

You are requested to attend a meeting of the Tenant Services Management Board to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 13 January 2011 at 18:00.

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## **Agenda**

- 1 Apologies.
- 2 Minutes of the meeting of the Tenant Services Management Board held on 6 December 2010 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests  
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 Installation of Solar PV Panels on the Housing Stock - report of the Strategic Director (attached)  
Reporting Officer: Kevin Toller
- 6 DLO Transformation Project - report of the Strategic Director and Project Manager (attached)  
Reporting Officers: Brendan Cleere  
Chris Hall
- 7 Regeneration - Halcon North - verbal report of the Growth and Development Manager and Housing Enabling Lead  
Reporting Officers: Tim Burton  
Lesley Webb
- 8 Finance Update - verbal report of the Principal Accountant  
Reporting Officer: Fiona Gudge
- 9 Communities and Local Government Consultation 'Local Decisions: A Fairer Future for Social Housing' - (attached)  
Reporting Officer: Stephen Boland
- 10 Guest Rooms in Sheltered Housing - report of the Supported Housing Manager (attached)  
Reporting Officer: Christine Thompson

11 Status Survey - verbal report of the Housing Services Lead  
Reporting Officer: Stephen Boland

Tonya Meers  
Legal and Democratic Services Manager

06 January 2011

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

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**Tenant Services Management Board Members:-**

Councillor R Bowrah, BEM  
Councillor S Brooks

**Minutes of the meeting of the Tenant Services Management Board held on Monday 6 December 2010 at 6pm in The John Meikle Room, The Deane House, Belvedere Road, Taunton.**

**Present:** Mr Etherington (Chairman)  
Mr Edwards (Vice- Chairman)  
Councillor Mrs Messenger, Mrs Drage, Mr Galpin, Mrs Hegarty and Mr Hellier

**Officers:** Stephen Boland (Housing Services Lead), Donna Durham (Democratic Support Manager), Fiona Gudge (Principal Accountant), Martin Price (Acting Tenant Empowerment Manager), Rosie Reed (Tenant Services Development Officer), Tracey Vernon (Tenant Services Development Officer) and Lesley Webb (Housing Enabling Lead)

**Others:** Councillor Stuart-Thorn

(The meeting commenced at 6pm)

**64. Apology**

Apology: Councillors Bowrah and Brooks, Mrs Marshall and Mr Watkin

Substitution: Councillor Mrs Messenger for Councillor Brooks

**65. Minutes**

The minutes of the meeting of the Tenant Services Management Board held on 15 November 2010 were taken as read and were signed.

**66. Declaration of Interests**

The following members declared a personal interest as a Council house tenant:

- Mrs Drage
- Mr Edwards
- Mr Etherington
- Mr Galpin
- Mrs Hegarty
- Mr Hellier

**67. Regeneration – Halcon North**

Considered report previously circulated, concerning the regeneration of Halcon North.

Halcon North comprised of 7.25 hectares of housing land and approximately 220 dwellings. This part of Halcon featured in the top 10% of most deprived wards in the country. Housing was deemed a contributory factor, both due to its fabric and proportion of dwellings with only two bedrooms.

The Council aspired to make Halcon a place that residents were proud of, but a multi-agency approach would be required.

Strong governance and project management arrangements were required, and a full business case to explore the delivery options and potential risks.

Residents had been kept informed and a communication strategy was being prepared which would ensure that residents were kept up to date.

Work had commenced on preparing a robust business case to take the project forward and a first draft was submitted.

Letters had been sent to all residents in the affected roads, to let them know that de-canting would not take place until after Christmas.

Some members of the Tenant Services Management Board had recently visited Plymouth, who had undertaken a similar project. Mrs Hegarty reported that it had been successful and it had been interesting to see what changes had occurred.

The Chairman asked Mrs Webb what the main drivers were for the regeneration of Halcon. Mrs Webb explained that they included the following:

- The Council did not have any land for housing to be built on;
- Halcon was 'land hungry' and most tenants had large gardens; and
- Halcon was one of the most deprived areas in the country.

The Chairman thanked Mrs Webb for her update.

## **68. Draft Housing Revenue Account Budget**

Fiona Gudge gave the members of the Board an update on the draft Housing Revenue Account Budget for 2011/2012.

The proposed rent increase for 2011/2012 was 6.89%. For an average rent of £65 per week, this would mean an increase of £4.50. The Government's aim was to get Council rents to 80% of private rentals.

The negative subsidy for 2011/2012 was £6,965,020 based on the current figures. The Localism Bill included clauses relating to self-financing and what the settlement could be for Councils with retained stock. It was anticipated that in the long term, self-financing would be beneficial. It would be essential to borrow prudently and consider arranging a loan earlier than it was required.

Fiona Gudge suggested that the Board be minded to consider maintenance costs in future years, which currently stood at £7,223,420 for 2011/2012. There was a budget of £1,300,000 for planned maintenance.

The provision for bad debt had been set at £50,000, although it was expected that when a single benefit was paid in 2013, that rent arrears would increase.

There was a deficit of £1,084,070 for 2011/2012.

#### **69. Guest Rooms in Sheltered Housing**

The Board expressed their disappointment at the non-attendance of the Sheltered Housing Manager.

This item would be discussed at the next meeting of the Board.

