

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 19 December 2011 at 18:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Tenant Services Management Board held on 21 November 2011 (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 Decent Homes Standard Definition - report of the Housing Property Services Manager (attached)
Reporting Officer: Phil Webb
- 6 Housing Revenue Account Reform Project Dashboard - report of the Community Services Manager (attached)
Reporting Officer: James Barrah
- 7 Gas Safety Process - report of the Tenant Services Development Officer (now attached)
Reporting Officer: Rosie Reed
- 8 Feedback from TPAS "Growing Together Hothouse" Event - report of the Tenant Services Development Officer (now attached)
Reporting Officer: Rosie Reed
- 9 Annual Report - verbal update from the Tenant Empowerment Manager
Reporting Officer: Martin Price

The following items are likely to be considered after the exclusion of the press and public because of the likelihood that exempt information would otherwise be disclosed relating to the Clause set out below of Schedule 12A of the Local Government Act 1972.

10 Housing and Community Development Structural Change Proposals -
confidential report of the Community Services Manager (attached)
Reporting Officer: James Barra

Tonya Meers
Legal and Democratic Services Manager

16 January 2012

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 or Tenant Services Management Board Members 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.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact Democratic Services on 01823 356382 or email d.durham@tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or e-mail us at: enquiries@tauntondeane.gov.uk

Tenant Services Management Board Members:-

- Mr D Etherington (Chairman)
- Mr M Edwards (Vice-Chairman)
- Councillor R Bowrah, BEM
- Councillor S Brooks
- Mrs J Bunn
- Mrs E Drage
- Mr D Galpin
- Mrs J Hegarty
- Mr K Hellier
- Mrs P Marshall
- Mrs T Urquhart

Minutes of the meeting of the Tenant Services Management Board held on Monday 21 November 2011 at 6pm in the John Meikle Room, The Deane House, Belvedere Road, Taunton.

Present: Mr Etherington (Chairman)
Mr Edwards (Vice- Chairman)
Councillor Bowrah, Councillor Brooks, Mrs Bunn, Mrs Drage, Mrs Hegarty, Mr Hellier, Mrs Marshall and Mrs Urquhart.

Officers: James Barrah (Community Services Manager), Stephen Boland (Housing Services Lead), Paul Hadley (Housing Estates Manager), Martin Price (Tenant Empowerment Manager), Rosie Reed (Tenant Services Development Officer), Christine Thompson (Supported Housing Manager) and Keith Wiggins (Democratic Services Officer).

Others: Councillor Mrs Adkins, Mrs Beryl Edwards and Nigel Stuart-Thorn

(The meeting commenced at 6.02pm)

71. Apologies

Apologies: Mr Galpin

72. Minutes

The minutes of the meeting of the Tenant Services Management Board held on 24 October 2011 were taken as read and signed.

73. Public Question Time

Questions and statements were received in writing from Ms Lisa Wychwood and Mr Martin Aldred, Vice-Chair and Chairman of the new Halcon North Tenants and Residents Association.

Written responses to all questions were promised.

In response to a question on funding, the board heard that the association could apply to the Tenants Forum who held a small budget for such purposes.

74. Declaration of Interests

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

- Councillor Brooks
- Mrs Bunn
- Mrs Drage
- Mr Edwards
- Mr Etherington
- Mrs Hegarty

- Mr Helier
- Mrs Marshall
- Mrs Urquhart

Councillor Bowrah declared a personal interest as a family member was a Council house tenant.

75. Service Development – Supported Housing

Considered report previously circulated regarding the outcome of the Service Development event held on Thursday 27 October 2011.

The programme for the service development event had included:

- a review of tenant involvement and outcomes achieved over the past year;
- details of the 'hub and spoke model' for providing housing related support, including a staff structure and where they are located;
- a presentation by Steven Clarke on the Respect Agenda adopted by Taunton Deane Borough Council; and
- a session to discuss ideas for service development in 2012.

The event had been supported by representatives from the tenants and sheltered housing forums, the Tenant Services Management Board and Service Development Group.

A majority of the comments and questions at the event had been related hallways and public areas.

