured	N/A	N/A	Reported to, and reviewed by Housing Scrutiny Panel - Dec 2009 and Federation – Nov 2009
(G2) Generally satisfy at least 85% of our tenants with the overall housing service provided <i>(Proposed change – to “at least 80%”)</i>	Director of Housing	Level of tenant satisfaction (Tri-annual STATUS survey)	85%	83.5%	Performance still good – latest survey had to exclude tenants in sheltered housing – who are known to be most satisfied. Propose a change to the standard to reflect the current definition
(G3) Respond to your letters within 10 working days on routine matters, or acknowledge within 5 working days and then provide you with a full response within 28 days on more complex issues	Director of Housing	Not measured.	N/A	N/A	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(G4) Give you an opportunity to appeal within 3 months to a senior officer about any decision made about your housing that affects you, and then give you a further opportunity within a further 3 months to appeal to the Housing Appeals and Review Panel of district councillors ^(a)	Director of Housing	(a) Senior Officer appeals	Not measured	Not measured	This is being collected from April 2009, and will be reported next year.
		(b) Panel Appeals / reviews heard	9	6	
(G5) Give you an opportunity to complain about anything you are unhappy about, fully investigate your complaint, and inform you of the outcome of your complaint within the Council's published timescales. <i>(Proposed amended wording – See "Comments")</i>	Director of Housing	(a) No. of Step 2 complaints (to Director of Housing) received	4	20	Although already operating in practice, the wording of the Service Standard has changed slightly (by making reference to fully investigating complaints and informing the complainant of the outcome) to comply with the requirements of the Telecare Services Association (TSA)
		(b) No. of Step 3 complaints (to Chief Executive, investigated by Complaints Officer) received	9	14	
(G6) If you are unhappy about the way your complaint has been dealt with by housing officers, arrange to have your complaint heard by a panel of district councillors	Director of Housing	No. of Step 4 complaints received	1	10	
(G7) Deliver a copy of the Council's "Housing News" to your home (giving useful information about your housing) at least three times each year	PHO (Information/ Strategy)	No. of copies of Housing News produced	3	1	Only 1 issue was produced, due to the long term sickness of the editor. However, 2 issues have been produced in 2009/10 and a 3 rd is planned before the end of the year.

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(G8) Consult you on any significant matters relating to your tenancy and take your views into account when making decisions	PHO (Information/ Strategy)	Not measured	N/A	N/A	
HOMELESSNESS					
(H1) Give you an interview with a Homelessness Prevention Officer within 7 days of initial contact, or on the same day if an emergency	Asst. Housing Options Manager (Homelessness)	Not measured.	N/A	N/A	
(H2) Investigate your homelessness application, and give you a written decision on how we will help you (with reasons), within 33 calendar days (Proposal – Delete Service Standard. For the reason set out in the “Comments”)	Asst. Housing Options Manager (Homelessness)	(a) Average time	31 days	51 days	A target of 33 days was previously a Best Value Performance Indicator, but is no longer. Officers’ emphasis is on collecting sufficient evidence for the investigation to reach an appropriate <i>quality</i> decision – which often takes longer than 33 days. Moreover, increased prevention reduces the no. of homelessness applications, and those cases that do proceed to an application tend to be the more complex, requiring greater investigation
		(b) % Within target time	67 %	26 %	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(H3) If necessary, provide you with suitable temporary accommodation, whilst we investigate your homelessness application, until we provide you with a written decision	Asst. Housing Options Manager (Homelessness)	Total no. of applicants in temporary accommodation at end of year	91	80	
(H4) If requested by you, review a homelessness decision that you are unhappy with (by either a senior officer or the Housing Appeals and Review Panel of district councillors) within 8 weeks ^(b) <i>(Statutory right and timescale)</i>	Director of Housing	% Within target time (unless with the permission of the applicant to extend period)	100%	100%	
(H5) Advise you of your right of appeal to the County Court within 21 days on a point of law if you are unhappy with the homelessness decision after it has been reviewed <i>(Statutory right and timescale)</i>	Asst. Director of Housing (Operations)	% of applicants notified of their right	100%	100%	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
-------------------------	----------------------------	----------------------------	---------------	---------------	-----------------

(H6) Keep you in temporary accommodation for at least 3 months after providing you with our written decision, before making you an offer of suitable permanent accommodation, unless provided with accommodation through our Fresh Start Scheme, in which case permanent accommodation will be provided after no more than 3 years	Asst. Housing Options Manager (Homelessness)	(a) Average timescales	Not measured	Not measured	This information will be collected from 1 st April 2010
		(b) % within timescale	Not measured	Not measured	

HOUSING REGISTER AND ALLOCATIONS

(HR1) Register your housing application or garage application, and advise you of the level of priority (band) given, within 10 working days of receipt of all the information we need from you and other people.	Asst. Housing Options Manager (Allocations)	(a) Average time	Not measured	Housing - 3 days Garages – 4 days	
		(b) No. of applications awaiting registration at end of year	0	0	
(HR2) Notify you in writing of any change in your priority banding, within 7 days of the change being made	Asst. Housing Options Manager (Allocations)	Not measured	N/A	N/A	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(HR3) Review your housing application every year, provided that you provide us with any required information.</p> <p><i>(Proposed Change - To “Write to you at least every year if you have not expressed any interest in vacant properties under the HomeOptions Scheme, and ask if you wish to remain on the Housing Register”</i></p>	Asst. Housing Options Manager (Allocations)	Not measured	N/A	N/A	Housing applications are now only reviewed (and deleted if necessary) if applicants do not express any interest in any vacant properties under the HomeOptions Choice Based Lettings Scheme.
<p>(HR4) Give you at least 5 calendar days notice between offering you a tenancy and the tenancy commencement date</p>	Asst. Housing Options Manager (Allocations)	Not measured.	N/A	N/A	
<p>(HR5) Unless you are a homeless applicant ^(c), allow you to choose the vacant Council or housing association home you would like to be offered (through our HomeOption Scheme), subject to the interest expressed by other applicants with higher priority</p>	Asst. Housing Options Manager (Allocations)	Not measured	. N/A	N/A	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(HR6) If you are not a Council tenant already, offer you an Introductory Tenancy initially, followed by a Secure Tenancy automatically after 1 year, if you have not caused any anti-social behaviour, have had any significant rent arrears or broken any other Conditions of Tenancy.	Area Housing Managers	Not measured.	N/A	N/A	
(HR7) Give you a decision on your request for a mutual exchange within 5 working days of receiving an application from you and the other party/parties, with all the required information provided.	Asst. Housing Options Manager (Allocations)	Not measured.	N/A	N/A	
HOUSING MANAGEMENT					
(HM1) If you are a new tenant, visit you at home within 10 weeks of your tenancy commencing, to introduce you to your local housing officer and to discuss the main conditions of your tenancy and any queries you may have	Area Housing Managers	Not measured	N/A	N/A	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(HM2) Provide you with the following options to pay your rent:</p> <ul style="list-style-type: none"> • At one of the Council's Cash Offices • At any post office • At any "PayPoint" access point • By direct debit • By standing order • Through the internet • By telephone • By salary deduction (if you Work for the Council) <p><i>(Proposed change – Add "By text")</i></p>	Housing Resources Manager	Not measured	N/A	N/A	Rent payments by text (SMS) are also now available. Add this method to the Service Standard
<p>(HM3) Provide you with the opportunity to pay your rent at post offices, "Pay-points" and "Pay-zones" throughout the country.</p>	Housing Resources Manager	Not measured.	N/A	N/A	Payment at "Pay-zones" are no longer available. Amend the Service Standard accordingly
<p>(HM4) Give you a choice of three dates in the month to pay your rent by direct debit.</p>	Housing Resources Manager	No. of direct debit payment dates available as at end of year	3	3	
<p>(HM5) Provide you with written confirmation of the balance on your rent account in April/May each year (unless your account is clear or only in credit or arrears by less than £1)</p>	Area Housing Managers	Whether or not balance confirmations are sent out by end of May	Yes	Yes	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(HM6) Provide you with a detailed statement of your rent account for the previous 12 months on request</p> <p><i>(Proposed change – Add “or automatically every three months if you are in arrears by more than £1”)</i></p>	Area Housing Managers	Not measured	N/A	N/A	Under the Pre-Court Rent Arrears Protocol, the Council must have provided a quarterly rent statement before legal action can be taken.
<p>(HM7) Make every effort to enter into an agreement with you to clear any rent arrears that you have through reasonable instalments, before we take any legal action to recover the arrears</p>	Area Housing Managers	Not measured.	N/A	N/A	
<p>(HM8) Make every effort to meet with you to discuss any rent arrears before any court hearing takes place</p>	Area Housing Managers	Not measured.	N/A	N/A	Although not measured, visits are recorded.
<p>(HM9) If you are an Introductory Tenant or a Demoted Tenant ^(d), give you an opportunity to appeal to a senior officer against any proposed legal action within 2 weeks of you being advised of the proposed legal action.</p>	Asst Director of Housing (Operations)	(a) No of reviews held for introductory tenants	0	9	
		(b) No. of reviews held for demoted tenants	1	1	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(HM10) Remove abandoned vehicles from housing estates (after making enquiries of the DVLA on ownership and contacting the owner) within 5 weeks of receiving a complaint	Area Housing Managers	No. of abandoned vehicles removed (HM10 and HM11)	37	59	
(HM11) Remove clearly abandoned and potentially dangerous vehicles from housing estates within 5 working days of receiving a complaint	Area Housing Managers				
(HM12) If you live in a flat with more than four flats in the block, clean the communal area weekly and re-charge you the cost to the Council.	Area Housing Managers	Not measured	N/A	N/A	
(HM13) Where we clean communal areas of blocks or flats, inspect the standard of cleaning at least twice a year	Area Housing Managers	Not measured	N/A	N/A	Although numbers are not recorded, inspection records are kept
(HM14) Undertake a formal inspection of your estate by a housing officer and make a note of any required work at least once every year <i>(Proposed change – Add “with a representative of any recognised tenant association covering your area”)</i>	Area Housing Managers	No. of estate inspections undertaken	53	54	It has previously been agreed with the Tenants and Leaseholders Federation that representatives of any recognised tenants associations should accompany housing officers on scheduled estate inspections.

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(HM15) Give you a decision on your request for permission to carry out improvements to your Council home (or former Council home) within 2 weeks of us receiving your request and all the required information.	Area Housing Managers	Not measured	N/A	N/A	
(HM16) When you vacate your Council home, inform you of your right to compensation for certain improvements you have undertaken within 7 days of you informing us of your vacation and give you a decision on your request for compensation to your Council home within 2 weeks of us receiving your application and all the required information.	Area Housing Managers	No. of compensation claims agreed	2	7	
(HM17) Pay you any compensation due to you for an improvement you have undertaken to your Council home within 1 week of giving you our decision on the amount due. <i>(Proposal – Delete Service Standard. For the reason set out in the “Comments”)</i>	Area Housing Managers	Amount of compensation paid	£1,856	£7,844	HM16 covers the main commitment on compensation for tenants’ improvements. Since it can actually take around 3 weeks for cheques to be issued to vacating tenants, it is suggested that this Service Standard is deleted.

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(HM18) If you are unable to succeed^(e) to a tenancy because there has already been one succession, we will offer you a new tenancy of either the property in which you are currently living or another one.</p> <p><i>(Proposed change – Amend to “offer you a new tenancy of the property in which you are currently living or, if you are not a spouse and are under-occupying the property, the tenancy of another property”</i></p>	Area Housing Managers	Not measured	N/A	N/A	The proposed amendment is a more accurate reflection of the Council’s policy.
<p>(HM19) Comply with the Government’s Respect Standard for Housing Management in dealing with anti-social behaviour on housing estates</p>	Area Housing Managers	Date of self-certification for compliance with the Standard	June 2007	June 2007	
REPAIRS, MAINTENANCE & IMPROVEMENTS					
<p>(R1) Carry out emergency repairs within 24 hours of you reporting the repair.</p>	Housing Repairs Manager	% emergency repairs completed within target time	99%	99%	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
-------------------------	----------------------------	----------------------------	---------------	---------------	-----------------

(R2) Carry out urgent repairs within 5 working days of you reporting the repair.	Housing Repairs Manager	(a) Average time to complete urgent repairs	6 days	6 days	
		(b) % urgent repairs completed within target time	89%	86%	It should be noted that, following the implementation of the Repairs Refresh Programme, the target for the % of repairs undertaken within the target time was exceeded in both Quarter 1 and Quarter 2 of 2009/10
(R3) Carry out routine repairs within 8 weeks of you reporting the repair. <i>(Proposed change – to “within 6 weeks”)</i>	Housing Repairs Manager	(a) Average time to complete routine repairs	4 weeks	4 weeks	
		(b) % routine repairs completed within target time	90%	86%	(a) The shorter target time (from 8 weeks to 6 weeks –a reduction of 25%) was agreed by members for 2009/10 (b) Despite this shorter timescale, it should be noted that, following the implementation of the Repairs Refresh Programme, the target for the % of repairs undertaken within the target time was exceeded in both Quarter 1 and Quarter 2 of 2009/10

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(R4) Confirm in writing to you the details of any repairs you report, and give you a target date for completion on the day you report the repair (or the next day if reported after Noon)	Housing Repairs Manager	Not measured	N/A	N/A	
(R5) Keep any appointments that we make for tradesmen to carry out repairs to your home.	Housing Repairs Manager	% appointments kept	96%	95%	
(R6) Satisfy at least 97% of tenants with the general standard of the repairs service we provide ^(f) .	Housing Repairs Manager	% tenant satisfaction	98%	98%	
(R7) If a repair needs to be inspected first, give you an appointment for a Housing Inspector to visit your home for a morning or afternoon within 10 working days of your request.	Housing Repairs Manager	Not measured	N/A	N/A	
(R8) Arrange for Repairs Inspectors to randomly inspect the quality of work of a sample of repairs carried out by our Works Unit and contractors	Housing Repairs Manager	Average number of properties visited per week to inspect repairs (including where no access is given)	36	0	Post repair inspections were ceased from the end of 2006/7. However, as part of the Repairs Refresh Programme they have been recommenced from July 2009