#### **70. Communities and Local Government Consultation 'Local Decisions: a Fairer Future for Social Housing'**

Stephen Boland reported details of the Communities and Local Government consultation, 'Local Decisions: a Fairer Future for Social Housing'.

The topic of the consultation was:

- Reform of social housing;
- Social housing tenancies;
- Empty homes;
- Social housing allocations;
- Mobility;
- Homelessness;
- Regulation; and
- Council housing finance.

The document set out the Government's intention to change the legislation governing the way social housing was allocated; how Local Authorities could discharge their main homelessness duty; and the types of tenancies granted to social housing tenants; provisions on these matters would be introduced in the forthcoming Localism Bill. The paper sought the views on the contents of a direction on a new tenancy standard.

A session would be held in the John Meikle Room on 10 January 2011, and tenant groups would be invited to discuss the proposals contained in the consultation. The deadline for responses was 17 January 2011.

#### **71. Dates of Future Meetings**

The following dates for future meetings were discussed and agreed:

Monday 13 January 2011;  
Monday 14 February 2011;  
Tuesday 15 March 2011;  
Monday 18 April 2011;  
Tuesday 17 May 2011; and  
Monday 20 June 2011.

**72. Any Other Business**

A Christmas dinner would be arranged for 26 January.

(The meeting ended at 8pm)



## **Declaration of Interests**

### **Tenant Services Management Board**

Taunton Deane Borough Council Housing Tenants – Councillor Brooks,  
Mrs Drage, Mr Edwards, Mr Etherington, Mr Galpin, Mrs Hegarty, Mr Hellier,  
Mrs Marshall and Mr Watkin

# **DRAFT for Tenant Services Management Board**

**13<sup>th</sup> January 2011**

*Please note the following report is work in progress and is presented to the Tenant Services Management Board for input.*

## **Taunton Deane Borough Council**

**Community Scrutiny Committee – 8<sup>th</sup> February 2011**

### **Installation of Solar PV Panels on the Housing Stock**

#### **Report of the Strategic Director**

(This matter is the responsibility of Executive Councillors Jean Court Stenning and Ken Hayward)

#### **1. Executive Summary**

This report considers the options available for the installation of solar PV on appropriate properties within the Housing Stock.

The report recommends following a consortium path for the procurement and installation of solar PV.

#### **2. Background**

- 2.1 The Sale of Electricity by Local Authorities (England and Wales) Regulations 2010 (SI 2010/1910), came into force on 18 August 2010. The Regulations remove a restriction in place since 1989 and allow local authorities in England and Wales to sell electricity generated from renewable, as well as combined heat and power, sources.
- 2.2 Under the Regulations, LAs which sponsor renewable energy developments may now benefit not only from lower energy bills for their own consumption, but also from central government financial incentives such as Feed in Tariffs (FIT) (applicable to electricity generation projects up to 5MW) and the Renewables Obligation (generally applicable to larger scale electricity generation projects), both for generating renewable electricity and for exporting it to the national grid for sale.
- 2.3 In particular, this has opened the way for LA's and tenants to benefit from the installation of renewable energy generation equipment on the Council's housing stock through the Feed in Tariff scheme

- 2.4 The Feed in Tariff scheme (FITs) was introduced on 1st April 2010. Through this scheme individuals, organisations and businesses in England, Wales and Scotland can claim cash back for electricity they produce from eligible renewable and low carbon sources.
- 2.5 The scheme provides a fixed payment for the electricity generated, called the “generation tariff”. It also pays for any unused electricity that is exported to the grid, the “export tariff”.
- 2.6 Small-scale low-carbon electricity technologies eligible for FITs are:
  - Wind
  - Solar photovoltaics (PV);
  - Hydro;
  - Anaerobic digestion; and
  - Domestic scale microCHP
- 2.7 Realistically, in relation to the housing stock, we are looking at solar PV as the most viable option for a large number of our properties.

### **3. The Requirements for Solar PV**

- 3.1 Solar PVs – typically solar panels installed on roofs – generate energy in the form of direct current from sunlight. This energy is then converted to alternating current so that it can be used.
- 3.2 The South West is generally seen as the most advantageous part of the UK for benefiting from solar PV installations.
- 3.3 Solar PV needs to be installed on south facing roofs to be at its most effective although 30 degrees either side of south (ie almost south east and south west facing roofs) are normally considered to be viable. Solar PV on east and west facing roofs is considered to be operating at around 85% capacity. TDBC has 4421 traditionally-built properties of which:

1493 are south orientated  
986 are south east orientated, and  
1094 are south west orientated.

Therefore, there are a total of 3573 properties which may benefit for the installation of solar PV. A detailed analysis of each property is likely to be required to consider the structural integrity of the roofs. There may need to be additional investment to deal with any roofing problems that come to light as a result of the installation program. This may increase the cost to the Authority as the repairs would need to be carried out during the programme rather than as they come to light through surveys or tenant reports as is current practice. It would also be good practise to review the insulation in the proposed properties at the same time; this again may have an additional cost that would not have otherwise been considered. Although both of these points seem to have an initial negative impact on costs, once completed you would have a housing stock in a much better condition for the Authority and for the tenants.