During the discussion of this item, members of the board made the following comments and asked questions. Responses are shown in italics:

- What was being done about scooters in hall-ways? *This was now subject to "zero tolerance" while continuing to work with residents at possible solutions including storage;*
- Tenants on estates in other areas volunteered as snow champions;
- What was being done about cold calling? *The Council discourage cold calling wherever it could.*

Resolved to request officers to prepare an action plan to respond to the queries raised at the event.

76. Housing Revenue Account Reform Project Dashboard

Considered project progress dashboard report previously circulated, concerning planned reforms to council housing finance in England and the management of those changes by the Council.

James Barrah explained that the previous concerns with one workstream – Assets – had now been resolved.

Members also heard that the draft HRA Business Plan had been considered at the Council's Community Scrutiny Committee and had been supported.

The draft Housing Capital Programme was circulated at the meeting. This included details of a new contract for heating.

The board heard that the bid for extra funding, that had been intended to allow more homes to receive air source heat pumps, had not been successful. Consequently there would be no need to proceed with planned changes to their heating over this winter, discussed previously on 24 October.

During the discussion of this item, members of the board made the following comments and asked questions. Responses are shown in italics:

- Was there a specific date when all properties and venues must comply with the Disability Discrimination Act? *The Council had a five year plan to facilitate compliance but was required to take reasonable measures;*
- Was the Council getting rid of all solid fuel heating? *The Council as landlord had to minimise the risks of fire for health and safety. However in some circumstances tenants would be given a choice to retain a solid fuel appliance;*
- The Council should ensure it focussed on energy efficiency.

Resolved to note the dashboard report and support the draft capital programme proposals.

77. Housing Services and Deane Helpline Fees and Charges 2012/2013

Considered report previously circulated, concerning charges for services provided by Housing Services and the Deane Helpline. It was proposed to increase all fees and charges by applying Retail Price Index (RPI) inflation of 5.6% as at the September 2011.

Council housing rents would be set separately in the New Year.

Resolved to support the proposed fees and charges for 2012/2013

78. Performance Indicators Quarter 1 and Quarter 2 2011/2012

Considered report previously circulated, concerning the performance of Housing Services in specific areas and providing important information on the key services provided by the Council.

The reports also contained information comparing the Council's performance against other social landlords such as local authorities, Arms Length Management Organisations (ALMOs) and housing associations.

Members discussed how the information could best be made available to a wider audience, including use of rent statements or Council Tax letters.

Resolved to support the format of the report and agree to receive regular quarterly updates.

79. Tenant Involvement and Empowerment Service Standard

Considered report previously circulated, concerning a new service standard for Tenant Involvement and Empowerment. It outlined the service tenants could expect from Housing Services at Taunton Deane Borough Council and highlighted the importance the council placed on tenants being given opportunities to participate in shaping and improving the service they received.

The Tenant Empowerment Manager explained that the service standard would show the minimum standard tenants could expect to receive in relation to having opportunities to influence housing services in their neighbourhood. The standard would be published as a simple leaflet style document available for tenants to access in different ways.

Resolved to note the report and approve the proposed Service Standard.

80. Verbal feedback from TPAS "Growing Together HotHouse" Event

Those members attending the South West region event felt it was an informative day. There was some concern expressed about the format of parts of the event and being unable to put their views forward. Overall it was felt that that it was well worth attending.

Members heard that there was planned to be an outcome report.

Resolved to circulate the outcome report once received.

(The meeting ended at 7.30pm)

Declaration of Interests

Tenant Services Management Board

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

Member of Somerset County Council – Councillor Brooks

Family member a Taunton Deane Borough Council Housing Tenant –
Councillor Bowrah

Taunton Deane Borough Council

Tenant Services Management Board – 19 December 2011

Decent Homes Standard - Definition

Report of the Housing Property Services Manager

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

Executive Summary

This report seeks to give guidance and an explanation of the information regarding “What is a Decent Home?” as included in the document issued by the Office of the Deputy Prime Minister in February 2004 entitled “A Decent Home”. It is intended as a much simplified version of the descriptive part of the ODPM document and as such cannot encompass all that was originally included.