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(R8) If you are dissatisfied with a repair, arrange for a Supervisor to telephone or visit you within 5 working days of you telling us of your dissatisfaction.</p>	<p align="center">Building Maintenance Manager</p>	(a) No. of repair requests completed	15,163	18, 664	
		(b) No. of dissatisfied tenants	54 (0.36%)	62 (0.33%)	
		(c) No. of dissatisfied tenants considered justifiable	14 (26 %)	16 (26%)	
		(d) No. of dissatisfied tenants considered to be due to only a minor problem	19 (35 %)	20 (32%)	
		(f) No. of cases where the dissatisfaction was considered to be not due to the Works Unit	4 (7 %)	9 (14%)	
		(g) Properties unable to gain access	8 (15 %)	7 (11%)	
		<p>(R9) If we do not complete certain specified repairs within specific timescales, arrange for another repairs contractor to carry out the repair within the same timescale on request ^(g) (Statutory requirement)</p>	<p align="center">Housing Repairs Manager</p>	<p>No. of tenants exercising their "Right to Repair"</p>	0

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(R10) If a second contractor does not complete certain specified repairs within specific timescales, pay you compensation of £10 + £2 per day until the repair is carried out (upto a maximum of £50) ^(g)</p> <p><i>(Statutory requirement and amounts)</i></p>	Housing Repairs Manager	Amount of compensation paid	£ Nil	£ Nil	
<p>(R11) Service all the gas appliances in your home (or undertake a safety check if you have installed the appliance yourself), and provide you with a copy of the associated safety certificate, once a year</p>	Housing Assets Manager	% of properties where servicing not undertaken within 12 months (due to access not provided by tenants)	North – 0.25 %	North – 1.27%	
			South – 1.4 %	South - 3.08%	
<p>(R12) Arrange for a gas contractor to visit your home to attend to a gas appliance that is required as an emergency (e.g. a water/gas leak) within 2 hours</p>	Housing Assets Manager	% attended within 2 hours	North – 100 %	North – 100%	
			South – 100 %	South – 86.5%	
		% attended within 1 hour	North – 99.5 %	North – 100%	
			South – 70.9 %	South – 86.5%	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(R13) Arrange for a gas contractor to visit your home and carry out a repair to your heating or hot water system within 24 hours (if no part is required)	Housing Assets Manager	% attended within 24 hours	North – 100 %	North- 100%	
			South – 100 %	South – 86 %	
(R14) Arrange for a gas contractor to visit your home to repair a gas appliance within 5 working days (when a part is required)	Housing Assets Manager	% attended within 5 working days	North – 100 %	North – 100%	
			South – 100 %	South – 96.5%	
(R15) If you are over 60 years of age and live in a 1 bed property, redecorate 1 room in your home, on request, every 5 years and within 13 weeks of your request (Proposed change – to “live in a 1 or 2 bed property”)	Housing Assets Manager	(a) No. of internal decorations completed	80	53	The extension of the scheme to 2 bed properties was agreed by the Housing P/H in August 2009
		(b) Average time from request to completion	5.1 weeks	6.5 weeks	
		(c) No. of internal decorations outstanding at end of year, not completed within target timescale	0	0	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
-------------------------	----------------------------	----------------------------	---------------	---------------	-----------------

DISABLED ADAPTATIONS

(D1) Advise you in writing about whether or not you are eligible for specific adaptations to your Council home within one week of us receiving a request from the Occupational Therapy Service	Housing Assets Manager	(a) Minor adaptations	1.7 days	1.3 days	
		(b) Major adaptations	2.9 days	1.9 days	
(D2) Carry out minor adaptations to your home within 4 weeks of receiving details of the required work from the Occupational Therapy service	Housing Assets Manager	(a) Average time from decision to completion of work	27 days	22 days	
		(b) No. of minor adaptations at end of the year not completed within the target time	2	8	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
-------------------------	----------------------------	----------------------------	---------------	---------------	-----------------

(D3) Carry out non-minor adaptations to your home within 13 weeks of receiving details of the required work from the Occupational Therapy Service	Housing Assets Manager	(a) Average time from decision to completion of work	8 weeks	32 weeks	The delays in 2008/9 were due to the budget for disabled adaptations being spent early, due to increased demand.
		(b) No. of non-minor adaptations at end of the year not completed within the target time	1	66	At the Cabinet meeting in April 2009, an additional one-off sum of £200,000 was allocated in 2009/10 to help clear the backlog. It was also agreed that the Cabinet reviews progress made against clearing the backlog after six months

SHELTERED HOUSING & CARELINE

(S1) Test your Careline alarm in sheltered accommodation every 3 months and in non-sheltered accommodation every 6 months	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	The requirement for tests is monitored, but statistics are kept on numbers.
(S2) Install an individual Careline alarm in your home within 2 working days (provided that no other telecare equipment is required)	Housing Manager (Older Peoples Services)	Average time to install a Careline alarm	0.9 days	1.5 days (Basic pendant and alarm)	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(S3) Renew mains batteries in individual (dispersed) alarms every 5 years	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	The requirement for battery renewals is monitored, but statistics are kept on numbers.
(S4) Treat all your alarm calls to Careline as potential emergencies, until proved otherwise Proposed new Service Standard	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Proposed new Service Standard to comply with the Telecare Services Association's (TSA) requirements
(S5) Answer your alarm calls to Careline, on average, within 10 seconds	Housing Manager (Older Peoples Services)	Average time to respond to calls (including non urgent, routine calls from scheme managers and test calls)	6.3 seconds	6.6 seconds	
(S6) Answer 97 % of all alarm calls to Careline within 30 seconds	Housing Manager (Older Peoples Services)	% of calls answered within 30 seconds	98.9 %	98.9%	
(S7) Answer 99 % of all alarm calls to Careline within 60 seconds Proposed new Service Standard	Housing Manager (Older Peoples Services)	% of calls answered within 60 seconds	Not measured	Not measured	Proposed new Service Standard to comply with the Telecare Services Association's (TSA) requirements

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(S8) Liaise with other agencies and nominated contacts to ensure the wellbeing of our Careline customers</p> <p><i>Proposed new Service Standard</i></p>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Proposed new Service Standard to comply with the Telecare Services Association's (TSA) requirements
<p>(S9) Record and monitor all your calls to Careline, to help train our staff and look at how we can improve our service</p> <p><i>Proposed new Service Standard</i></p>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Proposed new Service Standard to comply with the Telecare Services Association's (TSA) requirements
<p>(S10) Repair your Careline alarm, or provide you with a replacement, within 24 hours of us being made aware (excluding Telecare sensors)</p>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Records for Individual repair times are kept, but overall numbers statistics are not kept
<p>(S11) Visit you annually to test the back-up batteries in your Careline alarm and to review your personal details held on our records</p>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Records for Individual visits are kept, but statistics on overall numbers are not kept
<p>(S12) Record, maintain and update your Careline records in a confidential and secure manner</p> <p><i>Proposed new Service Standard</i></p>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Proposed new Service Standard to comply with the Telecare Services Association's (TSA) requirements

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(S13) Train all our Careline staff to a high standard	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Proposed new Service Standard to comply with the Telecare Services Association's (TSA) requirements
(S14) If you live in sheltered accommodation, ensure that your Scheme Manager gives you a home visit (or sees you) every day (Monday to Friday – subject to holidays and sickness) <i>(Proposed change – Amend “(or sees you)” to “(or accounts for you)”</i>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Records of visits are kept, but statistics on overall numbers are not kept The proposed change is a more accurate reflection of current practice, since a tenant can be accounted for over the alarm system, without being seen.
(S15) If you live in sheltered accommodation and your Scheme Manager is on holiday or sick, arrange for another Scheme Manager to visit you 3 times a week	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Records of visits are kept, but statistics on overall numbers are not kept
(S16) If you do not live in sheltered accommodation, but are visited by a Scheme Manager, ensure that you receive a visit every week, fortnight or month, as appropriate (as determined by a risk assessment)	Housing Manager (Older Peoples Services)	Average no. of visits per week	214	255	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
(S17) If you live in sheltered or non-sheltered accommodation for older people, provide you with a Tenant Support Plan – explaining the type and level of support that we will give you - and review the Tenant Support Plan every 12 months (or sooner if requested by you)	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	Except for those certifying that they do not want a Tenant Support Plan, all tenants have a Tenant Support Plan which is reviewed annually
(S18) Carry out fire drills at sheltered accommodation every 3 months	Housing Manager (Older Peoples Services)	No of schemes where fire drills have not been undertaken within 3 months	0	0	
HOUSE SALES					
(HS1) Confirm whether or not you are eligible for the Right to Buy within 2 weeks of receiving a properly completed application from you <i>(Statutory requirement, but the statutory timescale is 4 weeks)</i>	Principal Housing Officer (Sales/Leases)	(a) Average periods	F/hold - 3.0 days L/hold - 4.2 days	F/hold – 4.7 days L/hold – 2.7 days	
		(b) % within statutory timescale (4 weeks)	F/hold - 100 % L/hold - 100 %	F/hold – 100% L/hold – 100%	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(HS2) Advise you of the valuation, discount and purchase price for the property you wish to purchase within 8 weeks of us confirming the Right to Buy if your property is a house or bungalow or 12 weeks if your property is a flat or maisonette</p> <p><i>(Statutory requirement and timescales)</i></p>	Principal Housing Officer (Sales/Leases)	(a) Average time to provide information	F/hold - 4.5 weeks L/hold - 4.3 weeks	F/hold – 7.44 weeks L/hold – 5.5 weeks	
		(b) % within statutory timescale	F/hold - 96.3 % L/hold – 100 %	F/hold – 60% L/hold - 100%	
<p>(HS3) Give you an opportunity to appeal against our valuation of your home, and to obtain an independent valuation (free of charge) from the District Valuer, within 3 months of you receiving our valuation</p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	No of appeals to DV	3	0	
<p>(HS4) Complete the purchase of your property within 10 weeks of you confirming that you wish to proceed, provided that you and your solicitor deal with all required matters promptly</p>	Principal Housing Officer (Sales/Leases)	Average time taken to complete a purchase	N/A	17 week (7 completions during the year)	The actual timescale often depends on how quickly the applicant's solicitor takes to complete. The Housing Directorate has no control over performance

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(HS5) If you do not proceed with your purchase, give you two formal notices of 8 weeks each before cancelling your Right to Buy application</p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	Although overall statistics are not kept, cases are monitored to check how long applicants are taking to proceed, so that formal notices are issued at appropriate times. The notices are served direct by the Council's Legal Service
LEASEHOLD SERVICES					
<p>(L1) Provide you with a detailed breakdown of your <u>estimated</u> annual service charge at least 2 weeks before the beginning of the financial year</p>	Principal Housing Officer (Sales/Leases)	No. of weeks before the beginning of the reference year when all estimated service charge accounts were issued for the reference year	4 weeks	4 weeks	
<p>(L2) Provide you with a detailed breakdown of your <u>actual</u> annual service charge within 6 months after the end of the financial year</p>	Principal Housing Officer (Sales/Leases)	No. of months after the end of the reference year when all actual service charge accounts were issued for the reference year	6 months	6 months	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(L3) If you fall into arrears with your service charges, give you an appropriate amount of time to clear the arrear in accordance with the Council's Sundry Income and Dept Policy ^(h)</p> <p><i>(Proposed change – Amend to “If you fall into arrears with your actual service charge...”)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	Formal action to recover service charges are only taken on <u>actual</u> service charge arrears, not estimated charges)
<p>(L4) Consult you on proposed major repairs and improvements (over £250) and details of the proposed contractors to provide tender prices at least 30 days before seeking tenders</p> <p><i>(Proposed change – replace “details of the proposed contractors to provide tender prices” with “give you the opportunity to nominate a contractor to provide a tender for the work”)</i></p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	Although statistics are not kept, records of individual consultations are kept . The proposed change corrects the actual legal position

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(L5) Consult you on the estimated cost of major repairs and improvements before commencing the work, and give you at least 30 days to provide any comments you may have, which we will take into account</p> <p><i>(Proposed change – insert “and advise you of the selected contractor” after “and improvements”)</i></p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	<p>Although statistics are not kept, records of individual consultations are kept.</p> <p>The proposed change corrects the actual legal position</p>
<p>(L6) Provide you, on request, with a copy of your current service charge account and other relevant information (perhaps if you wish to sell on the leasehold), for a fee, within 2 weeks of your request</p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	
<p>(L7) Support a District-wide Leaseholders Association and ensure that it meets at least 4 times each year</p>	Tenant Participation Officer	No. of meetings held	5	4	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
-------------------------	----------------------------	----------------------------	---------------	---------------	-----------------

PRIVATE SECTOR HOUSING

<p>(PS1) Visit 95% of applicants for our Caring And Repairing in Epping Forest (CARE) Service within 3 weeks of the initial enquiry</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	% of visits undertaken within 3 weeks	Not measured	100 %	
<p>(PS2) Undertake jobs through our Handyperson Service within 2 weeks of request</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	Average time for jobs to be completed	Not measured	Area 1 – 9 working days Area 2 – 19 working days	The average time in Area 2 was seriously affected by the poor health of the contractor
<p>(PS3) Generally satisfy at least 95% of our customers for both CARE's core service and Handyperson Service</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	% satisfied with CARE's core service and the Handyperson Service	Not measured	100 %	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(PS4) Respond to applicants for Disabled Facilities Grants (DFGs) within 10 working days of receiving a referral from an occupational therapist (OT)</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	Average time to respond to referrals	Not measured	10 working days	
<p>(PS5) Issue a decision on a formal application for a DFG within 5 working days of receipt</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	Average time to issue a decision	Not measured	3.9 working days	
<p>(PS6) Respond to applicants for other private sector grants within 5 working days of receiving a request</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	Average time to respond to requests	Not measured	2 working days	
<p>(PS7) Issue a decision on a formal application for other private sector grants within 5 working days of receipt</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (CARE & Grants)	Average time to issue a decision	Not measured	3.5 working days	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
<p>(PS8) Respond to requests for assistance from private tenants allegedly being harassed by landlords within 24 hours</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (Technical)	% of responses within 24 hours	Not measured	100 %	
<p>(PS9) Respond to initial enquiries for other private sector housing services (e.g nuisance, filthy / verminous properties, mobile homes, HMOs) within 5 working days</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (Technical)	% of responses within 3 working days	Not measured	99 %	
<p>(PS10) Issue licences for houses in multiple occupation (HMOs) within 6 months of receiving a properly completed application</p> <p><i>Proposed new Service Standard</i></p>	Private Housing Manager (Technical)	% of licences issued within 4 months	Not measured	100 %	

**Epping Forest District Council
Housing Directorate**

HOUSING SERVICE STANDARDS 2008/9

Service Standard	Officer Responsible	Performance Measure	2006/7	2008/9	Comments
------------------	---------------------	---------------------	--------	--------	----------

Notes:

(a) Decisions relating to homelessness are considered *either* by a senior officer or the Housing Appeals and Review Panel, and have different timescales.