- 3.4 A typical family home will require approximately 2.2kWh of solar PV to be installed. With this size installation, a householder can expect a reduction in electricity bills of £108 per year. In addition the generation tariff will produce an income of £371 per year. An installation of this size can be expected to cost in the region of £12k.
- 3.5 With a potentially suitable stock of 3573 this would represent a significant investment in the housing stock of almost £43m and could create income of around £72m over 25 years.
- 3.6 The generation tariff is currently 41.3 pence per kWh of energy generated. This rate is set to decrease to 37.8 pence per kWh in April 2012. During 2012 the Government expects to review the rates, and all expectations are that the rates will reduce further – as has been seen in other countries. This means that realistically there is a very small window of opportunity for Councils and homeowners to benefit from the maximum tariffs.

#### 4. **Options**

- 4.1 There are three basic options which TDBC could pursue to install solar PV on appropriate properties within the housing stock:
  - a) arrange for a contractor(s) to install solar PV at no cost to TDBC. In this scenario one or more contractors would be sought to install solar PV. TDBC would effectively be allowing the contractor to use the roof space. The contractor(s) would be expected to bear all the costs of installation and maintenance, and in return would receive the appropriate FiTs. The tenant gains an amount of free electricity, and TDBC gains positive PR.
  - b) procurement - arrange for solar PV to be installed by the DLO and/or contractors, paid for by TDBC. In this scenario contractors (who might include the DLO) are procured to install solar PV on behalf of TDBC. TDBC would expect to bear all the costs of installation and maintenance, and in return would receive the appropriate FiTs. The tenant gains an amount of free electricity. Short term investment funding will be significant.
  - c) join a consortium which will appoint a provider to install solar PV, with the option of TDBC contributing capital funding. In this scenario TDBC joins an existing consortium, such as Advantage South West, who are already procuring contractors to install solar PV on social housing. The consortium establishes an organisation to manage the installation. TDBC can decide whether or not to invest any capital. The tenant gains an amount of free electricity. TDBC and the consortium share income gained from the Generation Tariff.
- 4.2 A detailed analysis of each option is attached as appendix A.
- 4.3 In each scenario there are a number of questions that will need to be addressed before final decisions are made including:

- Where does TDBC fund any investment from – GF, HRA?
- Where does any generation tariff received from TDBC go – again GF or HRA?
- Do individual tenants receive free electricity or is there a way of pooling the value of free electricity so that it can be equitably spread across all tenants?
- What happens to the equipment and its ongoing maintenance at the end of 25 years?

## **5. Finance Comments**

## **6. Legal Comments**

## **7. Links to Corporate Aims**

- 7.1 This initiative will have a major impact on the Council's climate change objectives, particularly in relation to reducing the areas carbon footprint. It is also likely to benefit a number of tenants living in fuel poverty, thus contributing towards the Council's deprivation objectives.

## **8. Environmental and Community Safety Implications**

- 8.1 The installation of solar PV on domestic property is normally considered to be permitted development and does not require planning consent. There is a risk that installations could become the targets for vandalism.

## **9. Equalities Impact**

- 9.1 The provision of solar PV will be dependent upon the location of each property. As a result there is unlikely to be any discrimination. It is anticipated that the works carried out on appropriate properties will benefit all types tenants, including assisting with relieving fuel poverty.
- 9.2 Where the option selected involves a financial contribution from TDBC inevitably a choice will have to be made to direct budgets to this scheme and thus potentially away from other projects/services which support vulnerable people in our communities. This could pose a risk to some protected groups. However the overall impact on the community in a positive way is likely to outweigh this risk. Full impact assessments will be carried out.

## **10. Risk Management**

- 10.1 Please see Appendix A for an overview of the risks associated with each option.

## 11. Partnership Implications

- 11.1 There are significant potential health benefits in progressing with the installation of solar PV, which would suggest that discussions to explore partnership contributions from the PCT, or other partners may be worthwhile. By its' very nature the consortium approach is a partnership.

## 12. Conclusions

Whilst the use of contractors to fund and install solar PV presents the least risk to TDBC, it also provides the least benefit and does not enable TDBC to make any use of the funding available from electricity generation.

The funding of installation by TDBC is the highest risk option, with all risks and benefits being borne by the Council. At worst, should the FiTs become no longer available during the 25 year period TDBC could find itself in a position of having significant loans with no income to pay them off. At best, TDBC will have a steady income over 25 years as a return on its' investment.

The final option of joining with a consortium in principle appears to offer TDBC low risks with some return. Whilst the returns will not be as great as from option 2, there is a key advantage in that the programme will be managed through the consortium.

## 13. Recommendations

The recommendation will be to pursue the consortium option, with a view to:

- Officer's gaining full details of the offer available and seeking to minimise risks to TDBC
- Financial options being fully explored
- Final approval to be made by the Executive once the above have been completed.