Background

In July 2000, following its Spending Review, the Government announced a significant increase in resources for housing, especially social housing. As part of its wish to link increased spending to better outcomes, the Government established a target to:-

“Ensure that all social housing meets set standards of decency by 2010, by reducing the number of households living in social housing that does not meet these standards by a third between 2001 and 2004 with most of the improvement taking place in the most deprived local authority areas...”

The 2002 Spending Review renewed the commitment and expanded it to cover vulnerable households in the private sector. The ODPM publication “Sustainable communities: building for the future” reaffirmed the commitment to provide all social housing tenants with a Decent Home by 2010 and it explained that reforms would be put in place to improve the way the target was delivered. There were no changes made to the Standard itself but there was a need to clarify aspects of the definition and to set it in a wider context.

The target related to Local Authorities, other Registered Social Landlords and private housing occupied by vulnerable groups.

Guidance was first issued by the ODPM in July 2001, updated in April 2002 with the final version incorporating the Housing Health and Safety Rating System being issued in February 2004. This replaced the original Fitness Standard of the Housing Act 1985 subsequently amended in the Local Government and Housing Act of 1989.

Definition of the Decent Homes Standard

Please see attachment Appendix A.

Finance Comments

Funded by the Major Repairs Allowance from Central Government

Legal Comments

N/A Information clarification report only.

Links to Corporate Aims

Tackling Deprivation, Regeneration, Affordable Housing and Climate Change

Equalities

N/A Information clarification report only.

Next Steps

The 30 year Business Plan currently being developed is based on guidelines from within the Standard and these will ensure that, provided funding is available, then Decent Homes will be sustainable within Taunton Deane.

Recommendations

The Tenant Services Management Board is asked to note the content of the report.

Contact:

Officer Name)	Housing Property Services Manager Phil Webb
Direct Dial No)	01823 356505
e-mail address)	p.webb@tauntondeane.gov.uk

DEFINITION OF THE DECENT HOMES STANDARD - APPENDIX A

A DCLG 'Decent Homes Standard'

A 'decent home' is a property that meets a minimum standard set by the DCLG (formerly ODPM) by 31st December 2010 and is maintained to that standard thereafter. The property must meet the landlord's and the tenant's priorities and meet the following four criteria:

- Is free from Category 1 Housing Health & Safety Rating risks
- Be in a reasonable state of repair
- Have acceptable and modern facilities and services
- Provide an acceptable level of thermal comfort

Further definitions of these criteria are provided below:

1. Free from Category 1 Housing Health & Safety Rating (HHSRS) hazards

The HHSRS was introduced in the Housing Act 2004 and replaced the original 'Fitness Standards' as Criteria 1 of the Decent Homes Standard in April 2006.

It uses a risk assessment approach to provide a system (not a standard) to enable risks from hazards to health and safety in dwellings to be removed or minimised.

The HHSRS addresses all the key issues that affect health and safety and it provides an analysis of how hazardous a property is (potentially). The key principle of the system is that a dwelling (including the structure and associated outbuildings and garden, yard and/or amenity space) and means of access should provide a safe and healthy environment for the occupants and, by implication, for any visitors.

It should be recognised that all properties contain hazards (stairs, electrical outlets etc) and it is not possible (or desirable) to remove all hazards. The emphasis is to minimise the risk to health and safety as far as possible either by removing the hazard altogether or minimising the effect, as appropriate.

The HHSRS system assesses a number of hazards, including:

- Dampness, excessive cold/heat
- Pollutants e.g. asbestos, carbon monoxide, lead
- Lack of Space, security, lighting or excessive noise
- Poor hygiene, sanitation, water supply
- Accidents – falls, electric shocks, fires, burns, scalds
- Collisions, explosions, structural collapse

All risks identified are 'scored' in respect of the likelihood of an event occurring (e.g. a fall down some stairs) and the likely outcome of harm that may occur. Category 1 hazards are typically those that are deemed more likely to occur than normal and would typically result in serious harm.

2. A reasonable state of repair. If one or more of the key building components are old *and* because of their condition need replacing or major repair

Should any of the following key elements be in poor condition, they could have an immediate effect on the integrity of the building and cause further deterioration in other components.

