

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF HOUSING SCRUTINY STANDING PANEL
HELD ON THURSDAY, 21 JANUARY 2010
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.00 - 9.30 PM**

Members Present: S Murray (Chairman), Mrs R Gadsby (Vice-Chairman), Mrs R Brookes, K Chana, D Dodeja, Mrs A Grigg (Vice Chairman of Council), Mrs P Richardson, Mrs J H Whitehouse, J Wyatt and Mrs M Carter (Epping Forest Tenants and Leasholders Federation)

Other members present: D Stallan

Apologies for Absence:

Officers Present A Hall (Director of Housing), R Wilson (Assistant Director (Operations)) and M Jenkins (Democratic Services Assistant)

26. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitute members present at the meeting.

27. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

28. NOTES OF THE LAST MEETING

RESOLVED:

That the notes of the last meeting of the Panel held on 15 December 2009 be agreed.

29. TERMS OF REFERENCE/WORK PROGRAMME

(a) Terms of Reference

The Panel's Terms of Reference were noted.

(b) Work Programme

(i) Item 18 Housing Service Strategy on Harassment.

The members were advised that this item would be put before the March 2010 meeting of the Panel.

(ii) Item 19 Annual Review of the Housing Allocations Scheme

Officers had been awaiting new Government statutory guidance which had now been received. Therefore it was envisaged that the Allocations Scheme Review would be put before the March 2010 Panel meeting.

30. PRESENTATION ON THE TSA'S DRAFT REGULATORY FRAMEWORK & SHORT NOTICE INSPECTIONS

The Panel received a presentation from Mr Alan Hall, Director of Housing and Mr Roger Wilson, Assistant Director of Housing, regarding the Tenant Services Authority (TSA), Regulatory Framework and Short Notice Inspections.

The TSA came into effect on 1 December 2008 and replaced the regulatory functions of the former Housing Corporation. It would regulate local authority housing from April 2010.

The presentation outlined the following key aspects of the TSA's functions:

- (a) The TSA raised "the standard of services for tenants."
- (b) The TSA acts as a champion for tenants, standing up for their interests and aspirations.
- (c) The TSA created choice in the way housing was managed, the choices offered to tenants, the landlords who provided housing and the way housing providers raised funds.
- (d) The TSA had Regulation 10 Principles of Regulation:
 - National Standards – Based on clear criteria
 - National Standards – Clear, succinct
 - Required providers to agree local standards with their tenants
 - Understand and respond to particular tenants' needs
 - Promotion of transparency
 - Good Governance
 - Promotion of effective forms of independent validation, audit and benchmarking
 - Focus for 2010/11 – identifying/addressing worst performers
 - Supporting principle of "sector-led" improvement
 - Registration criteria – encouraging "new entrants."

Short Notice Inspections

- (e) Inspections would take place from April 2010
- (f) There would be a five day notice period, prior to an inspection taking place. The inspection would last three days.
- (g) The inspection would ordinarily be triggered by poor performance in a particular area but not necessarily.
- (h) The inspections would cover service areas like tenant participation, gas servicing, repairs, housing management, allocations and value for money.
- (i) The inspection would involve a draft report which was negotiable, a round table meeting and final report, 2-3 weeks later.

The Housing Directorate were making preparations. A Continuous Improvement Group was being set up to produce a Continuous Improvement Plan. It was noted

that the Housing Directorate already has some requirements in place. Housing Service Strategies on Tenant Participation and Equality and Diversity were in place as well as Housing Service Standards, the Charter Mark Award, the ISO Quality Assurance Standard and a good record of tenant satisfaction.

RESOLVED:

That the presentation concerning the Tenant Services Authority's Draft Regulatory Framework and Short Notice Inspections be noted.

31. THE TENANT SERVICES AUTHORITY'S NEW DRAFT REGULATORY FRAMEWORK FOR SOCIAL HOUSING IN ENGLAND

The Panel received a report from Mr R Wilson, Assistant Director of Housing, regarding The Tenant Services Authority's (TSA) new draft regulatory framework for social housing in England.

The Tenant Services Authority was the Government's new social housing regulator who's aim was the raising the standards of services for all social housing tenants.

The TSA were undertaking a statutory consultation on their new Regulatory Framework for Social Housing in England which would commence from 1 April 2010. The consultation sought the views of housing providers on whether the proposals met the Government's objectives. The consultation period ended on 5 February 2010, following which a decision statement would be issued before the new powers were activated.

At its meeting on 15 December 2009, the Panel considered a draft report to the Housing Portfolio Holder on the Housing Service Standards 2009 and Housing Charter. It was further agreed by the Housing Portfolio Holder that the standards and performance be reviewed again in 2010, or when required to comply with the new Regulatory Framework.

Under the new Regulatory Framework, the TSA had contracted the Audit Commission to undertake comprehensive short notice inspections on its behalf. It was expected that providers who were under-performing in certain areas would be inspected, with the emphasis being placed on homelessness, allocations, housing management, gas safety and repairs and maintenance. The Audit Commission would notify the Council 5 days in advance of their visit. Officers have set up a Continuous Improvement Group to draw up a Continuous Improvement Plan setting out all of the actions required in order to ensure that the Housing Directorate were postponed for the Short Notice Inspection regime.

A sub-group of the Tenants and Leaseholders Federation had met and were recommending to the Federation a proposed response to the consultation paper. Mr R Wilson presented a proposed draft response to the consultation paper on behalf of the Council which was agreed by the Scrutiny Panel.

RESOLVED:

That the proposed response to the Tenant Services Authority's Draft Regulatory Framework prepared by the Assistant Director of Housing (Operations) on behalf of the Council be agreed.

32. REVIEW OF THE HOMELESSNESS STRATEGY

The Panel received a report regarding the Review of the Homelessness Strategy.