**Contact:**      Officer Name      Kevin Toller  
                         Direct Dial No      01823 356406  
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## Appendix A

### Analysis of options for the installation of solar PV on appropriate housing stock

Issue	Contractor Only	DLO/Contractor	Consortium
Cost to TDBC of 3500 solar PV installations	£0	c£42m	The consortium would expect to reap significant economies of scale, thus reducing the cost of each installation to substantially below that obtainable by TDBC on its own. At present the consortium is anticipating installations on a minimum of 27,000 roofs (compared to 3,500 in TDBC alone).
Funding arrangements	The contractor will fund.	TDBC will need to fund, largely through borrowing.	The provider appointed by the consortium will be required to fund the installation and maintenance/replacement of solar PV. Member organisations will have the opportunity to invest in the provider, and thus gain greater returns.
The generation tariff over 25 years will produce £71.5m.	Entirely retained by the contractor	Entirely retained by TDBC. Gives an income stream of 29.5m over the 25 years	The provider appointed by the consortium will retain the FITs, but will pay an agreed amount to each member of the consortium for each kWh. Proportions currently unknown.
Maintenance, repairs and	Liability rests with the contractor	Liability rests with TDBC	Liability rests with the provider

replacements	appointed		appointed.
Installers used	Contractors	DLO and/or contractors. In practice, if teams were employed and trained by the DLO this could provide a new commercial activity, boosting local employment opportunities. It is very unlikely that the DLO would be able to create sufficient capacity to undertake 3500 installations in the short timescale required to maximise income from the generation tariff. A mix of DLO and private contractors is therefore the most likely approach.	The consortium will appoint a range of contractors to undertake the installations – including any DLO's amongst its members that are able to carry out the work.
Administration of Tariffs	Contractor	TDBC	Provider appointed
Identification of potentially suitable properties	TDBC	TDBC	TDBC
Timescale	Procurement could commence early in the new year. The scale of the contract will require full OJEU procedures to be followed. Work could commence around late summer 2011.	Procurement could commence early in the new year. The scale of the contract will require full OJEU procedures to be followed. Work could commence around late summer 2011.	Procurement by the consortium has already commenced and an OJEU notice published. The contract is expected to be awarded in early March 2011. The consortium expect to complete the majority of installations (a minimum of 20,000 – 25,000) by March 2012, ie before the first decrease in the generation tariff, with the remainder being completed by the end of March 2013.





# TENANT SERVICES MANAGEMENT BOARD – 13 JANUARY 2011

## Core Council Review Theme 3 – DLO Transformation Project

### Highlight Report Number 7 (December 2010)

**Project Sponsor – Brendan Cleere**

**Project Manager – Chris Hall**

#### **1 Headlines**

- 1.1 The interim plan for internal transformation of the DLO published 25 October 2010 was agreed by the Executive on the 1<sup>st</sup> December and Full Council on the 14<sup>th</sup> December.
- 1.2 A new interim management structure has been implemented at the DLO with Brian Gibbs taking up the position of Theme Manager. This has brought the DLO structure in line with the structural arrangements of the other Themes within the Council.

Housing Property Services (under the management of Phil Webb) has been moved from Theme 3 DLO and transferred to Theme 4 – Community Services as per the recommendation made by the Audit Commission.

Savings from the interim management restructure will help the Authority with the challenge involved in setting its 2011/12 budget.

Work to simplify the financial set up of the DLO has been agreed and will start in the New Year.

#### **2 Tasks, Milestones, Outcomes delivered this period**

- 2.1 Work has started on the key Service Improvement Plan actions, including a review of profitability and initial data gathering for possible area working.
- 2.2 FAQs from the staff briefings and consultation sessions on the interim plan have been replied to and published for all DLO staff to read.
- 2.3 A DLO staff survey was circulated to all staff with a deadline of 15 December. The results of this survey are due to be published in January.
- 2.4 A workshop has taken place with key staff members in order to bring forward the Nursery sales and marketing plan and maximise opportunity for next years growing season.
- 2.5 Draft policy for the use of vehicle tracking has been produced, this will be considered by UNISON Change Forum (UCF) in January.

#### **3 Major Risks and Issues**

- 3.1 A revised risk register, focusing on the internal transformation plan has been developed for the internal transformation project which will run alongside the risk register for the project as a whole. This has been approved by the Project Team.

#### **4 Recommendations and Requests for Decisions or Support**

- 4.1 A finance Project to examine the complexity of the DLO trading accounts has begun, this has brought in some external support to look at the possibilities around the financial coding structure and how things can be simplified for transparent accounting.

#### **5 Tasks, Milestones, Outcomes scheduled for next period**

- 5.1 Further clarification of outcomes (4 year and annual incremental) and Key Performance Indicators (KPIs) for the internal transformation. Means of monitoring and reporting these in a user friendly way to staff and members developed.
- 5.2 Exercise continuing to determine the cost of all DLO activities carried out on behalf of TDBC. (Activity costing)
- 5.3 Exercise continuing to determine the split of DLO costs: i.e client/contractor, HRA/General Fund, revision following the changes to management structure and separation of Housing Property Services.
- 5.4 Marketing Plan to be developed for the Nursery.
- 5.5 Finance project initial investigations will be completed in January.
- 5.6 Visit to Yarlinton to investigate how their stores function operates.
- 5.7 Produce a policy for operating vehicle tracking, which was agreed as part of the interim improvement plan for internal transformation.

**RAG\* status is Green**

Status is on track for the internal transformation of the DLO,

Red =

"Major concern - escalate to the next level". Slippage greater than 10% of remaining time or budget, or quality severely compromised. Corrective Action not in place, or not effective. Unlikely to deliver on time to budget or quality requirements

Amber =

"Minor concern – being actively managed" Slippage less than 10% of remaining time or budget, or quality impact is minor. Remedial plan in place.