(b) Decisions relating to the priority need of single people, suitability of accommodation and referrals to other councils are considered by a senior officer. All others are considered by the Housing Appeals and Review Panel of district councillors.

(c) Homeless applicants are able to participate in the Choice Based Letting Scheme, for a period of 8 weeks (4 cycles) after receiving their homelessness decision letter. If no successful expressions of interest are made by the applicant, the Council will initially make expressions of interest on their behalf. If this is still unsuccessful, the Council will make the applicant one offer of accommodation when a suitable property becomes available.

(d) A demoted tenant is someone who held a secure tenancy but whose secure tenancy rights have been taken away by a court and has therefore become a (demoted) tenant - who is allowed to live at the property but with limited rights.

(e) Succession takes place when someone legally takes over the tenancy from their spouse or another family member, following the previous tenant's death. In law, there can only be one succession. A person (spouse or family member) who would otherwise be a successor tenant, but cannot in law because there has already been one succession, will be offered a new tenancy of either the property they are living in or another one, depending on whether or not they under-occupy the property.

(f) Measured through the Council's ongoing repairs satisfaction survey from satisfaction forms provided to tenants for all repairs requested.

(g) Under the Right to Repair legislation, defined repairs must be undertaken within either 1,3 or 7 days as specified by the legislation.

(h) Under the Council's Sundry Income and Debt Policy, people are given the following time periods to repay the following levels of debts:

Debts below £500 Upto 3 months
Debts below £1,500 Upto 6 months

Debts below £2,500 Upto 9 months
Debts above £2,500 Upto 12 months

This page is intentionally left blank

Epping Forest District Council

HOUSING CHARTER

In the provision of housing services^(*), the Council will:

- Treat you courteously, politely and with respect - in person and on the telephone (and will expect the same in return)
- ***Treat you fairly and in accordance with your needs and wishes***
(This is a proposed additional commitment – to comply with the Telecare Service Association’s accreditation requirements)
- Investigate complaints thoroughly and respond wherever possible within 10 working days or send you an acknowledgement and then respond to you fully as soon as possible
- Explain and give advice promptly on any housing matters you do not understand
- Consult you on matters that significantly affect you
- Seek to provide high standards of service to you
- Take into account your needs and the needs of others when considering individual housing cases, and the effect decisions will have.
- Keep you informed of housing issues
- Manage the use of your rent payments prudently
- Make provision for any special needs you may have when communicating with you
- Treat you equally, irrespective of your ~~sex, race, colour, nationality, religion or~~ disability, **gender, faith, belief, age or sexual orientation** and comply with the Equality and Human Rights Commission’s Race Relations Code of Practice Related to Rented Housing and the Good Practice Standards for Social Landlords on Tackling Harassment
(The proposed wording reflects the client groups set out in the Equalities Bill 2009)

(*) Housing services are provided, in the main, to:

- Council Tenants
- Leaseholders
- Housing applicants
- Homeless applicants
- Private tenants and owner-occupiers

This page is intentionally left blank



SCRUTINY



Report to the Housing Scrutiny Panel

Date of meeting: 15 December 2009

Portfolio: Housing – Councillor D Stallan

Subject: Housing Directorate Strategies

**Officer contact for further information: Roger Wilson
(01992 56 4419)**

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations/Decisions Required:

That the Housing Scrutiny Panel considers and endorses the Housing Directorate Strategies on Equality and Diversity, Allocations and Housing Advice, attached as appendices, and provides any comments to the Housing Portfolio Holder for incorporation.

Report

1. Housing Directorate Strategies were originally produced around 10 years ago in accordance with an agreed standard framework, and have since been updated. The Housing Directorate Strategies give more detail than the Council's main Housing Strategy on the various housing services provided. In total, 17 Housing Directorate Strategies have been produced to date, covering:

Equality and Diversity
Rent Collection and Administration
Under-occupation
Tenant Participation
Housing Management Services
Housing Allocations
Empty Properties
Anti-Social Behaviour
Rent arrears

House Sales & Leasehold Services
Homelessness
Housing Information
Private Rented Sector
Older Peoples Housing Services
Housing Advice
Energy Efficiency
Harassment

2. The Strategies are produced to a common format that set out how individual housing services will be delivered. They have assisted a large part of the Housing Directorate in achieving the Charter Mark award for customer service excellence, ISO 9001:2000 Quality Accreditation, and have been important to meeting the minimum requirement for Supporting People funding under the conditions of the contract.

3. The Housing Scrutiny Panel is asked to consider and endorse three updated Housing Directorate Strategies on Equality and Diversity, Allocations and Housing Advice which are attached as an appendix to the report and provide any comments to the Housing Portfolio Holder for incorporation.

Consultation

4. The Tenants and Leaseholders Federation have been consulted, and they support the three Strategies.

This page is intentionally left blank

Epping Forest District Council

**HOUSING DIRECTORATE
STRATEGY ON
HOUSING ADVICE**

1. Introduction

- 1.1 This strategy sets out the Housing Directorate's approach to the provision of housing advice. The Council works in partnership with the three Citizens Advice Bureaux (CAB) in the District to provide a range of advice and to support to those who may be experiencing difficulties with their housing situation.
- 1.2 The Council has quarterly liaison meetings with CAB Managers which is chaired by the Assistant Director of Housing (Operations) with the Housing Options Manager and the Area Housing Managers also being in attendance. The purpose of the meetings is to enable updates on matters of policy and also to discuss serious cases which may have arisen.
- 1.4 The C.A.B. have offices in Epping, Loughton and Waltham Abbey and outreach services at the Council's homeless persons hostel Norway House in North Weald, the Health Centre in Chigwell and the library in Ongar. There is also a home visiting service for people who are housebound.
- 1.5 Local housing authorities have a statutory duty to offer advice and assistance on homelessness and the prevention of homelessness. They also have a duty to ensure that an allocations scheme for determining priorities for allocating social housing is available for inspection and that a summary is available, on request, free of charge. This strategy sets out how the advice offered by the Housing Directorate and the C.A.B. will be delivered and monitored.
- 1.6 This strategy was developed in consultation with the three CAB Managers, the Tenants and Leaseholders Association and the Housing Scrutiny Panel. It was formally approved by the Housing Portfolio Holder on xxxxxx.

2. Background to the Service

- 2.1 Advice and assistance on homelessness and the prevention of homelessness can encompass a wide range of issues. The Housing Options Section, based at the Civic Offices in Epping, has 5 FTE officers dedicated to homeless prevention work. These officers provide a link to a range of other housing options, which are set out in the Council's Homelessness Strategy.
- 2.2 The provision of housing advice is a specialist area and includes debt management, with appropriate cases to be referred to the C.A.B. Other agencies and organisations to which enquirers may be directed by housing officers include: the Alcohol and Drugs Advisory Service; the Community Drugs and Alcohol Team; Social Care; the Department of Social Security; Connexions; Voluntary Action in Epping Forest; Victim Support; Harlow Women's Aid and the Epping Forest Housing Aid Scheme.

- 2.3 The Housing Options Section, when giving advice liaise with other Sections within the Council, for example, the Housing Benefit Division. In addition, Private Sector Housing would deal with any private landlord issues where there may have been harassment, illegal evictions, properties in need of repair, (including those which are unfit for habitation) and matters regarding houses in multiple occupation.
- 2.4 Housing Options staff also offer advice on charitable and other organisations assisting homeless people, sourcing privately rented accommodation and shared ownership schemes.
- 2.5 Advice is available on a range of legal matters including Notices to Quit, rent levels, property rights in cases of relationship breakdown, interim and temporary accommodation and related licences, access to Housing Registers and registered social landlords, assignments by way of mutual exchange, rights in respect of access to files and reviews and appeals.
- 2.6 The Council works in partnership with In Touch Support who is funded by the Supporting People programme. In Touch provide support vulnerable tenants and formerly homeless people living in interim and temporary accommodation with the aim of preventing repeat homelessness.

3. Coverage

- 3.1 In summary, housing advice encompasses –
- (a) Assisting people who may be threatened with losing their home through the homelessness prevention service;
 - (b) Providing Interim or Temporary accommodation to appropriate applicants; and
 - (c) Providing general housing advice to any person who approaches the Council in accordance with its statutory duties.

4. Relationship with other Documents

- 4.1. This Strategy forms part of the Council's overall Housing Strategy and the Housing Revenue Account Business Plan. The Provision of Housing Advice is also included in the Homelessness Strategy.
- 4.2 The Council has adopted a Housing Charter, and Service Standards which set out the promises made to its customers, and gives full details of the services that they can expect to receive. The performance against the standards are reported annually to the Tenants and Leaseholder's Federation and the Housing Scrutiny Panel.
- 4.3. The Council follows the guide set out in the Commission for Racial Equality's Code of Practice in Rented Housing.
- 4.4. The Council follows advice from central government set out in circulars including the Homelessness Code of Guidance for Local Authorities and Allocation of Accommodation Code of Guidance to Local Housing Authorities.

4.5 The following Government guides are made available

- Assured and assured short-hold tenancies – a guide for landlords
- Letting your home
- Letting Rooms in Your Home –a guide for landlords and their tenants
- Assured and assured short-hold tenancies – a guide for tenants

4.6 The Housing Directorate produces its Housing Allocations Scheme and a summary leaflet, which sets out the Council's policies on these matters.

4.7 An application pack for the Housing Register is provided including: a summary of the Housing Allocations Scheme, entitled "Moving Home with the Council" which includes advice on mutual exchanges, the formal application including guidance notes, and an information booklet.

4.8 All applicants are also sent a HomeOption Scheme User Guide which gives detailed information on how to participate in the Council's HomeOption choice based lettings scheme and also suggests other housing options. In addition, a fortnightly free-sheet is available for all applicants on the Housing Register which advertises all available Council and housing association vacancies in which applicants can express an interest.

4.9 In addition to the literature detailed above, which is freely available, important items of general interest are included in a newsletter, "Housing News", which is sent, usually quarterly, to tenants and, when appropriate, to housing applicants as well.

4.10 Information about these services is also available on the Council's website at www.eppingforestdc.gov.uk/housing.

5.Aims and Objectives

5.1. The aim of the Council's Strategy on Housing Advice is:

" To ensure that housing advice is readily available, free of charge, to anyone in need of it, enabling them to explore their options and understand the possible consequences of certain courses of action".

5.2. The aim of this Strategy will be met by:

5.3 Providing the Council's tenants with information on the express terms of their tenancies, including their statutory rights in respect of assignments, successions and assignments by way of mutual exchange.

5.4 Working with the Community Legal Service Partnership (CLSP) for the Epping Forest District which enables the provision of good legal advice to homeless applicants and was launched in June 2002. This multi-agency partnership includes Voluntary Action Epping Forest, Age Concern, CAB, some privately practicing solicitors, Essex County Council and the Legal Services Commission. The CLSP was set up to co-ordinate the provision in the District of good quality, publicly funded legal advice and assistance on civil matters.

- 5.5 Providing advice and assistance on homelessness and the prevention of homelessness, for example assisting with debt management, in partnership with the CAB who has a dedicated expert who deals exclusively with debt referrals from the Homelessness Prevention Team. Some cases may be referred to other agencies included the Council's Benefit Division.
- 5.6 Advice is given on a range of other matters including:
- Harassment
 - Illegal evictions by private landlords
 - Properties in need of repair, including those which are unfit for habitation
 - Houses in Multiple Occupation
 - Charitable organisations assisting homeless people (including victims of domestic violence)
 - Securing private rented accommodation
 - Access to shared ownership schemes
 - Property rights in cases of relationship breakdown or other domestic issues
 - Interim and temporary accommodation
 - Nominations to other local housing authorities
- 5.7 A range of advice and information leaflets are made available, some produced by the Housing Directorate, others published by the National Homeless Advice Service and the CLG. Where English is not the first language of the client, assistance can be obtained through approved agencies or documents can be translated in appropriate cases. For the visually impaired, literature can be made available either in large print or by audio cassette or Braille. The Council will also be publishing its Housing Application form in an easy-read format to meet the need of any applicants who have learning disabilities. Where a profoundly deaf client is a sign user, the Council can arrange "signing" through an approved agency. A loop system for people with hearing difficulties is available at the Civic Offices and at the Area Housing Office (South) at The Broadway, Loughton. Home visits will be made in appropriate instances.
- 5.8 Under the HomeOption choice based lettings scheme, fortnightly free-sheets are produced and distributed to various locations across the District giving details of properties in which homeseekers can express an interest. Free-sheets can be provided to vulnerable homeseekers by way of postal subscription.
- 5.9 The tenant's magazine "Housing News" is sent to all tenants 3 times each year, and when appropriate, to all homeseekers providing advice on a range of Housing services.
- 5.10 The 3 CAB offices in the District are based in Epping, Waltham Abbey and Loughton. The Council has a Service Level Agreement with the three bureaux to provide a range of advice and to support those who have difficulties expressing their needs effectively. The Council contributed £114,000 from its General Fund in 2009/10 towards CAB running costs.
- 5.11 The Council has formal arrangements for referring cases and, in addition to front-line liaison on a case by case basis, the Assistant Director of Housing (Operations) the two Area Housing Managers and the Housing Options Manager, meet with the Bureaux Managers each quarter.