- External wall structure
- Wall finish/applied surface (pointing or render)
- Chimney stacks
- Roof structure
- Roof covering
- External doors
- Windows
- Central Heating system
- Central Heating Boiler
- Electrical supply system

3. Reasonably modern facilities and services

A dwelling will fail this Decent Homes criterion if it lacks three or more of the following:

- Kitchen units less than 20 years old.
- A kitchen with adequate space and layout.
- Bathroom fittings less than 30 years old.
- An appropriately located bathroom and WC.
- Adequate noise insulation.
- Adequate size and layout of common areas to blocks containing flats.

4. Reasonable degree of thermal comfort.

A dwelling must have efficient heating and effective insulation to pass the Standard.

Dwellings that have gas/oil central heating systems installed should have cavity wall insulation (where possible) and a minimum of 50mm loft insulation.

Dwellings that have electric storage heaters/LPG or programmable solid fuel central heating systems should have cavity wall insulation (where possible) and a minimum of 200mm of loft insulation.

B TDBC DECENT HOMES STANDARD

The DCLG Decent Homes Standard is a minimum standard of housing provision. Recognising that this may not fully meet residents' aspirations, TDBC Housing has, in consultation with residents and other stakeholders, developed a Decent Homes Standard which exceeds the Government's minimum standards in certain areas but will not include environmental work to estates, security improvements or adaptations for disability. These works are contained within other planned investment work streams.

Of course, TDBC Housing will continue to use the DCLG standards as a base measurement of its stock to assess the impact of properties meeting, failing or potentially failing the minimum Decent Homes standard beyond 2010.

TDBC Housing's Decent Homes Standard takes into account resident feedback and expectations and sets standards accordingly, for example;

Windows	Double Glazing wherever possible, preferably with secure PVCu frames
Doors	Energy efficient doors made from composite material, draught-proof and secure
Lighting	External lighting adjacent to communal doors
Kitchens	Safe modern kitchen layout with choice of design and colours. Plumbing for washing machine or dishwasher if required and space allows. Non-slip sheet flooring, improved lighting
Bathroom	Over-bath electric shower or possible provision for future installation. Shower rail and curtain. 3 tile height general splash-back, full height around shower. Improved lighting to new Regulations. Non-slip sheet flooring. Sheltered and OAP accommodation option of shower cubicle
Cavity Wall	Insulated where cavity exists and where possible
Electric system	Minimum of 2 sockets per habitable room, 4 doubles in kitchen
Heating	Full heating systems with SEDBUK A rated energy efficient boiler where gas supply available and funds allow
Communal Doors	Programme to eventually install Door Entry Security systems to all blocks
Smoke detectors	Mains operated, linked if more than one installed per property
Communal Lighting	Adequate energy efficient lighting in all communal areas
Digital TV	One digital receiver point for whole block on existing communal systems

AGENDA ITEM 6



HRA Reform Project Dashboard – November 2011

Phase 2: Agreement of Business Plan & Finalising Financial Arrangements

Status Of Project		Last Report	This Report	Comments
HRA Reform – Phase 2		G	G	
Status by Key Project Activities for Phase 1	Workstream Lead	Last Report	This Report	Comments
1. Treasury Management	Maggie Hammond	G	G	
2. Data Checking	Fiona Gudge	G	G	
3. Financial Control & Reporting	Paul Fitzgerald	G	G	
4. Affordable Housing	Martin Daly	G	G	
5. Policies/Best Practice	Martin Price	G	G	
6. Income Management	Stephen Boland	G	G	
7. Business Plan	Stephen Boland	G	G	
8. Stakeholder Engagement	Martin Price	G	G	
9. Assets	Phil Webb	G	G	
10. Baseline/Benchmarking	Stephen Boland	G	G	

Key	
Red	Unsatisfactory progress – milestones & timescales not being met corrective action or re-plan required
Amber	Issues against some milestones but remedial action will keep project under control overall
Green	All milestones being met & project on target/completed