Green =

Normal level of attention" No material slippage. No additional attention needed

# Taunton Deane Borough Council

## Tenant Services Management Board – 13<sup>th</sup> January 2011

### Local decisions: a fairer future for social housing - Consultation

#### Report of Stephen Boland – Housing Services Lead

(This matter is the responsibility of Executive Councillor Jean Adkins)

#### 1.0 Executive Summary

This report describes and suggests responses to key government proposals for the fundamental reform of social housing.

Tenant Services Management Board comments are to be included in the final response to the consultation which ends on the 17<sup>th</sup> January 2011.

#### 2.0 Social housing reform proposals

On 22<sup>nd</sup> November 2010 the Department for Communities and Local Government announced proposals for fundamental changes to the social housing system and issued a consultation document setting out the proposals for reform.

There are 5 key objectives of social housing reform:

- Localism, fairness, and focussing social housing on those most in need in a way that enables them to use it as a springboard to opportunity;
- Social housing is flexible and available to more people and to those that genuinely need it;
- Make the best use of social rented homes;
- Increase freedoms available to all social landlords to determine the sort of tenancy they grant to new tenants; and
- Protect the rights of existing tenants.

The topics covered in the consultation document are social housing tenancies, empty homes, social housing allocations, mobility, homelessness, regulation and council housing finance. The consultation document set out thirty specific questions and requests responses by 17<sup>th</sup> January 2011

An officer report presented to the council's Community Scrutiny Committee on 11<sup>th</sup> January 2011 (Appendix 1) is attached. The report outlines the key government proposals and suggests responses.

### **3.0 Tenants' response to the consultation proposals**

On 10<sup>th</sup> January 2011 there will be a consultation event involving tenants of TDBC to enable their views to be incorporated in the final response to be made to government.

A verbal update on the views expressed at the tenant event will be provided at the Tenant Services Management Board meeting on the 13<sup>th</sup> January 2011

### **4.0 Recommendation**

It is recommended the Tenant Services Management Board:

- Receive and note this report;
- Consider the general draft consultation responses set out in Appendix A and the tenant event responses; and
- Agree their final response to the consultation issued by the Department of Communities and Local Government - Local decisions: a fairer future for social housing.

**Contact:** Stephen Boland Housing Services Lead  
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# Appendix 1:

## Taunton Deane Borough Council

### Community Scrutiny – 11<sup>th</sup> January 2011

#### Local decisions: a fairer future for social housing - Consultation

##### Report of Stephen Boland – Housing Services Lead

(This matter is the responsibility of Executive Councillor Jean Adkins)

#### 1.0 Executive Summary

The government has recently published a consultation paper outlining its proposals to reform the way that councils are able to manage their waiting lists for council and housing association homes. The paper also outlines proposed fundamental changes to the types of tenancy that can be offered to new council and housing association tenants and the accommodation that can be offered to homeless households accepted for re-housing by the councils.

This report considers the government's proposals and sets out a draft response for the consultation process which ends on 17<sup>th</sup> January 2011

#### 2.0 Background

On 22<sup>nd</sup> November 2010 the Department for Communities and Local Government announced proposals for fundamental changes to the social housing system and issued a consultation document setting out the proposals for reform.

There are 5 key objectives of social housing reform:

- Localism, fairness, and focussing social housing on those most in need in a way that enables them to use it as a springboard to opportunity;
- Social housing is flexible and available to more people and to those that genuinely need it;
- Make the best use of social rented homes;
- Increase freedoms available to all social landlords to determine the sort of tenancy they grant to new tenants; and
- Protect the rights of existing tenants.

The topics covered in the consultation document are social housing tenancies, empty homes, social housing allocations, mobility, homelessness, regulation and

council housing finance. The consultation document set out thirty specific questions and requests responses by 17<sup>th</sup> January 2011

The consultation questions (Appendix A) are attached to this paper.

### **3.0 The key proposals put forward by the Government**

#### **3.1 Tenure reform – fixed term tenancies**

Local authorities and housing associations will be able to let social housing on fixed term rather than lifetime tenancies. The fixed term would be a minimum of two years.

When the fixed term of a flexible tenancy comes to an end tenants could:

- Remain in social housing, either in their existing home or another social property at social or 'affordable rent;
- Move into the private rented sector; and
- Move into home ownership.

Where a landlord decides not to reissue a tenancy at the end of the fixed term, and the tenant is unable to obtain alternative accommodation and becomes homeless, the tenant would be considered to have become homeless unintentional (unless the decision not to reissue the tenancy is a direct consequence of the tenant's behaviour).

There is an expectation that advice and assistance will be provided for tenants moving out of social housing at the end of a fixed term, to help the tenant find alternative accommodation.

There is recognition that social housing will always be the best tenure option for some groups, particularly for older people and those with a long term illness or disability.

The Government will create a new local authority fixed term tenancy with a minimum fixed term of two years. This is in addition to, not replacing, secure and introductory tenancies. Local authorities will be able to give much longer term tenancies, or not offer them at all, if they choose to.

Local authority flexible tenancies will have similar rights to secure tenants, including the right to: exchange; take in lodgers; sub-let part of the property (with the landlord's consent); have repairs carried out; consultation and information.

During the fixed term of a flexible tenancy the tenant will have the same protection from eviction as a secure tenant.