- 5.12 The Epping CAB will arrange to visit residents at the Council's hostel Norway House, North Weald. A home visiting service is provided for people who are housebound.
- 5.13 Where a client is pursuing a review of a homelessness decision made by the Council they are advised in writing to seek assistance from the CAB or Shelter. Often, where applicants seek advice from one of the CAB offices, they in turn seek specialist advice from their dedicated solicitor.

6. Statutory Requirements

- 6.1 Part IV of the Housing Act 1985 sets out all tenant's rights under the Tenant's Charter.
- 6.2 The Landlord and Tenant Act 1985 sets out a number of provisions relating to private tenancies and leases.
- 6.3 The Protection from Eviction Act 1977 governs the period of notice required from landlords when terminating tenancies.
- 6.4 Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 governs the allocation of social housing. This is supported by the Allocation of Accommodation Code of Guidance to Local Authorities to which local housing authorities must have regard. The Immigration and Asylum Act 1996 is relevant to classes of applicant disqualified from applying for social housing.
- 6.5 The requirements of the Race Relations Act 1976, Sex Discrimination Act, Disability Discrimination Act 1995 and the Code of Practice in Rented Housing apply to the allocation of accommodation.
- 6.6 The Homelessness Act 2002 gives a housing applicant certain rights to information relating to the assessment of their application and decisions made. It also provides for the right to request a review of certain decisions.
- 6.7 Personal information held by the Housing Options Section is protected by the Data Protection Act 1998 which, together with the Housing Act 1996, allows individuals to access any information held about them.
- 6.8 The provisions of the Rent (Agricultural Act) 1976 are relevant to some Housing Register applicants.
- 6.9 Under the terms of the Children's Act 1989, an authority responsible for social care may request the help of a housing authority in discharging its duties towards a 'child in need'. A local housing authority must comply with any such request if it is compatible with its own functions and does not unduly prejudice the discharge of its own functions.
- 6.10 The Human Rights Act 1998 is most likely to be engaged for housing needs issues in respect of Articles 6, 8 and 14. These relate to the right to a fair trial (review and appeals procedures), respect for private and family life, home and correspondence (confidentiality) and discrimination (equal opportunities).
- 6.11 The Health and Safety at Work Act 1974 sets out the responsibilities of the Council as an employer in respect of the health and safety of staff.

7. Client Consultation, Information & Involvement

- 7.1. Consultation in respect of major changes to the Housing Allocations Scheme is undertaken with the Housing Scrutiny Panel, RSLs, Town and Parish Councils, Citizens Advice Bureaux and the Tenants and Leaseholders' Federation prior to consideration by the Cabinet.
- 7.2. Housing Register applicants may be informed on an individual basis of changes that affect them with items of general interest being publicised in the tenant's magazine "Housing News" which is sent on a quarterly basis to tenants and, when appropriate, all housing applicants, to keep them informed of important issues.
- 7.3 It is a requirement of the Homelessness Act 2002, that all local housing authorities must produce and publish a Homelessness Strategy on at least a 5 yearly basis. As this area of work regularly changes, it has been agreed that the Council's Strategy would be reviewed on a three yearly basis. The Housing Scrutiny Panel, Town and Parish Councils, RSLs, Citizens Advice Bureaux and the Tenants and Leaseholders' Federation are consulted prior to consideration by the Cabinet.
- 7.4. The Council consults on major policy changes with the C.A.B.
- 7.5. Epping Forest Tenants and Leaseholders Federation is involved in the planning and delivery of services and kept informed on performance and general issues relating to housing advice. It is consulted on all housing policy matters prior to consideration by the Portfolio Holder and Cabinet.

8. General Principles

- 8.1 When Housing Advice is provided for those with special needs, appropriate cases will be referred to In Touch Support, Homelessness Prevention Officers or other specialist advisers. Where English is not the first language of the client, the Housing Options Section will employ the services of 'Language Line' and arrange for document translation in appropriate cases. For those with visual impairment, it will make literature available in large print or arrange for the provision of audio cassettes or Braille translations as required. Where a deaf client is a sign language user, it will endeavour to ensure that a specially trained member of staff is present at interviews. The Council will also conduct home visits in appropriate cases.
- 8.2 Both general and specialist housing advice will be offered through appropriate service areas within the Council and by the CAB offices in the District.
- 8.3 The Council will, in addition to ensuring that personal interviews are arranged in appropriate instances, have readily available a wide range of literature offering advice on landlord and tenant matters.
- 8.4 The Council will ensure that housing advice reflects any changes in legislation, and that its literature is updated accordingly.
- 8.5 The Council will ensure that appropriate and up to date information is available on its Website.
- 8.6 The Council will respond to requests for information from Shelter and the CAB on specific cases where housing advice has been sought from those agencies, if provided consent has been given by clients.

8.7 Any applicants dissatisfied with the way in which the service has been delivered can make a Complaint under the Council's Compliments and Complaints procedure.

8.8 The performance of the Housing Options Section will be monitored under the quarterly performance management meetings chaired by the Director of Housing.

9. Future Developments

9.1 The following analysis of strengths, weaknesses, opportunities, and threats (SWOT analysis) forms the foundation for future action:

<p>Strengths</p> <ul style="list-style-type: none"> • Successful Homelessness Prevention Service • A number of initiatives to assist people to either seek or retain accommodation • Good working relationships with partner agencies • Effective consultation • Effective mediation service 	<p>Weaknesses</p> <ul style="list-style-type: none"> • None identified
<p>Opportunities</p> <ul style="list-style-type: none"> • Development of the HomeOption Choice Based Lettings Scheme • Additional sites for Gypsies and Travellers 	<p>Threats</p> <ul style="list-style-type: none"> • In Touch Support funded through Supporting People where funding could be reduced • Funding for Homeless Prevention Officers only guaranteed by Government until March 2011 • Reduced Government funding for various "recession busting" initiatives • Shortage of affordable housing • Possible reduced funding for the CAB service

10. Action Plan

Action	Lead Officer	Timescale	Resources
Continue regular liaison meetings with C.A.B.	Assistant Director of Housing (Operations)	Ongoing	Within existing resources

Action	Lead Officer	Timescale	Resources
Ensure that information leaflets etc. are updated in accordance with changes in legislation	Housing Options Manager	Ongoing	Within existing resources
Continue to ensure housing information is available in a variety of formats	Housing Options Manager	Ongoing	Within existing resources
Implement the "Housingmoves" Choice Based Mobility Scheme	Housing Options Manager	December 2009	Existing Resources
Implement the revised Service Standards for the Housing Options Section	Housing Options Manager	December 2009	Existing Resources
Review the Equality Impact Assessment and ensure it is compliant with the new legislation	Housing Options Manager	March 2010	Existing Resources
Make necessary preparations for the Government's short notice inspections	Assistant Director of Housing (Operations)	April 2010	Existing Resources
Report to Cabinet on funding for the Homelessness Prevention service, if necessary	Assistant Director of Housing (Operations)	March 2011	Budget provision may need to be made through the General Fund

11. Resourcing the Strategy

11.1. Housing Options staff delivering this Strategy in 2009/2010 is approximately 4.85 FTE which includes the staffing levels detailed in paragraph 11.2, and other officers time spent on the service. The projection for the number of staff required to deliver the Strategy over the following three years is detailed in the following table:

Staff Resource Projections				
Posts	2009/10	2010/11	2011/12	2012/13
Housing Options Staff (FTE)	4.85	4.85	4.85	4.85

11.2 The following table details the estimated proportion of Housing Options staff time spent on the service for 2009/2010:

Staff Resources Breakdown	
Posts	FTE
Housing Options Manager x 1	0.10
Asst Housing Options Manager (Homelessness) x1	0.25
Homelessness Prevention Officers x 5	4.50
Total	4.85 FTE

12. Key Targets and Performance Monitoring

12.1 There are no key targets for the provision of housing advice as it is a service that is responsive to demand.

13. Reviewing the Strategy

13.1. This strategy will be reviewed in consultation with the Housing Scrutiny Panel and the Epping Forest Tenants and Leaseholders Federation in December 2012.

This page is intentionally left blank

Epping Forest District Council

HOUSING DIRECTORATE STRATEGY ON ALLOCATIONS

1. Introduction

- 1.1. This strategy relates to the Council's duties in respect of the Housing Register, garage waiting lists, tenancy surrenders where vacant possession is given, the allocation of properties and garages, offers of tenancies and mutual exchanges.
- 1.2. The Council does not have a statutory duty to keep a Housing Register but has chosen to do so.
- 1.3. The Council does have a statutory duty to have an 'allocations scheme' for determining priorities for allocating social housing. It is required to ensure that a summary of the scheme is available on request, free of charge, and that a copy of the full scheme is available for inspection. Registered social landlords (RSLs) with accommodation in the District and Town and Parish Councils must be consulted on changes to the allocations scheme.
- 1.4. Major changes must be notified to applicants on the Housing Register which is undertaken through the tenants' magazine Housing News. This must be done 'within a reasonable period of time', with the effect of changes being explained to applicants.
- 1.5. The Council may only allocate social housing in accordance with its published scheme. Under the provisions of the Homelessness Act 2002 social housing must not be allocated to certain categories of applicant. Certain other categories of applicant must be awarded reasonable preference for accommodation. The allocations scheme must include a statement of the Council's policy, either to offer housing applicants choice of accommodation or to give them the opportunity to express a preference about the accommodation to be allocated to them. The Council's HomeOption choice based lettings scheme (details of which are set out in section 8 of this strategy) ensures all applicants have choice of accommodation.
- 1.6. This strategy sets out how the allocations service will be delivered and monitored. The service will be provided by the Housing Options Section within the Council's Housing Directorate.
- 1.7. The Council holds the Investors in People Award. The Housing Directorate holds ISO 9001:2000 quality management system accreditation and has achieved Charter Mark status in customer excellence.
- 1.8. This strategy was formulated in consultation with representatives of the Tenants and Leaseholders' Federation and the Council's Housing Scrutiny Panel. It was formally approved by the Council's Housing Portfolio Holder on xxxxxx.

2. Background to the Service

- 2.1. The Housing Allocations Scheme is reviewed annually by the Cabinet to ensure that it remains equitable, relevant and responsive to change.

- 2.2. It allows housing applicants to express a choice about the localities in which they would like to live through the HomeOption choice based lettings scheme, where applicants express an interest in vacant Council properties advertised in a free-sheet or on the website.
- 2.3. The Housing Allocations Scheme includes a banding system which is used to broadly prioritise housing applications, with applications being shortlisted for each property for which they have expressed an interest within date order in each band.
- 2.4. The scheme provides for applications for housing from persons not currently resident in the Epping Forest District. However, due to very high demand for vacancies in the general needs housing stock, the Council is usually only able to assist such applicants who are over 60 years of age and willing to accept small units of accommodation in sheltered or grouped housing schemes for older people for which there is less local demand.
- 2.5. The Council subscribes to the HomeSwapper national mutual exchange scheme where tenants can seek a mutual exchange.
- 2.6. The Housing Options Section offers housing advice and assistance, details of which are set out in the Housing Service Strategy on Housing Advice.
- 2.7. The Council owns around 3,000 garages which are let on an individual basis. Waiting lists are maintained by the Home Options Section and are prioritised in date order, from which vacancies are allocated.
- 2.8. Tenancy surrenders, where vacant possession is being given, form part of the allocations process for both properties and garages. This process is managed through the Housing Directorate's integrated Open Housing Management System (OHMS), computer system.

3. Coverage

3.1 In summary, allocations encompasses –

- tenancy surrenders where vacant possession is being given on properties and garages
- allocations and offers of vacant properties through the HomeOption choice based lettings scheme
- allocations and offers of tenancies for vacant garages
- signing up of applicants for new tenancies
- administration of the Housing Register, nominations for properties owned by registered social landlords, the HomeSwapper Mutual Exchange Scheme and garage waiting lists.

4. Relationship with other Documents

4.1. This Strategy forms part of the Council's overall Housing Strategy and the Housing Revenue Account Business Plan.

- 4.2. The Council has adopted a Housing Charter, and Service Standards which set out the promises made to its customers, and gives full details of the services that they can expect to receive. The performance against the standards are reported annually to the Tenants and Leaseholder's Federation and the Housing Scrutiny Panel.
- 4.3. The Council follows the guide set out in the Commission for Racial Equality's Code of Practice in Rented Housing.
- 4.4. The Council follows advice from central government set out in circulars including the Homelessness Code of Guidance for Local Authorities and Allocation of Accommodation Code of Guidance to Local Housing Authorities.
- 4.5. The Housing Directorate produces its Housing Allocations Scheme and a summary leaflet, which sets out the Council's policies on these matters.
- 4.6. An application pack for the Housing Register is provided including: a summary of the Housing Allocations Scheme, entitled "Moving Home with the Council" which includes advice on mutual exchanges, the formal application including guidance notes, and an information booklet.
- 4.7. All applicants are also sent a HomeOption Scheme User Guide which gives detailed information on how to participate in the Council's HomeOption choice based lettings scheme and also suggests other housing options. In addition, a fortnightly free-sheet is available for all applicants on the Housing Register which advertises all available Council and housing association vacancies in which applicants can express an interest.
- 4.8. Information for tenants in respect of tenancy surrenders, complaints and appeals procedures, as well as the right to assign by way of mutual exchange, is contained in a booklet, Your Rights and the Conditions of Your Tenancy.
- 4.9. The booklet, Renting a Garage, explains how to apply for a Council garage.
- 4.10. The following Government guides are made available
- Assured and assured short-hold tenancies – a guide for landlords
 - Letting your home
 - Letting Rooms in Your Home –a guide for landlords and their tenants
 - Assured and assured short-hold tenancies – a guide for tenants
- 4.11. Information about these services is also available on the Council's website at www.eppingforestdc.gov.uk/housing.