Under the Homelessness Act 2002, Local Authorities have a duty to review and publish their Homelessness Strategy on at least a 5 yearly basis. As this area of work regularly changed it was agreed that the Council's Strategy would be reviewed every three years.

At its meeting on 30 July 2009, as part of its Work Programme, the Housing Scrutiny Panel considered the Homelessness Strategy prior to its approval by the Cabinet. The Panel requested that it reviewed the strategy's Action Plan on a six monthly basis. This additional task had been added to the Panel's Work Programme.

RESOLVED:

That the 6 month Review of the Homelessness Strategy be noted.

33. REVIEW OF THE SCOPE OF THE HOUSING APPEALS AND REVIEW PANEL

The Panel received a report regarding the Review of the Scope of the Housing Appeals and Review Panel.

Following the formal business of a meeting of the Housing Appeals and Review Panel (HARP) on 20 August 2009, members of the Panel had an informal discussion with the Director of Housing and the Assistant Director (Democratic Services) about whether the scope of the housing appeals and reviews undertaken by the Panel, in accordance with its Terms of Reference, were too wide. Concern was expressed by members about the cost and the member and officer time involved about relatively minor matters. The HARP noted that no other Directorate had any appeals of officer decisions considered in the same way as officers of the Housing Directorate. It was therefore agreed that the Director of Housing should produce a report on this issue.

The draft report proposed that the HARP should only consider housing appeals and homelessness reviews for specific types of cases, that merit the officer and member resources involved, and where the outcome of a decision had a significant effect on the applicant/appellant. The draft report proposed a list of specific types of cases that the HARP would consider in future.

Following consultation with members of the HARP and the Tenants and Leaseholders Federation the report would be considered by the Constitution and Member Services Scrutiny Panel in March 2010. This Panel would then report to the Overview and Scrutiny Committee and then report to the Full Council meeting in April. The Chairman of the HARP had suggested that the Housing Scrutiny Panel may wish to consider the proposals at its next meeting in March 2010. The Panel agreed to add the item to its Work Programme.

RESOLVED:

That the Review of the Scope of the Housing Appeals and Review Panel, be considered by the Housing Scrutiny Standing Panel at its next meeting in March 2010 and added to the Panel's Work Programme accordingly.

34. OPEN MARKET SHARED OWNERSHIP SCHEME

The Panel received a report from Mr A Hall regarding the proposed Open Market Shared Ownership Scheme. This item was tabled at the meeting as it was of some urgency.

At its last meeting, the Panel considered the report of its Affordable Housing Sub-Group on possible ways of increasing the amount of affordable housing within the District. The Sub-Group's report and recommendations were being considered by the Cabinet on 1 February 2010. One of the recommendations was that the £350,000 budget provision agreed by the Cabinet to invest in the Open Market Shared Ownership scheme, should be retained within the Capital Programme. Also, that the Director of Housing should contact other Homebuy agents to explore the possibility of an existing Homebuy Agent working with the Council to operate the scheme in partnership with Moat Housing, or through a similar scheme to the Government's MyChoice Homebuy Scheme, with the Council undertaking the role of the Homes and Communities Agency.

However, since the meeting, the Director of Housing had approached two other Homebuy agents, both of whom had said that they were not interested in operating such a scheme. The Director had then approached the Council's remaining four preferred Registered Social Landlords (RSLs) Partners to gauge interest. Two had said they would not be interested, although the two agents were due to consider the issue at internal meetings in due course.

In view of the response, it was suggested that the Panel considered alternative recommendations to the Cabinet on the proposed use of the £350,000 capital budget for the Open Market Shared Ownership scheme in the event that no RSLs were interested in operating such a scheme. The Panel were presented with nine options for recommendation to the Cabinet. Following consideration the Panel chose Option 7, which read as follows:

In the event that no RSLs are interested in operating an Open Market Shared Ownership Scheme, the £350,000 budget be used to supplement both the schemes referred to in Options 5 and 6 referred in the report with additional funding, and provide (lesser amounts of) both additional SHG and Home Ownership Grants.

In the case of Options 5 and 6, the budget would supplement the proposed £375,000 for a housing association to purchase open market properties. This would enable a further 5/7 properties to be purchased and allocated to Council nominees at affordable rents and would supplement the proposed £170,000 budget for the provision of Home Ownership Grants enabling a further 6 Home Ownership Grants to be provided.

RESOLVED:

- (1) That the possibility that no RSLs may be interested in working with the Council to provide the proposed Open Market Shared Ownership Scheme be noted;
- (2) That in the event that no RSLs are interested, an alternative recommendation be made to the Cabinet on the use of the existing £350,000 budget for the proposed Open Market Home Ownership Scheme;

(3) That the budget be used to supplement both the schemes outlined below with additional funding, and provide (lesser amounts of) both additional SHG and Home Ownership Grants:

(a) That the budget be used to supplement the proposed £375,000 budget for a housing association to purchase open market properties, enabling a further 5 or 7 properties to be purchased and allocated to Council nominees at affordable rents; and

(b) That the budget be used to supplement the proposed £170,000 budget for the provision of Home Ownership Grants which would enable a further 6 Home Ownership Grants to be provided;

(4) That a report proposing the recommendation be submitted to the Cabinet in advance of the meeting, based on the report to the Scrutiny Panel, with the report's text agreed with the Chairman of the Housing Scrutiny Panel; and

(5) That the Chairman of the Housing Scrutiny Panel present the alternative recommendation to the Cabinet when he presents the Affordable Housing Group's report.

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

There would be a verbal update from the Chairman of the Panel to the forthcoming Overview and Scrutiny Committee.

36. FUTURE MEETINGS

The next scheduled meeting of the Panel would be on Thursday 25 March 2010 at 7.00p.m.