Landlords will have a policy on the reissue of flexible tenancies which will guide what happens at the end of a tenancy.

Where landlords intend not to reissue the tenancy at the end of the fixed term they must serve a notice on the tenant six months before the end of the tenancy.

The rights of existing secure and assured tenants will not change.

The Secretary of State will be able to direct the regulator on the content of the regulator's tenancy standard. The intention is to use a tenancy standard to increase freedom for all social landlords on the tenancies they can grant and on transparency and appropriate protections for all social tenants. The standard will be used to give housing associations the same ability to offer fixed term tenancies as local authorities (the current tenancy standard prevents this from happening).

Local authorities will have a new duty to publish a strategic policy on tenancies:

- This is part of the local authority strategic role not their landlord role;
- It will set out the broad objectives to be taken into consideration by individual social landlords in the area regarding their own policies on the grant and reissue of tenancies;
- Government will prescribe who local authorities should consult in preparing the policy, such as tenants and local voluntary and community organisations; and
- The strategic tenancy policy must be regularly reviewed and it must be consistent with the local allocation scheme and homelessness strategy.

All social landlords will be required to publish and follow a policy on tenure, which meets the requirements of the tenancy standard and the local tenancy strategy, and which includes:

- The circumstances in which they will grant either lifetime tenancies or tenancies with fixed terms; and
- For fixed term tenancies, their duration and the circumstances in which tenancies will be reissued at the end of the fixed term.

All new secure and flexible tenancies will include a right to one succession for spouses and partners, and landlords will be able to grant additional succession rights if they wish.

Existing secure and assured tenants will be granted a new secure or assured tenancy where they move to another social rent property.

### **3.11 Suggested response:**

The council welcomes the provision to retain secure tenancies for existing tenants.

The council welcomes the provision to enable the council to retain secure tenancies where it is considered appropriate, for example for vulnerable households.

The ongoing review of existing tenant eligibility for social housing is likely to require additional staff resources and potentially financial resources.



There is potential for concern about the long-term stability and balance of communities in areas of social housing if policies around the ending of the proposed new flexible fixed term tenancies leave increasing proportions of households on low incomes or reliant on welfare benefits living in a particular area.

The council would be cautious about extending the right to buy to tenants with fixed term tenancies as this would, potentially, undermine the purpose of fixed term tenancies to encouraging tenants to move into the private sector when they can afford to do so and prevent the release of the property for another household in need.

### **3.2 Tenure reform – affordable rent**

In order to finance the provision of new social housing the government is introducing 'affordable rent'. Such tenancies are intended to:

- Help those who would not otherwise have been able to afford adequate housing in the market, and will be allocated just like social housing;
- Be shorter term tenancies at a rent higher than social rent, to be set at a maximum of 80% of local market rents;
- Be initially offered by housing associations, not local authorities;
- Be offered on a proportion of providers' empty properties from April 2011, and on new stock in due course;
- Affordable rent homes will be eligible for Housing Benefit;
- Local authorities will be able to discharge their homelessness function through the new tenancy;
- Tenancies will be offered on a fixed term of at least two years; and
- The other proposed changes to the law and regulation governing social housing tenancies will apply to 'affordable rent'.

#### **3.21 Suggested response:**

The council is supportive of steps to widen the rented housing offer where that compliments social rented housing. 'Affordable rent' will be helpful to those people who don't have any options at present, with the rental income generated being reinvested in the supply of new housing.

### **3.3 Empty homes**

The government is consulting on a package of measures to empower local communities to tackle empty homes, such as the New Homes Bonus incentive.

The government intends to invest £100m through the Homes and Communities Agency in supporting housing associations to refurbish 3,000 empty properties and manage them at an affordable rent for up to 10 years.

### **3.31 Suggested response:**

The council welcomes the measures to tackle empty homes.

### **3.4 Allocating social housing**

The government intend to legislate to give local authorities freedom to determine which categories of applicants should qualify to join the waiting list.

The government will retain a role in determining which groups should have priority for social housing through the statutory reasonable preference requirements.

The rules that determine which persons from abroad are eligible for social housing will continue to be set centrally.

Where local authorities choose to restrict access to their waiting list, people who do not qualify for social housing may look for advice or support to help them secure appropriate alternative accommodation (whether in the private rented sector or in low cost home ownership).

The reasonable preference requirements will not be removed but the government is seeking views on whether other groups in housing need not covered by the existing reasonable preference categories should be added to the list.

### **3.41 Suggested response:**

The retention of the reasonable preference groups and the opportunity to determine other priority groups locally is welcomed.

### **3.5 Mobility**

The government is seeking to increase mobility within the social housing sector. The measures proposed to achieve this are:

- Taking transferring tenants out of the allocation system, which would avoid them competing with new applicants on the waiting list;
- A social home swap programme;
- Put data sharing/data pooling between providers of social housing on a statutory basis; and
- Legislate to grant the Secretary of State a power to direct the social housing regulator to issue a standard on mutual exchange.

### **3.51 Suggested response:**

The council supports measures which enables social housing landlords to make the best use of their housing stock by tackling under-occupation and overcrowding.

### **3.6 Homelessness**

The government proposals give local authorities the flexibility to bring the homelessness duty to an end with an offer of suitable accommodation in the private rented sector without requiring the household's agreement.