5. Aims and Objectives

5.1. The Aim of the Council's Strategy on Allocations is:

"To comply with legislation governing the allocation of social housing, operating in an efficient, fair and transparent way, optimising the use of available resources to meet housing need as far as possible."

5.2. The aims of this strategy will be met by:

- a) Reviewing the Housing Allocations Scheme annually, including monitoring both the ethnicity of applicants on the Housing Register and those who have been re-housed.
- b) Maintaining a Housing Register, utilising the OHMS computerised system.
- c) Assessing and prioritising applications for accommodation in accordance with the Housing Allocations Scheme; requiring applicants to complete and supply appropriate documentation to support their applications, referring medical submissions to the Council's Medical Advisers, arranging for applications for re-housing for welfare or hardship reasons to be considered by the Housing Options Manager in conjunction with one of the Council's Medical Advisers and a Housing Options Officer, making home visits and requesting special reports as necessary, and arranging special needs or occupational therapy (O.T.) assessments in appropriate cases.
- d) Notifying housing applicants of decisions affecting their application and of their statutory rights, advising them of their priority Banding, making applicants' files available to them on written request, and notifying applicants on the Housing Register of major changes to the Housing Allocations Scheme
- e) Recording property and garage surrenders on the OHMS system and monitoring the progress of voids, including the receipt and return of keys.
- f) Allocating vacancies and offering tenancies based on property short-lists in accordance with the Allocations Scheme, and arranging for prospective tenants to view vacant Council properties before they are ready for letting, signing up applicants for Council tenancies and issuing decorating vouchers.
- g) Making available, free of charge, copies of the Allocations Scheme in either full or summary version.
- h) Making information available to applicants on how to join the computerised HomeSwapper national mutual exchange scheme free of charge.
- i) Monitoring RSL vacancies in the District and making nominations.
- j) Offering advice and financial incentives to the Council's tenants transferring from any larger to smaller Council accommodation.
- k) Maintaining date order waiting lists for garages and offering vacant garages to applicants at the top of each list.
- l) Working with partner agencies such as the Learning Disabilities Local Action Group, Domestic Violence Forum, Children and Young Peoples Strategic Partnership, Single Accommodation for Epping Forest (SAFE) project, and In Touch Support.
- m) Monitoring staff performance against set targets.

6. Statutory Requirements

- 6.1. Part II of the Housing Act 1985 governs the provision of housing accommodation and related development by a district council and the periodical review of housing needs in the area.
- 6.2. Part IV of the Housing Act 1985 regulates the provision of information to tenants about the express terms of their tenancies and related matters, and provides for assignments by way of mutual exchange.
- 6.3. The Landlord and Tenant Act 1985 sets out a number of provisions relating to tenancies and leases.
- 6.4. The Protection from Eviction Act 1977 governs the period of notice required from tenants surrendering Council housing tenancies.
- 6.5. Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 governs the allocation of social housing. This is supported by the Allocation of Accommodation Code of Guidance to Local Authorities to which local housing authorities must have regard. The Immigration and Asylum Act 1996 is relevant to classes of applicant disqualified from applying for social housing.
- 6.6. The requirements of the Race Relations Act 1976, Sex Discrimination Act, Disability Discrimination Act 1995 and the Code of Practice in Rented Housing apply to the allocation of accommodation.
- 6.7. The Homelessness Act 2002 gives a housing applicant certain rights to information relating to the assessment of their application and decisions made. It also provides for the right to request a review of certain decisions.
- 6.8. Personal information held by the Housing Options Section is protected by the Data Protection Act 1998 which, together with the Housing Act 1996, allows individuals to access any information held about them.
- 6.9. The provisions of the Rent (Agricultural Act) 1976 are relevant to some Housing Register applicants.
- 6.10. Under the terms of the Children Act 1989, an authority responsible for social care may request the help of a housing authority in discharging its duties towards a 'child in need'. A local housing authority must comply with any such request if it is compatible with its own functions and does not unduly prejudice the discharge of its own functions.
- 6.11. The Human Rights Act 1998 is most likely to be engaged for housing needs issues in respect of Articles 6, 8 and 14. These relate to the right to a fair trial (review and appeals procedures), respect for private and family life, home and correspondence (confidentiality) and discrimination (equal opportunities).
- 6.12. The Health and Safety at Work Act 1974 sets out the responsibilities of the Council as an employer in respect of the health and safety of staff.

7. Client Consultation, Information & Involvement

- 7.1. Consultation in respect of major changes to the Housing Allocations Scheme is undertaken with RSLs, Town and Parish Councils, Citizens Advice Bureaux and the Tenants and Leaseholders' Federation prior to consideration by the Cabinet.
- 7.2. Housing Register applicants may be informed on an individual basis of changes that affect them with items of general interest being publicised in the tenant's magazine Housing News which is sent on a quarterly basis to tenants and, when appropriate, all housing applicants, to keep them informed of important issues.

8. General Principles

HomeOption Choice Based Lettings Scheme

- 8.1. In November 2007, the Council introduced the "HomeOption" choice based lettings scheme which has proved to be very successful. Under the scheme applicants are able to express and interest in advertised social housing vacancies. The Council are part of the Herts and Essex Housing Options Consortium (HEHOC) which includes the following partner authorities:
- Chelmsford Borough Council
 - Broxbourne Borough Council
 - East Hertfordshire District Council
 - Brentwood Borough Council
 - Uttlesford District Council
 - Epping Forest District Council
- 8.2 Currently, each authority within the Consortium operate their own local Allocations Scheme.
- 8.3 The implementation of a Choice Based Lettings Scheme was necessary in order to meet the requirements of Government that such a scheme be in place by 2010 at the latest.
- 8.4 Under the scheme, all vacant social rented properties are advertised to applicants on the Housing Register in a two-weekly publication, website, and other media giving details of location, type, rent, service charge, council tax band and landlord of the available accommodation. Applicants apply for a property by "expressing an interest" either in person, by post, telephone, text, email or Internet. Limits to the number of "expressions" per applicant are in place, which include restricting "expressions" for properties to those households, which only have an assessed need for a particular property type.
- 8.5 At the end of the two weekly cycle, "expressions of interests" received are prioritised for each property in accordance with the Allocations Scheme. In general terms, the property would be offered to the applicant in the highest band, who has been registered the longest, who had "expressed an interest" for the specific vacancy. The results of the "expressions of interest" on each property advertised is then published in the next periodic publication, setting out the number received on each property, as well as the Band and registration date of the successful applicant. This helps applicants to see how long the successful applicant has been waiting and gives greater transparency in the allocation of accommodation, as each applicant would be able to clearly understand how the scheme works.

- 8.6 Applicants refused inclusion on the Housing Register or dissatisfied with certain decisions in respect of their housing applications have a statutory right to request a review of the decision. Reviews will be conducted by the Assistant Director of Housing (Operations) or the Housing Options Manager, subject to their not having been involved in the original decision. If applicants are dissatisfied with a decision following the statutory review they will be able to take their case on a non-statutory basis to the Housing Review and Appeals Panel, comprising five elected Members.
- 8.7. Any applicants dissatisfied with the way in which the service has been delivered can make a Complaint under the Council's Compliments and Complaints procedure.
- 8.8. The performance of the Housing Options Section will be monitored under the quarterly performance management meetings chaired by the Director of Housing.

9. Future Developments

9.1. The following analysis of strengths, weaknesses, opportunities, and threats (SWOT analysis) forms the foundation for future action:

<p>Strengths</p> <ul style="list-style-type: none"> • Successful choice based lettings scheme • Efficient and tested processes • Good relations with RSLs and others • Annual review of the Housing Allocations Scheme • Strong performance monitoring • Wide variety of publications • Ethnic monitoring of applicants and allocations • Easy access to staff by telephone, e-mail and in person • Detailed information on service on the Council's Web-site • Better opportunities for tenants to mutual exchange through the new (free) HomeSwapper service • Charter Mark, ISO & IIP accreditations 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Shortage of sites to provide the required amount of affordable housing
<p>Opportunities</p> <ul style="list-style-type: none"> • Extending the opportunity for applicants to move to other areas under Choice Based Mobility "housingmoves" scheme • Increased flexibility for applicants under the Government's proposals "fair and flexible" which may bring changes to certain rules • Increased cross boundary working through HEHOC • Implementation of new service standards • Updated Equality Impact Assessments following changes in legislation 	<p>Threats</p> <ul style="list-style-type: none"> • Disposal of housing stock through RTB and increased demand, far outstrips RSL new build • Possibility of serious assault on staff due to increased anti-social behaviour

10. Action Plan

Action	Lead Officer	Timescale	Resource Implications
Implement the "housingmoves" Choice Based Mobility Scheme	Assistant Director of Housing (Operations)	December 2009	Existing Resources
Implement the revised Service Standards for the Housing Options Section	Housing Options Manager	December 2009	Existing Resources
Review Housing Allocations Scheme in accordance with the Government's new "fair and flexible" proposals	Assistant Director of Housing (Operations)	March 2010	Existing resources
Review the Equality Impact Assessment and ensure it is compliant with the new legislation	Assistant Director of Housing (Operations)	March 2010	Existing Resources
Consider cross-boundary working through HEHOC	Assistant Director of Housing (Operations)	March 2010	Existing Resources
Make necessary preparations for the Government's short notice inspections	Assistant Director of Housing (Operations)	April 2010	Existing Resources

Action	Lead Officer	Timescale	Resource Implications
Consider de-designating further difficult to let properties from older people's use on housing estates	Assistant Director of Housing (Operations)	April 2010	Existing Resources
Introduce on-line housing applications as part of the OHMs upgrade	Housing Options Manager	January 2011	Existing resources

11. Resourcing the Strategy

11.1. Housing Options staff delivering this Strategy in 2009/2010 is approximately 8.75 FTE which includes the staffing levels detailed in paragraph 12.2, and other officers time spent on the service. The projection for the number of staff required to deliver the Strategy the and the following three years is detailed in the following table:

Staff Resource Projections				
Posts	2009/10	2010/11	2011/12	2012/13
Housing Options Staff (FTE)	8.75	8.75	8.75	8.75

11.2 The following table details the estimated proportion of Housing Options staff time spent on the service for 2009/2010:

Staff Resources Breakdown	
Posts	FTE
Assistant Director of Housing (Operations)	0.25
Housing Options Manager	0.5
Asst Housing Options Manager (Allocations)	1.0
Housing Options Officers	3.0
Assistant Housing Options Officers	4.0
Total	8.75 FTE

12. Key Targets and Performance Monitoring

12.1 The Council will monitor performance and compliance with this Strategy through quarterly performance management meetings chaired by the Director of Housing with the Assistant Director of Housing (Operations) and the Housing Options Manager, to ensure that a number of targets, which include the following are met:

Key Targets & Performance					
Performance Indicator	2009/10	2010/11	2011/12	2012/13	2013/14
	(Target)	(Target)	(Target)	(Target)	(Target)
Average time taken in days to re-let local authority housing	40	35	30	28	28
Percentage rent loss from void properties	1.9%	1.6%	1.3%	1.2%	1.2%
Number of properties not let after 3 weeks with the Housing Options Section	10	8	6	4	4
Average re-let time in days from when keys received in the Housing Options Section	15	13	11	9	9
Number of applications not registered	0	0	0	0	0

13. Reviewing the Strategy

13.1. This strategy will be reviewed in consultation with the Housing Scrutiny Panel and the Epping Forest Tenants and Leaseholders' Federation by December 2012.

This page is intentionally left blank

Epping Forest District Council
HOUSING DIRECTORATE'S STRATEGY ON
EQUALITY AND DIVERSITY

Contents

1. Introduction.....1
2. Background2
3. Legal Framework.....3
4. New Equalities Bill 2009..... 6
5. Relationship with Other Documents, Strategies, Policies and Procedures6
6. Aims and Objectives.....7
7. Consultation on this Strategy.....9
8. Terminology and Examples of Discrimination9
9. Complaints of Discrimination.....12
10. Consultation of Service Users12
11. Involvement and Participation of Service Users13
12. Monitoring.....13
13. Staff Training14
14. Procurement and Partnerships.....15
15. Equality Impact Assessments.....15
16. Publicity16
17. Action Plan.....18
18. Reviewing the Strategy.....19

1. Introduction

1.1 This Strategy sets out the Housing Directorate's approach to promoting equality and diversity in line with the Council's corporate Equality and Diversity Policy and its statutory duties as a public authority to promote equality. This includes actions designed to:

- eliminate unlawful discrimination and promote equality of opportunity
- recognise and value the needs and contributions of individuals and identifiable groups within the wider community served by the Housing Directorate
- ensure that everyone who needs housing advice and services is fully able to access them
- promote understanding and tolerance of different cultures and good relations within the communities served by the Housing Directorate

1.2 The Housing Directorate's Equality and Diversity Strategy is consistent with the Council's role as a fair employer. Further details about the Council's Equal Opportunities Policy relating to employment may be obtained from the Human Resources Section.

1.3 Dealing effectively with all forms of discrimination, is an important role for the Council as a social landlord. This Strategy is linked to the Housing Directorate's Service Strategies on Harassment and Anti-Social Behaviour.

- 1.4 The Housing Directorate is also well placed to promote equality in its role as a Local Strategic Housing Authority working in partnership with the Registered Social Landlords (RSLs) to develop and manage affordable housing in the District.
- 1.5 Furthermore, the Council has a role in supporting vulnerable adults in the community, older people and those who are homeless, who may be more at risk of discrimination and unfair treatment and less able to challenge it.
- 1.6 As with related issues, such as responding to racist, homophobic and other anti-social behaviours, the Council works in partnership through the Crime and Disorder Reduction Partnership with Essex Police, Essex County Council, Essex Race Equality Council, Victim Support, and other relevant agencies.
- 1.7 The Strategy has been developed in accordance with the provisions of equality and housing legislation and, where relevant, the associated codes of practice.
- 1.8 The Equality and Diversity Strategy has been developed in consultation with the Tenants and Leaseholders Association which is working to enhance equality and diversity.
- 1.9 The Equality and Diversity Strategy was approved by the Council's Housing Portfolio Holder on xxxxx following consultation with the Housing Scrutiny Panel.