Key Accomplishments LAST Period	
Treasury Management –	
<ul style="list-style-type: none"> Meeting held with SWOne (Gill Stratford and Lizzie Watkin) to discuss the process for both borrowing funds and paying the CLG. Meeting held with SWOne (Adrian Rutter) to discuss the issue of ‘pooling’ debt. A decision to pool debt as we do at the moment was reached which follows CIPFA guidance. 	
Financial Control & Reporting –	
<ul style="list-style-type: none"> HRA coding structure is being refreshed alongside HRA restructuring to be taken to Council in January 2012; the structure and user-guidance is flexible enough to meet any changes. As the CLG has issued a settlement payments determination and limits on indebtedness, the draft Prudential Indicators and depreciation policies can be finalised as soon as statutory guidance on accounting requirements is published ready for year-end 2011/12. (Target dates have been deferred since CLG determinations have only now been made and are in draft form until 6 January 2012) 	

Baselining/Benchmarking-

- Several Housemark 'Quality Assurance' queries were responded to, only a few are remaining which will be resolved shortly.

Business Plan –

- Community Scrutiny Committee at their last meeting on the 8th November resolved to support the new draft business plan 2012-42 and the draft recommendations.

Key Activities NEXT Period**Financial Control & Reporting –**

- Business Plan, budget-build process and Medium Term Strategic Plan are all being co-ordinated as part of the 2012/13 budget-build, ready to accept the coding structure as finalized by the service.
- HRA balance sheet 'component accounting' preparation will begin.
- HRA working capital analysis (debtors, creditors, rationale for GF <> HRA charges) will continue to be developed in detail.

Stakeholder Engagement –

- Article to be written to appear in newsletter which is issued to all tenants.

Baselining/Benchmarking –

- Housemark to provide report at end of November/December 2011. Note: Core benchmarking data analysis including both cost/resource and performance data currently available to view on the Housemark benchmarking website.
- The Regional Manager at Housemark is to be invited to TDBC to present feedback on core benchmarking data analysis outcomes.

Business Plan –

- Report on the draft HRA Business Plan 2012-42 (including new borrowing requirements) to be presented to Executive on 7th December 2011.

Risks**Financial Control & Reporting -**

- Statutory accounting guidance on matters like depreciation and prudential indicators must be followed, but historically the guidance is often available only a short time before the relevant financial year (especially if changes are significant). There is a low probability that this will happen again, substantially increasing the resources required to prepare data and have draft accounts available for audit by the statutory deadline of 30 June 2012.

Taunton Deane Borough Council

Tenant Services Management Board – 19 December 2011

Gas Servicing Inspection Process where Difficulties with Access Occur

Report of the Tenant Services Development Officer

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

1. Executive Summary

This report aims to inform the Tenant Services Management Board of the procedure for gas safety checks when difficulties with access have occurred.

The content of the report and the attached appendices will illustrate the opportunities that tenants are provided with to arrange a convenient appointment for the safety checks and at what point Taunton Deane Borough Council's requests for access become legally formal.

2. Background

Taunton Deane Borough Council (TDBC) as a landlord has a legal duty under the Gas Safety (installation and use) Regulations 1998 to ensure that any gas appliance and gas supplies that are provided to its properties are tested every 12 months for the safety of the tenant occupying the property and the surrounding community.

The majority of TDBC tenants allow entry for the gas safety checks to occur but with a minority of tenants making access difficult TDBC has to have a rigorous procedure to ensure that access can be obtained to ensure the necessary gas safety checks are completed.

3. Procedure for Gas Safety Check Where Difficulties with Access Occur

The process begins when access has not been obtained and is subsequently dealt with in three stages by:

- The Contractor who completes the safety checks

- Housing Property Services
- Housing Estate Management

Various methods are used to try and arrange access with the tenant which includes:

- Telephone calls to arrange access
- Visits from the tenant's Estate Officer.
- Letters being sent via post and hand delivered by Estate Officers

The letters have an increasing emphasis on the reasons why the gas safety checks are necessary and the consequences of not responding to the request for access. Examples of the letters are detailed in Appendices A to E and are listed in the table below.

4. The Three Stage Process

STAGE 1 - CONTRACTOR
Process
1 st Contact Card left by Contractor following the first failure to gain access (<i>Appendix A</i>)
2 nd Contact Letter left by Contractor if the tenant has still not arranged an appointment with the contractor (<i>Appendix B</i>)
Contractor attempts to arrange access twice by phone
Weekly update provided to Housing Property Services on outstanding properties with access issues.