The government do not propose to change the homelessness priority needs groups.

#### **3.61 Suggested response:**

The council welcomes proposals to enable it to decide to discharge its main homelessness duty, in any particular case, by providing suitable accommodation in the private rented sector.

### **3.7 Overcrowding**

The government is considering reviewing the legal and statutory framework concerning overcrowding in particular with regards to statutory overcrowding standards, the enforcement framework and separate statutory provisions which cover the operation of the Housing Health and Safety Rating System.

#### **3.71 Suggested response:**

The council welcomes the proposal and supports the view that a simplification of the current legal and regulatory framework concerning overcrowding would be beneficial.

### **3.8 Reform of social housing regulation**

The government plans to implement the recommendations of a review of the role and purpose of the Tenant Services Authority (TSA) and the framework for social housing regulation via the Localism Bill.

#### **3.81 Suggested response:**

The council welcomes a framework which includes a landlord working with its tenants to proactively monitor compliance with service standards, scrutinize performance and help drive service improvements.

The council welcomes the proposal that local mechanisms should be used to address routine tenant problems/landlord failings.

### **3.9 Reform of council housing finance**

The government's stated intention is to replace the Housing Revenue Account (HRA) system with a new self financing arrangement.

The government are soon to announce further details on the new self financing arrangement.

### **3.91 Suggested response:**

The council will be able to comment on these proposals when further details are announced during 2011.

## **4.0 Responding to the consultation proposals**

At the time of writing this report, officers are in the process of putting together a draft consultation response.

On 10<sup>th</sup> January 2011 there will be a consultation event involving tenants of TDBC to enable their views to be incorporated in the final response to be made to government.

At their meeting on the 13<sup>th</sup> January 2011 the Tenant Services Management Board will be considering their response to the government's proposals.

## **5.0 Finance Comments**

None at present as this is only a consultation document. Any future changes, however, will need to be fully explored.

The implications of the HRA self financing arrangement will be considered when the details are available.

## **6.0 Legal Comments**

There are no legal issues arising from this report.

## **7.0 Links to Corporate Aims** (Please refer to the current edition of the Corporate Strategy)

Proposals have the potential to impact on the Corporate Aims: Tackling Deprivation and sustainable Community Development; Regeneration; and Affordable Housing

## **8.0 Environmental and Community Safety Implications**

There is potential for the policy proposals outlined in 3.1 to impact on the long-term stability and balance of communities in areas where the density of social housing is high.

## 9.0 Equalities Impact

The government has stated the impact assessments of the legislative changes set out in the consultation paper will be published for the introduction of the Localism Bill

## 10.0 Risk Management

The Council will conduct risk assessments for any significant policy changes arising from this consultation.

## 11.0 Partnership Implications (if any)

The proposals will have considerable implications for the provision of social housing in the borough of Taunton Deane. This will involve consultation with social housing providers and reaching agreement on policy development.

## 12.0 Recommendations

It is recommended the Community Scrutiny Committee:

- Receive and note this report;
- Consider the general draft consultation response set out at Section 3.0 – 3.9 of this report; and
- Agree that the Portfolio Holder for Housing – Cllr Jean Adkins, in consultation with the Leader of the Council, 'signs-off' the council's formal response to the consultation issued by the Department of Communities and Local Government - Local decisions: a fairer future for social housing.

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## Summary of consultation questions

Question 1: As a landlord, do you anticipate making changes in light of the new tenancy flexibilities being proposed? If so, how would you expect to use these flexibilities? What sort of outcomes would you hope to achieve?

Question 2: When, as a landlord, might you begin to introduce changes?

Question 3: As a local authority, how would you expect to develop and publish a local strategic policy on tenancies? What costs would you expect to incur?

Question 4: Which other persons or bodies should local authorities consult in drawing up their strategic tenancy policy?

Question 5: Do you agree that the Tenancy Standard should focus on key principles? If so, what should these be?

Question 6: Do you have any concerns that these proposals could restrict current flexibilities enjoyed by landlords? If so, how can we best mitigate that risk?

Question 7: Should we seek to prescribe more closely the content of landlord policies on tenancies? If so, in what respects?

Question 8: What opportunities as a tenant would you expect to have to influence the landlord's policy?

Question 9: Is two years an appropriate minimum fixed term for a general needs social tenancy, or should the minimum fixed term be longer? If so, how long should it be? What is the basis for proposing a minimum fixed term of that length? Should a distinction be drawn between tenancies on social and affordable rents? If so, what should this be? Should the minimum fixed term include any probationary period?

Question 10: Should we require a longer minimum fixed term for some groups? If so, who should those groups be and what minimum fixed terms would be appropriate? What is the basis for proposing a minimum fixed term of that length? Should a distinction be drawn between tenancies on social and affordable rents? If so, what should this be?

Question 11: Do you think that older people and those with a long term illness or disability should continue to be provided with a guarantee of a social home for life through the Tenancy Standard?

Question 12: Are there other types of household where we should always require landlords to guarantee a social home for life?

Question 13: Do you agree that we should require landlords to offer existing secure and assured tenants who move to another social rent property a lifetime tenancy in their new home?

Question 14: Do you agree that landlords should have the freedom to decide whether new secure and assured tenants should continue to receive a lifetime tenancy when they move?