2. Background

- 2.1 The Council has a legal responsibility not to discriminate on grounds of race, gender and disability in its provision of goods, facilities, services and premises.
- 2.2 In addition, the Race Relations (Amendment) Act 2000 requires all public authorities to take a more pro-active approach, which entails promoting equality of opportunity, eliminating unlawful racial discrimination and promoting good relations between persons of different racial groups. These three elements are combined to form a 'general duty'. There are also specific duties, which includes a requirement to prepare and publish a Race Equality Scheme setting out:
 - A prioritised list of relevant functions and policies
 - Monitoring arrangements to check for any adverse impact on promoting race equality
 - Impact assessment and consultation arrangements to assess the likely impact of proposed functions and policies
 - Publication of the results of monitoring, assessments, and consultation and any changes made to functions and policies arising
 - Arrangements for ensuring public access to information and Council services
 - Staff training.
- 2.3 Similar statutory duties applied in relation to disability (from December 2006) and gender (from April 2007).

- 2.4 The Council developed and agreed its Race Equality Scheme, including an action plan, in 2002. Since then, the Council has conducted a review of all relevant services and assessed how well it is achieving its equality performance targets. This resulted in service specific action plans plus a Corporate Equality Action Plan in 2006. Whilst the current statutory requirement relates to race equality, other aspects were considered throughout this process, e.g. potential inequality relating to gender, religion, disability, age, etc.
- 2.5 As part of this review process, the Housing Directorate undertook equality impact assessments and developed equality action plans for the following service areas:
- Housing Options
 - Housing Assets & Repairs
 - Housing Management
 - Older Peoples Services
 - Housing Strategy
 - Housing Information
- 2.6 The purpose of these assessments was to identify:
- Consultation and monitoring arrangements that were already in place for existing services and identify any gaps
 - Arrangements required for conducting impact assessments and formal consultation processes for proposed policies
 - The accessibility of its services
 - The need to raise awareness and understanding of equality and diversity issues amongst tenants
 - Staff training needs
 - Which external organisations (public, private or voluntary) were working in partnership with the Housing Directorate to deliver services and the extent to which they were contributing to the general duty.
 - Overall impact in terms of promoting equality, eliminating unlawful discrimination and promoting good relations between different sectors of the community.
- 2.7 The purpose of the action plans was to address any shortfalls in these areas and all the action items were scheduled to be delivered by April 2007 or earlier. Progress made is summarised under the Strategy's Action Plan. Actions which need to be tackled on a corporate basis were carried into the Corporate Equality Action Plan.

3. Legal Framework

- 3.1 During 2009, the various strands of legislation relating to equalities are being brought together under one Act called the Equalities Bill which expected to come into force in 2010. Details of the proposed legislation is set out at section 4 of this Strategy. The following current legislation has particular implications for services delivered by public authorities, including the Housing Directorate, in relation to equality and diversity.

3.2 Human Rights Act 1998

It is unlawful for a public authority to act in a way that is incompatible with a Convention right. The Act includes the following rights to:

- Private and family life, home and correspondence (Article 8)
- Freedom of thought, conscience and religion and to manifest their religion or belief, in worship, teaching, practice and observance (Article 9)
- Men and women of marriageable age have the right to marry and to found a family (Article 12)
- The enjoyment of the rights and freedoms set forth to be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status (Article 14).

3.3 Sex Discrimination Act 1975 and Race Relations Act 1976 - Provision of Goods, Facilities, Services and Premises

It is unlawful for anyone (including specifically local authorities) concerned with the provision of goods, facilities or services to the public to discriminate on grounds of race or sex:

- By refusing or deliberately omitting to provide them
- As regard to their quality
- The manner or terms on which they are provided
- Irrespective of whether the goods, facilities or services are provided for payment or free of charge
- In relation the letting or disposal of premises.
- Exceptions include:
- Single sex establishments providing special care or supervision (e.g. women's refuges).
- Facilities for single sex users in order to preserve privacy and decency.

3.4 Race Relations (Amendment) Act 2000

Public authorities are required to meet a general duty to:

- Eliminate unlawful racial discrimination
- Promote equality of opportunity
- Promote good relations between persons of different racial groups.

The Race Relations Code of Practice in Rented Housing gives specific guidance in relation to race equality in relation to providing Housing Services.

Equality Act 2006

From April 2007, public authorities will be required to meet a general duty to:

- Eliminate unlawful gender discrimination (this also covers transsexuals)
- Promote equality of opportunity between women and men

This Act will also extend the legislation relating to the provision of goods, facilities, services and premises to cover religion, belief and sexual orientation.

3.5 Civil Partnership Act 2004

This Act provides rights and responsibilities that are broadly similar to married couples for same sex partners who have legally registered a civil partnership.

3.6 Disability Discrimination Act 1995 – Provision of Goods, Facilities, Services and Premises

It is unlawful to discriminate against disabled people by:

- Refusing to provide a service without justification.
- Providing a service to a lesser standard without justification.
- Providing a service on worse terms without justification.
- Failing to make reasonable adjustments to the way services are provided for disabled people.
- Failing to make reasonable adjustments to the physical features of service premises, to overcome physical barriers to access.

3.7 Disability Discrimination Act 2005

From December 2006, public authorities will be required to meet a general duty to:

- Eliminate discrimination and harassment of disabled persons that is related to their disabilities
- Promote equality of opportunity between disabled persons and other persons
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life.

4. New Equalities Bill 2009

4.1 Under the new Equalities Bill which is expected to become law in 2010, there will be a new duty for public bodies to tackle discrimination, promote equality of opportunity and encourage good community relations. The Bill extends the number of minority groups and includes the following:

- Race
- Disability
- Gender
- Faith or belief
- Age
- Sexual orientation
- Transgender

4.2 The new Equality Framework for Local Government introduced in 2009, (which replaces the Equality Standard for Local Government), broadens the definition of equality to “equal life chances for all”

4.3 The Council, in response and in preparation, is reviewing its Equality Impact Assessment Toolkit to ensure assessments are more relevant, better informed and focussed on outcomes rather than processes. It will ensure that services are accessible and reflect the needs of the community with equality mainstreamed into all of its activities. The Housing Directorate will be reviewing all of its Equality Impact Assessments to ensure they meet with the new Toolkit. A pilot exercise on the management of rent arrears has already been undertaken.

4.4 The response of the Housing Directorate on the new legislation and the work that needs to be undertaken in reviewing Equality Impact Assessments is set out under this Strategy’s Action Plan.

5. Relationship with Other Documents, Strategies, Policies and Procedures

5.1 The following Housing Directorate’s Service Strategies, policies and procedures are relevant to this Equality and Diversity Strategy:

- Housing Strategy
- Homelessness Strategy
- Private Sector Housing Renewal Strategy
- Housing Service Strategy on Harassment
- Anti-Social Behaviour Strategy
- Equality and Diversity Action Plans
- Housing Charter
- Housing Allocations Scheme
- Housing Appeals Procedures
- Standard Tenancy Agreements

5.2 The following corporate strategies, policies and procedures also have links with this Strategy:

- Corporate Equality and Diversity Policy
- Corporate Equality Action Plan
- The Council's Race Equality Scheme
- The Council's Harassment and Bullying Policy including harassment procedures for its employees
- Staff equality, diversity and dignity training programme
- Equality monitoring statistics and Census data
- Corporate Compliments and Complaints procedure

5.3 The following strategies, policies and procedures, delivered in partnership with other agencies, are also relevant to this strategy:

- Local Supporting People Strategy
- Multi-Agency Public Protection Arrangements (MAPPA)
- Hate Crime reporting procedures
- Guidelines for the Protection of Vulnerable Adults from Abuse
- Floating Support Scheme for vulnerable single adults
- Stay Safe Scheme for women experiencing domestic violence
- Mediation services (provided by Relate and Mediation Norwich)

5.4 The Council has adopted a Housing Charter which has recently been updated in accordance with the requirements of the new Equalities Bill, and has Service Standards which set out the promises made to its customers, and gives full details of the services that they can expect to receive. The performance against the standards are reported annually to the Tenants and Leaseholder's Federation and the Housing Scrutiny Panel.

6. Aims and Objectives

The Housing Directorate is committed to:

- Ensuring that its public services are fully accessible and responsive to the diverse needs of all groups and communities served.
- Working proactively, and in partnership with others, to promote equality of opportunity, eliminate unfair discrimination and build cohesive communities.

6.1 The objectives of this Strategy are to:

- Develop a cohesive approach to equality and diversity within the Housing Directorate and organisations working in partnership or contracted to supply services.
- Ensure the Council, and other bodies delivering housing services, meet their statutory requirements.
- Raise public awareness about the Housing Directorate's approach to equality and diversity; to promote greater understanding and tolerance among residents and tenants; to celebrate diversity and to enhance good community relations.

- Ensure any allegations of unfair discrimination are properly and promptly investigated by people who understand the issues.
- Ensure that councillors, staff and associated persons understand this Strategy and have received the necessary training.
- Ensure the effectiveness of the Strategy is monitored and reviewed.

6.2 To achieve this, the Housing Directorate will:

- Establish monitoring systems and processes to gather equality data on service users and consultees which can be analysed to assess any adverse impact by decisions, policies, procedures and practices to ensure they are non-discriminatory.
- Seek feedback from staff, partner organisations and service users on policies, procedures and practices that affect them.
- Encourage diverse involvement and participation in consultation exercises and in membership of bodies such as the Tenants' and Leaseholders' Federation and Social Club Committees.
- Review accessibility of information, services and premises, and make reasonable adjustments where required.
- Conduct equality impact assessments and formally consult on proposed policies prior to making decisions about their implementation.
- Publicise the outcome of monitoring, consultation and impact assessments.
- Provide equality/diversity training for its employees.
- Raise awareness among service users, non-users and partner organisations about what this Strategy means and how it is being implemented.
- Investigate and take action to address allegations of unfair discrimination.
- Regularly review the effectiveness of this Strategy (at least every three years).

6.3 The target audience for this Strategy is:

Epping Forest District Councillors

Housing Directorate managers and employees.

Tenants and leaseholders of Council property and other people living in the same communities, including residents of Council-run accommodation such as sheltered housing, hostels for homeless people, etc.

All organisations working with the Council in delivering housing services or in providing support to people who may suffer from inequality and unfair discrimination.

7. Consultation on this Strategy

7.1 People likely to be affected by the Equality and Diversity Strategy and those who will be involved in implementing the Housing Directorate's Equality Action Plan have been consulted on this Strategy prior to its implementation. This includes the following:

- Epping Forest Tenants' and Leaseholders' Federation.
- The Anti-Social Behaviour Network Group which forms part of the Crime & Disorder Reduction Partnership.
- The three Citizens' Advice Bureaux in the District.
- Operational Managers and key staff responsible for each aspect of Housing Directorate's Services.
- The Caring and Repairing in Epping Forest Advisory Panel
- The Council's Housing Scrutiny Panel and the Housing Portfolio Holder.

8. Terminology and Examples of Discrimination

- 8.1 Equality is about making sure that every person has equal and fair access to services irrespective of personal attributes, such as their race, gender, disability, age, religion, sexuality, etc. Discrimination may be open and deliberate or covert and unintentional - for example a particular policy, decision, process, criterion, requirement or practice may unintentionally prevent some people from doing or accessing something which they legitimately should be able to do.
- 8.2 Direct discrimination is where a person is treated less favourably because of their ethnic origin, colour, nationality, sex, marital status, disability, religion, age, sexual orientation, etc. In most of these cases, such discrimination would be unlawful. (Harassment on such grounds is a form of direct discrimination.) However, some forms of direct discrimination are necessary and can be justified such as the provision of a refuge restricted to women who are at risk of domestic violence or services specifically designed to help older or disabled residents.
- 8.3 Discrimination can also occur for reasons that are not covered by the law. For example, people may be treated less favourably because of their appearance (height, weight, attractiveness, how they dress, etc.), how they communicate (their accent, verbal skills, etc.), their lifestyle (relationships, habits, occupation, educational achievement, etc.) and any other personal attribute. People are more likely to suffer from discrimination if they are perceived to be different from the majority group or they have less power and are less able to challenge discrimination.
- 8.4 Indirect discrimination is where an apparently neutral provision, criterion or practice is applied equally to everyone, but it puts people from one race/sex/religion etc. at greater disadvantage than others. If the discriminatory effect cannot be objectively justified (or it is a disproportionate means of achieving a legitimate end), then as with direct discrimination, it may be unlawful. For example, if Housing Services only ever provided information in English, people who cannot speak or read English could suffer indirect discrimination by not being able to find out what services are available. (To avoid such discrimination, translation or interpreter facilities are available on request).
- 8.5 Positive action is allowed in certain circumstances – section 35 of the Race Relations Act allows housing organisations to make special provision for particular racial groups in service provision.

- 8.6 Diversity is concerned with recognising and valuing difference in its broadest sense. It is about creating a culture and practices that recognise, respect, value and harness differences for the benefit of the community, the organisation and the individual. Diversity encompasses factors covered by legislation, such as age, gender, race, sexuality, disability, and religion, as well as other factors such as appearance, lifestyle, education and socio-economic status.
- 8.7 Equality and diversity are not inter-changeable but are inter-dependent. Equality of opportunity does not happen where difference is not recognised and valued.
- 8.8 Race is defined by the Race Relations Act 1976 as including colour, nationality (including citizenship), ethnic or national origin. People who are more likely to suffer from racial discrimination are those from minority ethnic groups such as:
- Black people who are African, Caribbean, Asian or people of mixed heritage.
 - White people such as Eastern Europeans, Jews, Sikhs, Gypsies and Irish Travellers.
- 8.9 The 2001 Census showed that, in the Epping Forest District, 8.7% of the population are from a minority ethnic group (including dual heritage), with the largest single group being Indian. The census does not break down the number of white minority ethnic groups residing in the District, but this includes, among others, Italian communities, Gypsies and Irish Travellers.
- 8.10 Racism – The MacPherson Report, which followed the inquiry into the death of Stephen Lawrence, provided the following definitions:
- “Racism in general terms consists of conduct or words or practices which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle form it is as damaging as in its overt form.”*
- 8.11 Institutional racism is described as:
- “The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping.”*
- 8.12 Religion - this includes any religious or similar philosophical belief (which is likely to include a form of collective worship, a clear belief system and a profound belief affecting the way of life or view of the world). Religion can define who you are, how you view the world around you and how you interact within it. The largest minority religious groups in the District are Muslim and Jewish (2001 Census). There are various religious customs and requirements in relation to everyday living. For example, many religions include a requirement to wash in free-flowing water before and after certain functions, which means that having access to a shower is more of a necessity for some people than others.