Question 15: Do you agree that we should require social landlords to provide advice and assistance to tenants prior to the expiry of the fixed term of a the tenancy?

Question 16: As a landlord, what are the factors you would take into account in deciding whether to reissue a tenancy at the end of the fixed term? How often would you expect a tenancy to be reissued?

Question 17: As a local authority, how would you expect to use the new flexibilities to decide who should qualify to go on the waiting list? What sort of outcomes would you hope to achieve?

Question 18: In making use of the new waiting list flexibilities, what savings or other benefits would you expect to achieve?

Question 19: What opportunities as a tenant or resident would you expect to have to influence the local authority's qualification criteria?

Question 20: Do you agree that current statutory reasonable preference categories should remain unchanged? Or do you consider that there is scope to clarify the current categories?

Question 21: Do you think that the existing reasonable preference categories should be expanded to include other categories of people in housing need? If so, what additional categories would you include and what is the rationale for doing so?

Question 22: As a landlord, how would you expect to use the new flexibility created by taking social tenants seeking a transfer who are not in housing need out of the allocation framework? What sort of outcomes would you hope to achieve?

Question 23: What are the reasons why a landlord may currently choose not to subscribe to a mutual exchange service?

Question 24: As a tenant, this national scheme will increase the number of possible matches you might find through your web-based provider but what other services might you find helpful in arranging your mutual exchange as well as IT-based access?

Question 25: As a local authority, how would you expect to use the new flexibility provided by this change to the homelessness legislation?

Question 26: As a local authority, do you think there will be private rented sector housing available in your area that could provide suitable and affordable accommodation for people owed the main homelessness duty?

Question 27: Do you consider that 12 months is the right period to provide as a minimum fixed term where the homelessness duty is ended with an offer of an assured shorthold tenancy? If you consider the period should be longer, do you consider that private landlords would be prepared to provide fixed term assured shorthold tenancies for that longer period to new tenants?

Question 28: What powers do local authorities and landlords need to address overcrowding?

Question 29: Is the framework set out in the 1985 Housing Act fit for purpose? Are any detailed changes needed to the enforcement provisions in the 1985 Act?

Question 30: Should the Housing Health and Safety Rating System provide the foundation for measures to tackle overcrowding across all tenures and landlords?



## **Taunton Deane Borough Council**

**Tenant Services Management Board – 13<sup>th</sup> January 2011**

### **Report of the Supported Housing Manager**

#### **Guest Rooms in Sheltered Housing**

##### Executive Summary

This report is an update

The Tenant Services Management Board are asked to note the recommendations as a result of the comments at the Board meeting on the 11<sup>th</sup> October 2010 and the outcome of the Sheltered Housing Forum meeting on the 28<sup>th</sup> October 2010.

##### Guest Rooms in Sheltered Schemes

The purpose of this report is to update the Tenant Services Management Board following the report submitted on the 11<sup>th</sup> October, 2010.

At this meeting it was suggested that this service be more widely advertised.

The conditions of use of Guest Rooms, as shown in Appendix A, states that the “guest room facilities are only for the use of relatives and friends of tenants on the schemes”.

This was raised at the Sheltered Housing Forum to confirm whether this condition should still apply or whether this facility could be offered to all tenants. Those present considered that this condition should still apply. It was suggested by the Forum that flyers should be sent to residents and information provided in the tenants newsletters. An example of the flyer and wording for the advert is shown in Appendix B.

##### Recommendation

1. That the availability of guest rooms is advertised more widely to residents in Sheltered Schemes.
2. The use of these facilities to be monitored and reported back to the Sheltered Housing Forum.
3. In consultation with residents groups, consideration be given to better use being made of this facility where it continues to be under used.

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## Appendix A

### GUEST ROOMS – SUPPORTED HOUSING SERVICES

#### CONDITIONS OF USE

1. All bookings are subject to availability, and an individual booking will be subject to a maximum duration of two weeks.
2. The guest room facilities are only for the use of relatives and friends of tenants on the schemes. Bookings for any other purpose will not be accepted.
3. Only named persons on the booking form are allowed to use these facilities.
4. The accommodation fee is calculated per person per night and Supported Housing Management will bill guests for their use.
5. **SMOKING IS NOT PERMITTED** in the guest rooms.
6. TDBC regret that children under the age of 8 years old, or unsupervised children of any age, will not be allowed to stay.
7. The guest rooms must be left in a clean and tidy condition after use.
8. Guests must show consideration to other residents. In particular:
  - Please do not arrive or leave late at night
  - Do not disturb residents with excess noise
  - Do not block access to the scheme e.g. by parking.
9. Pets are not allowed in the guest room.

# Guest Rooms in Sheltered Schemes

Available to friends and family of residents in Sheltered Housing, at the addresses listed.



For further information contact the Sheltered Housing Team on

**01823 331635**

or to make a booking on

**01823 254336**

Bulford, Wellington, Somerset  
Churchill/Middleway, Taunton  
Darby Way, Bishops Lydiard, Taunton  
Kilkenny Court, Taunton  
Lodge Close, Wellington, Somerset  
Moorland Place, Taunton  
Parmin Close, Taunton  
Hope Corner Lane, Taunton  
Robin Close, Taunton,  
Heathfield Drive, Taunton  
Tauntfield Close, Taunton