- 8.13 Disability – a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. A few examples include: learning disabilities, some long-term medical conditions (e.g. diabetes, epilepsy), progressive illnesses (e.g. cancer, multiple sclerosis, HIV, Parkinson’s disease), physical impairments (e.g. musculoskeletal disorders, Chrones’s disease, heart conditions), mental impairments (e.g. schizophrenia, manic depression, phobias which have a substantial effect on a person’s life), facial disfigurement, sensory impairments (e.g. blindness, impaired hearing). It can be seen that many disabilities are not generally visible and people may need specially adapted facilities, support or services for reasons that are not always obvious to others.
- 8.14 Reasonable adjustments are required by the Disability Discrimination Act to the way services are provided for disabled people and/or to the physical features of premises to overcome physical barriers to access. Whether specific adjustments are regarded as ‘reasonable’ depends on a number of factors including the size and resources of the organisation, the extent to which the adjustment removes any disadvantage caused by a person’s disability and other factors, e.g. any legal or practical constraints relating to the premises. Examples could include: providing materials in different reading formats (on request), improving lighting, providing an induction loop or making changes to a premises such as installing ramps, a lift, accessible toilets, automatic doors, wider parking bays, etc.
- 8.15 Sexism - is discrimination, prejudice or oppression based on gender. It can be directed towards individuals such as comments and jokes that demean women, discrimination in the workplace or when delivering services or by violence e.g. sexual assault, domestic abuse. Sexism is usually experienced by women because men often have greater power, e.g. in society, the workplace, religion and in many homes. However, individual men may suffer sexism e.g. where they are employed in typical female occupations or in relation to roles seen as female, such as childcare.
- 8.16 Examples of institutional sexism include:
- Processes or attitudes that assume that the man is the main decision maker or higher earner when providing goods and services to couples.
 - Unintended barriers to women’s participation in activities e.g. by having meetings in the early evenings when women with family care responsibilities are busy providing the evening meal or putting children to bed.
 - Organisational decisions and practices based on an assumption of male superiority such as restricting women from access to resources or from tackling high risk challenges or high profile tasks.
 - Unequal pay where financial rewards for ‘male’ occupations are typically higher than for ‘female’ occupations requiring the same degree of knowledge and skill.
- 8.17 Homophobia - is the irrational fear of people who are, or perceived to be gay, lesbian or bisexual. Homophobia can lead to prejudice, discrimination and harassment, sometimes violence, based on an individual's sexual orientation.

8.18 Ageism - is discrimination or prejudice based on age and is often associated with the stereotyping of older people as being physically and mentally weak and incompetent, set in their ways and dependent. The status, roles and aspirations of older people are frequently diminished by society. People at the other end of the age spectrum may also suffer from ageist attitudes by not being taken seriously or considered suitable for positions of responsibility or leadership.

9. Complaints of Discrimination

9.1 If a person, receiving a service from the Housing Directorate feels that they have experienced unfair discrimination in the way they have been treated by the Council, or other bodies acting on behalf of the Council, they have the right to raise this and have the matter investigated. Options for dealing with alleged discrimination include:

- Seek advice – via an experienced body such as Epping Forest Housing Directorate, housing associations, the Citizens Advice Bureaux, Victim Support, South Essex Switchboard (for homophobic incidents) or Essex Racial Equality Council.
- Raise the matter informally – by contacting an Epping Forest District Councillor or a Housing officer to request that the matter be investigated. An explanation may indicate that there was an objective and fair rationale behind the decision, policy, practice, etc.
- Formal complaint – if a person is not satisfied with the response to their informal enquiry or they wish to submit a formal complaint in the first place, this will be progressed in accordance with the Council's Compliments and Complaints Procedure. This is explained in the Council's Compliments and Complaints booklet, available from the Council's offices.
- Investigation – all formal complaints of discrimination will be investigated and the complainant will be informed, in writing, of the outcome.

9.2 Complaints monitoring – all formal complaints of discrimination or otherwise and the outcomes of investigations will be monitored and reported half yearly to the Housing Management Team. In order to ensure that certain sections of the community are not suffering from unfair discrimination, all those who submit a complaint will be asked to complete an equality monitoring form. Therefore, monitoring will record the types of people who feel they are experiencing discrimination as well as the types of discrimination being complained of.

10. Consultation of Service Users

10.1 The Housing Directorate has a duty to involve and consult anyone likely to be affected by its policies in order to make sure people from particular sectors of the community (e.g. minority ethnic groups, people living according to different religions or cultural traditions, single parents, large families, gay couples, etc.) will not be adversely affected or, where this is unavoidable, that such impact is proportionate and lawful.

10.2 The Housing Directorate consults the following:

- Feedback is sought from users and non-users e.g. via the website, to assist in developing services housing information and tenant participation initiatives.
- All Council partners are consulted on Housing Strategies, policies and procedures affecting them, through the most appropriate means.
- Prospective tenants are consulted, during the Accompanied Viewing process, about their accommodation requirements as affected by e.g. their religion, disability, family circumstances, etc.
- Customer exit surveys are in place to measure customer satisfaction with the services they have received.
- All surveys undertaken collect data on minority groups which will be used appropriately to improve the service.

11. Involvement and Participation of Service Users

11.1 The Housing Directorate has a duty to enhance community cohesion and to ensure that representative bodies reflect the diversity of their communities, as far as possible. To achieve this, the Housing Directorate will proactively encourage residents and tenants from different sectors of the community to become involved and participate in bodies such as the Tenants' and Leaseholders' Federation, Caring and Repairing Service Users Forum, Residents Associations and Social Club Committees.

11.2 People who are currently under-represented in such activities include younger people, single parents and people who live in rural areas. Methods such as rural initiatives and targeted participation activities are being considered to encourage a more representative cross-section of the community to become actively involved in relevant- activities.

11.3 On-going support, including equality/diversity training, will be made available to assist those people understand the issues covered by this Equality and Diversity Strategy and the Harassment Strategy. If necessary, translation services will be used to enhance communication with members who do not speak or read English well. Support will be provided by the Housing Directorate (or partner organisations) for individuals willing to participate in voluntary Housing groups should they be faced with any problems associated with their role.

12. Monitoring

12.1 Monitoring involves collecting, analysing and evaluating information to measure performance, progress and change. It includes quantitative data (such as numbers of people from different ethnic groups who use a particular service) and qualitative data such as feedback from service users, non-users, employees, partners, etc. (e.g. via satisfaction surveys, consultation exercises and complaints procedures).

- 12.2 Where quantitative data is used, the results need to be compared to a base line in order to assess whether there has been any adverse impact. In order to create this, the Housing Directorate conducted a Census in 2006 of all its tenants and leaseholders in relation to their ethnicity, gender, disability and age. The response was approximately 30%. This data has been added to the person profiles held on the Anite Open Housing Management System (OHMS), which already includes data collected at the time of application. Together with the latest national census data for the Epping Forest District population, this will provide two clear benchmarks against which access and service usage, sanctions taken against tenants and leaseholders, and repairs and planned maintenance can be compared.
- 12.3 Under the Housing and Equalities Bill 2009, details of which are set out in Section 4 of this Strategy, additional arrangements will be put in place to monitor the new and amended categories.
- 12.4 The Housing Directorate currently records the ethnic origin of people on its Housing Register and of those who are allocated Council accommodation to determine if there is any apparent adverse impact in housing allocations. This includes a separate exercise for sheltered housing allocations. (The data for 2008/2009 showed a very close correlation between housing applications and allocations.) Equality monitoring of the provision of services through Caring and Repairing, Careline dispersed alarm users, Social Club users is undertaken.

13. Staff Training

- 13.1 The Housing Directorate will ensure that all employees receive appropriate equality/diversity guidance and training as part of the induction process and on a regular basis thereafter, to retain the focus on equality and diversity and ensure staff remain up-to-date. Such training will include:
- Legislation updates on statutory duties and individual rights and responsibilities.
 - Ensuring managers consider the possible equality impact of decisions and policies they make and know how to conduct equality impact assessments.
 - Ensuring staff responsible for conducting consultation exercises and equality monitoring know how to do this effectively and what to look for.
 - Guidance notes will be published on the Council's intranet for front-line staff on dealing with vulnerable residents.
 - Equality/diversity training for front-line staff within the Corporate Training Programme – to include disability awareness and disability etiquette.

14. Procurement and Partnerships

- 14.1 The statutory duties to promote equality still apply when relevant services are contracted out to an external supplier or partner organisation. Contractors must not discriminate unlawfully, but they do not have the same legal obligation as a public authority to promote equality of opportunity and good race relations. The Housing Directorate remains responsible for meeting the general duty and will ensure the statutory duties are met, regardless of whom is carrying them out.
- 14.2 The duty to promote equality applies indirectly to housing associations, because they are regulated by the Housing Corporation, which is directly covered.
- 14.3 Public authorities and housing associations must also comply with EU procurement rules which means they must make sure that, where relevant, anti-discrimination and equal opportunity requirements are explicitly specified in the procurement process, from the start, e.g. by ensuring that equality considerations are built into the tendering process.
- 14.4 The Housing Directorate require all potential contractors and partners to provide copies of their equal opportunities policies and to demonstrate their commitment, both in principle and practice, to equality. It includes equality clauses in all housing agreements, making clear what the Council requires of its contractors and partners and requires monitoring data to be provided by sub-contractors.
- 14.5 Supervision of any contract includes assessment against the agreement and outcome of equality monitoring. Steps will be taken to encourage improvement or enforce compliance if performance falls short.
- 14.6 The Housing Directorate will also ensure that the methods used for advertising and awarding future contracts is non-discriminatory and, where practicable, that businesses run by minorities are encouraged to participate in the tender process.

15. Equality Impact Assessments

- 15.1 Equality Impact Assessments are a means of systematically and thoroughly assessing the effects that a proposed policy, procedure or practice is likely to have on people, depending on their race, disability or gender. The main purpose of an equality impact assessment is to pre-empt the possibility that a new policy could affect some groups unfavourably. An impact assessment is preventative rather than remedial and is a form of risk assessment.

15.2 In accordance with the new Toolkit, the key stages of conducting an impact assessment include:

- Consider the aims, purpose, objectives and outcomes of each activity
- Consider who uses the activity
- Make a judgement on the users of the activity
- Consider available evidence (e.g. monitoring, survey, consultation data) and gather more if required;
- Assess likely impact, and ways of reducing this taking into account the evidence;
- Consider alternatives if the policy is likely to have an adverse impact;
- Consult formally;
- Decide whether to adopt the policy.

- Draw up an action plan

- Publish the Impact Assessment

15.3 Formal consultation of Housing Directorate staff, service users and any others affected by changes to the service or new policies and procedures is an essential element of the impact assessment process and will be carried out, taking into account the principles of relevance and proportionality. In some cases, views will be sought at an early stage to inform policy development and then again when the proposals are finalised. The aim will be to ensure all persons likely to be affected by changes or new policies and procedures have an opportunity to express their views, concerns or suggestions before decisions are made.

15.4 The specific duty of monitoring relates to relevant functions and policies once they have been put into practice, and being alert to any concerns about the way they are working. When new Housing Directorate policies, procedures or practices are introduced, appropriate equality monitoring systems will be implemented at the same time.

16. Publicity

16.1 The outcomes of impact assessments, consultation and monitoring will be communicated to all parties via the Council's website.

16.2 Articles will be included from time to time in the tenants' magazine *Housing News* (which can be made available in large print and other languages and formats) to:

- Counteract inaccurate or negative publicity in the media which is contrary to the aims of this strategy.

- Publicise the Council's commitment to equality and diversity and to explain what this means for tenants and housing applicants.
- Raise awareness of equality and diversity initiatives affecting tenants and residents.
- Encourage wider participation in consultation exercises and involvement activities and communicate the outcome of feedback surveys and consultation exercises.
- Explain why monitoring is being carried out and what it shows.
- Celebrate diversity and promote good relations within the community.
- Challenge assumptions and stereotypes about different life choices (e.g. Gypsies and Travellers, same sex couples), different religions (e.g. Muslim or Jewish customs and beliefs), people living with disabilities (e.g. mental health problems), etc.

17. Action Plan

17.1 The following actions have either been completed or will be undertaken in the future by the Housing Directorate:

Action	Lead Officer/s	Timescale/Comments	Resource Implications
Annual ethnicity monitoring report to include separate ethnicity monitoring of allocations made at sheltered housing accommodation	Housing Options Manager	Now included On-going	Within existing resources
Complete Impact Assessment Actions	All Managers	Completed To be updated 2009/20010	Within existing resources
Continue to meet the requirements of the Disability Discrimination Act 2005	All Managers	On going	Within existing resources
Corporately meet the requirements of the Equality Act 2006	Human Resources Section	Completed	Within existing resources
Undertake consultation at accompanied viewing on whether the accommodation meets requirements in terms of religion, disability etc	Housing Repairs Manager	Completed	Within existing resources
Undertake customer exit surveys from time to time	All Managers	On going	Within existing resources
Monitor the ethnicity of Social Club users	Housing Manager (Older Peoples Services)	On going	Within existing resources

Action	Lead Officer/s	Timescale	Resource Implications
Request copies of equal opportunities policies from all external contractors	All Managers	On going	Within existing resources
Publish the outcomes of the Council's Impact Assessments on the website	Human Resources Section	Completed	Within existing resources
Publicise in the tenants magazine Housing News articles demonstrating the Council's commitment to equality and diversity	All Managers Principal Housing Officer (Strategy and Information)	On going	Within existing resources
Ensure new arrangements are in place to monitor the new categories under the Housing Equalities Bill	All Managers Principal Housing Officer (Strategy and Information)	On going	Within existing resources

18. Reviewing the Strategy

- 18.1 This Housing Directorate Strategy on Equality and Diversity will be reviewed by the Housing Scrutiny Panel in consultation with the Tenants and Leaseholders Federation, the Anti-Social Behaviour Group, and the Citizens Advice Bureaux no later than November 2012.

This page is intentionally left blank



Report to the Housing Scrutiny Panel

Date of meeting: 15th December 2009

Portfolio: Housing – Cllr D. Stallan

SCRUTINY



**Subject: Housing Revenue Account Business Plan 2009/10 (Key Action Plan)
– Progress Report**

Officer contact for further information: Alan Hall, Director of Housing (01992 56 4004)

Committee Secretary: Mark Jenkins (01992 56 4607)

Recommendations:

That the Panel considers the Six-Month Progress Report for the Key Action Plan contained within the HRA Business Plan 2009/10 and provides any feedback to the Housing Portfolio Holder and Director of Housing accordingly.

Report

1. In March 2009, the Council's latest Housing Revenue Account (HRA) Business Plan (2009/10) was produced, incorporating the Repairs & Maintenance Business Plan. This document set out the Council's objectives, strategies and plans as landlord, in relation to the management and maintenance of its own housing stock.
2. An important section of the HRA Business Plan is the Key Action Plan. This sets out the proposed actions the Council would be taking, primarily, over the next year. Having included the Key Action Plan within the Business Plan, it is good practice that the progress made with the stated actions is monitored; one of the Scrutiny Panel's Terms of Reference is to review progress during the year.
3. It is customary for the Housing Scrutiny Panel to consider a Six-Month Progress Report on the actions contained within the Key Action Plan. A progress report as at 1st October 2009 is therefore attached as an appendix to this report for consideration.
4. It should be noted that a number of tasks included within the Key Action Plan relating to responsive repairs have not yet been completed, since they are included as part of the "Repairs Refresh Programme", involving the appointment a private repairs management company to manage the response repairs service, which has been agreed in principle by the Cabinet. A separate member-level Repairs Management Contract Advisory Group (including the Chairman and Vice-Chairman of the Housing Scrutiny Panel) has been formed to oversee the arrangements and good progress is being made.
5. The Scrutiny Panel is asked to consider the Progress Report and to feed back to the Housing Portfolio Holder and Director of Housing any comments it considers appropriate.
6. The HRA Business Plan for 2010/11 will be considered at the Scrutiny Panel's meeting in March 2010.

This page is intentionally left blank

HRA Business Plan 2009/10
ACTION PLAN

Action	Corporate Housing Objective	Responsibility for Achievement	Target Date	Progress (as at 1 st October 2009)
Housing General				
Analyse the information obtained from the census of Council tenants	HO 2	Principal Housing Officer (Information/Strategy)	Sept 2009	Achieved – Data from the Census is now available (for those who provided information)
Complete the Customer Perspective Programme for the whole of the Housing Directorate, examining the all interfaces between Housing and customers	HO 1 / 2 / 3 / 4 / 5	Director of Housing	Sept 2010	Ahead of Target – 26 out of 28 separate housing functions have been examined, leading to 93 individual (mainly small) improvements through the Action Plan, most of which have been actioned. It is envisaged that the Programme will be completed by the end of 2009, and the Action Plan will be reported to the Tenants and Leaseholders Federation, in accordance with the Charter Mark Assessor's recommendation.
Investigate the implications of the proposed withdrawal of support for the OHMS integrated housing system, but the new supplier, Northgate	HO 1 / 2 / 3 /	Asst. Director of Housing (Private Sector & Resources)	Dec 2009	In Progress – Following representations from the Council and other Northgate clients, the date of the withdrawal of support for the OHMS system has been put back to 2015. A Consultant's Brief will be produced within the next couple of months and an IT consultant will be appointed to advise on the procurement options.
Housing Management				
Continue the Home Ownership Grants Scheme in 2009/10, enabling tenants to purchase their own home and vacate their Council property for occupation by a housing applicant	HO 1	Housing Resources Manager	April 2009	Achieved – The Scheme has been continued into 2009/10. A good response has been received, with the Scheme oversubscribed. The 5 selected applicants for the £34,000 grants are currently seeking properties to purchase on the open market.
Agree a policy for the approach to be taken on the enforcement of unauthorised parking estates, taking account of the difficulties encountered.	HO 2	Asst. Director (Operations)	April 2009	Achieved – Following lengthy deliberations by the Housing Scrutiny Panel and Cabinet an approach has been agreed, whereby each location will be considered on its merits, in consultation with ward members.

Introduce a facility for tenants to apply for the Housing Register on-line	HO 2	Housing Options Manager	Sept 2009	Not Achieved – It has been established that the Northgate OHMS Housing System is not capable of accepting Housing Register applications on-line (although interested applicants are able to download a hard copy application form to complete and return). It is envisaged that an on line application facility can be made available when the housing IT system is renewed
Tenant Participation				
Facilitate the formation of two additional recognised tenants associations within the District	HO 4	Tenant Participation Officer	April 2009	Not Achieved – However, the Tenants and Leaseholders Federation now has a good range of members.
Undertake a more detailed and focussed survey on the information provided to tenants and their future needs	HO 4	Principal Housing Officer (Information / Strategy)	Sept 2009	No Longer Required – This was originally included in response to a previous Tenants Satisfaction Survey. However, the most recent Tenants Satisfaction Survey suggests that this is no longer an issue.
Investigate the publication of a calendar for tenants, promoting the activities of the Tenants and Leaseholders Federation	HO 4	Tenant Participation Officer	Dec 2009	Not Achieved - It has been concluded that this is not the best use of resources allocated for tenant participation and is no longer being pursued.
Introduce “Tenant Talkback Panels”, providing fora to provide qualitative feedback on housing services	HO 2 / 3 / 4	Tenant Participation Officer	April 2010	In Progress – A list of tenants interested in taking part in different panels has been formulated, and arrangements to hold Panel meetings are in progress.
Supporting People and Supported Housing				
Implement the findings of the Review of the Council’s Careline Service undertaken in 2008	HO 1 / 2	Asst Director of Housing (Operations)	Sept 2009	In Progress – The review concluded that the Careline Service should continue to be provided in-house, but that consideration should be given to increased use of the Careline centre, with an enlargement of the Careline premises. Discussions have been held with Harlow DC, which intends to tender for the provision of Careline Services, and EFDC will be submitting a tender. Plans to enlarge the Careline Centre into a vacant adjacent house are in progress

Seek accreditation of the Council's Careline Service from the Association of Social Alarm Providers (ASAP)	HO 2	Housing Manager (Older People's Services)	Sept 2009	In Progress – Good progress has been made, with the assistance of a consultant. It is envisaged that TSA accreditation will be achieved around April 2010, once the Careline Centre expansion has been completed.
Consider the future of Jessopp Court, the Council's scheme for frail elderly people in Waltham Abbey	HO 1 / 2	Housing Manager (Older People's Services)	April 2010	In Progress - Discussions are being held with Essex County Council Adult Social Care on the future of Jessopp Court. Essex CC is of the view that Jessopp Court is not suitable as an extra care scheme for older people, so other options will need to be considered, including the possible redevelopment of the site.
Housing Repairs and Maintenance				
Implement a programme for repairs and maintenance expenditure over 5 and 30 years	HO 3	Housing Assets Manager	Ongoing	Achieved - New 30-year programme created, based on detailed stock condition data collected in-house and from actual works completed under the Decent Homes Programme. The new 30-year programme forecasts expenditure need over the same period based on an extended "Remaining Life" of each building component.
Implement an upgrade to the latest version of Codeman software	HO 3	Housing Assets Manager	July 2009	In Progress - Stock condition data has been saved to an Excel spreadsheet until new stock asset database is identified and implemented.
Publish clear service standards for planned maintenance, Decent Homes, repairs, Right to Repairs and Leaseholder responsibilities, which are available in printed leaflet form and on the web site.	HO 3	Housing Assets Manager	July 2010	In Progress - This is included as part of the "Repairs Refresh Programme", which commenced in July 2009, with the appointment of a specialist procurement consultant, who's role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.
Publish the Voids standards on the website and issue a copy to all tenants in advance of them undertaking an accompanied viewing or a void offer.	HO 3	Housing Repairs Manager	July 2009	Delayed progress - This is included as part of the "Repairs Refresh Programme", which commenced in July 2009, with the appointment of a specialist procurement consultant, who's role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.

Undertake a review of the repairs responsibilities to ensure they dovetail with other service strategies ie ASBO, introductory tenancies, demoted tenancies	HO 3	Assistant Director of Housing (Property)	Dec 2009	Delayed progress - This is included as part of the “Repairs Refresh Programme”, which commenced in July 2009, with the appointment of a specialist procurement consultant, who’s role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.
Relocate the Housing Repairs Section from the Civic Offices to the Epping Depot to operate alongside, and in conjunction with, the Building Maintenance Works Unit	HO 1 / 3	Assistant Director of Housing (Property)	Sept 2009	Achieved - at the end of October 2009. Delays mainly due to the need to provide adequate cabling to the Depot site for both telephone and data.
Timetable at least one meeting each year with the Tenants & Leaseholders Federation to discuss the repairs and maintenance expenditure programme.	HO 3 / 4	Assistant Director of Housing (Property)	Ongoing	Achieved- This is undertaken as part of the Business Planning process at the beginning of each financial year. The Business Plan was issued and then agreed by the Tenants and Leaseholders Federation in March 2009.
Introduce Asbestos record cards in all properties, and maintain the records for contractors’ and tenants’ use.	HO 3	Assistant Director of Housing (Property)	Sept 2010	Delayed progress - This is included as part of the “Repairs Refresh Programme”, which commenced in July 2009, with the appointment of a specialist procurement consultant, who’s role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.
Undertake periodic reviews of the outcome of difficult to let properties and seek ways of enhancing the services provided to these dwellings.	HO 3	Assistant Director of Housing (Property)	Dec 2009	Achieved – This has been undertaken as part of the Voids Working Party meetings throughout the year.
Explore options whereby an emphasis is put on “fix first time” for responsive repairs	HO 1 / 3	Assistant Director of Housing (Property)	Dec 2009	Delayed progress - This is included as part of the “Repairs Refresh Programme”, which commenced in July 2009, with the appointment of a specialist procurement consultant, who’s role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.

Seek through the Essex Hub a framework agreement with specialist contractors for asbestos removal, door entry installations and maintenance, drainage clearance and renewals, PVCu window installations and maintenance as well as ad-hoc repairs where necessary	HO 1 / 3	Assistant Director of Housing (Property)	Mar 2010	Partially achieved – Framework agreements have been tendered and let for PVCu window maintenance and replacement. Tender documents have been drawn up for the maintenance and installation of door entry installations. Other framework agreements are yet to be tendered.
Continue feasibility studies into alternative fuel sources for properties in rural communities where mains gas is not available.	HO 3	Housing Assets Manager	Mar 2010	Partially achieved – 4 properties in rural communities now have solar panels installed as part of the re-roofing programme linked to the energy efficiency programme. Electric boilers have been trailed successfully and are now being installed in areas without mains gas.
Review all projects with a contract value in excess of £1m on completion to identify any lessons learnt.	HO 3	Housing Assets Manager	On-going	Achieved – This is undertaken in accordance with Contract Standing Orders. The next contract to be reviewed is Springfields Improvement Scheme.
Report on the outcome of future tenant satisfaction surveys for all void properties let.	HO 3	Housing Repairs Manager	Apr 2009	Achieved – Void Property surveys have now been introduced. The results are being monitored and will inform on decision making as part of the “Repairs Refresh Programme”
Hold training sessions at empty properties to enable officers to gain a common understanding of specification requirements. To be undertaken annually.	HO 3	Housing Repairs Manager	On-going	Achieved – Generic Officers (Repairs and Voids Officers) are being introduced as part of the Repairs Refresh Programme, subject to agreement by the Cabinet in November 2009 as part of the Repairs Service restructure.
Seek to reduce the target response times for routine non-urgent repairs from 8-weeks to 4-weeks	HO 3	Assistant Director of Housing (Property)	Oct 2010	Partially achieved – The target was reduced from 8-weeks to 6-weeks in April 2009. However, the move from 6-weeks to 4-weeks is included as part of the “Repairs Refresh Programme”, which commenced in July 2009, with the appointment of a specialist procurement consultant, who’s role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.

Introduce generic repairs and voids officers.	HO 3	Housing Repairs Manager	Dec 2009	Achieved – Generic Officers (Repairs and Voids Officers) are to be introduced as part of the Repairs Refresh Programme, subject to agreement by the Cabinet in November 2009 as part of the Repairs Service restructure.
Hold site visits at blocks of flats with tenant representatives to monitor repairs to, and condition of, communal areas	HO 3	Housing Repairs Manager	Apr 2010	Delayed progress - This is included as part of the “Repairs Refresh Programme”, which commenced in July 2009, with the appointment of a specialist procurement consultant, who’s role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.
Appoint an External Management Contractor to oversee the combined Building Maintenance Works Unit and Repairs Team as agreed by the Cabinet in March 2008.	HO 1 / 3	Assistant Director of Housing (Property)	Oct 2009	Delayed progress - This is included as part of the “Repairs Refresh Programme”, which commenced in July 2009, with the appointment of a specialist procurement consultant, who’s role is to assist the Council in specifying the targets and responsibilities of the Repairs Management Contractor.
Seek to include at least one local business on the list of tenderers for all future contracts.	HO 3	Housing Assets Manager	On-going	Achieved – This is now undertaken as part of all tender opportunities.

Key to Corporate Housing Objectives

- HO 1 - Value for Money
- HO 2 - Housing Management
- HO 3 - Repairs and Maintenance
- HO 4 - Tenant Participation
- HO 5 - Housing Finance

This page is intentionally left blank