STAGE 2 – HOUSING PROPERTY SERVICES
Process
3 rd Contact Letter requesting a response from the tenant within 14 days to arrange an appointment sent by Housing Property Services (<i>Appendix C</i>)
Property Services attempts to arrange access once by phone
Door/Lock type of outstanding properties is checked.
Property Services provides Housing Estate Management with a weekly update on gas safety difficulties, which triggers an Estate Officer to try and gain access.
Property Services provides the Housing Services Management Team with a monthly update on gas safety difficulties.

STAGE 3 – HOUSING ESTATE MANAGEMENT
Process
Estate Officers contact tenants by telephone to arrange access upon receiving an update from Housing Property Services.
A '7 Day Letter' requesting access within 7 days is hand delivered by Housing Estates Management (<i>Appendix D</i>)
Estate officers try and gain access throughout stage 3, through phone calls and home visits.
A Legal action letter is hand delivered by Housing Estate Officer detailing the date and time TDBC will be obtaining access to complete the safety checks. A key for the new lock is included with the legal letter in the event that the locks will need to be changed. (<i>Appendix E</i>)
Following no response to the legal letter - entry obtained with Estate Officer, Carpenter, Gas Engineer and Police if required.

5. Process Timescales

Tenants are provided with a sufficient amount of time to respond to each request for access before TDBC proceeds to the next stage. The overall timetable for the whole process is between 6-7 weeks, with each individual stage taking approximately:

- Stage 1 = 2 weeks
- Stage 2 = 2 week
- Stage 3 = 2-3 weeks

6. Finance Comments

The contractor and TDBC staff spend a significant amount of time and effort into gaining access to the property to complete the required checks and to reduce the need for formal letters and forced entry into a tenant's property. The cost for the council forcing entry at the end of the process is between £100-£250 (for the cost of changing the locks at the property) which is then recharged to the tenant.

7. Legal Comments

The Council is legally required to complete the gas safety checks. It should also be noted that by not allowing access the terms of the Tenancy Agreement are not being met.

8. Links to Corporate Aims

There are no specific links to corporate aims

9. Environmental Implications

There are no specific environmental implications.

10. Community Safety Implications

The council's legal obligation to carry out the gas safety checks every 12 months is to ensure the safety of the tenant and the surrounding community.

11. Equalities Impact

Throughout the process the tenants are contacted numerous times by telephone to inform those with difficulties reading about the need for a gas safety inspection. Letters can also be requested in different languages if the tenant does not have English as their first language. The Estate Officers have knowledge of the tenants in their 'patch' and have developed methods to communicate with tenants who may have difficulties understanding such a process.

12. Risk Management

The processes detailed in this report and appendices are designed to limit the risk to tenants and surrounding community.

13. Partnership Implications

The successful completion of the gas safety checks is reliant on effective partnership working between the contractor and TDBC departments.

14. Recommendations

The Tenant Services Management Board is asked to:

- Note the contents of the report.

Contact: Rosie Reed, Tenant Services Development Officer
01823 356 327
r.reed@tauntondeane.gov.uk

MJT MECHANICAL SERVICES
(WORKING ON BEHALF OF TAUNTON DEANE BOROUGH COUNCIL)

TO THE TENANT OF

A VISIT WAS MADE TODAY WITH REFERENCE TO THE SAFETY CHECK OF THE GAS/SOLID FUEL APPLIANCES AND SMOKE DETECTORS IN YOUR DWELLING BUT IT WAS NOT POSSIBLE TO GAIN ACCESS. WILL YOU PLEASE CONTACT US TO ARRANGE ACCESS ON (01823) 289036 BETWEEN 8.30 AM – 5.00 PM, E MAIL mags@mjt-mech.co.uk or visit www.mjt-mech.co.uk

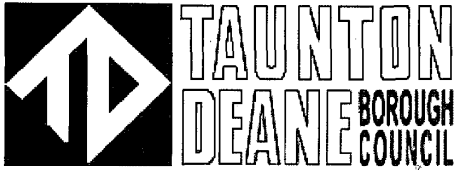
SIGNED

DATE TIME

IT IS A DUTY AND A REQUIREMENT OF THE LAW THAT THE COUNCIL AS A LANDLORD MAKES AN ANNUAL SAFETY CHECK OF ALL COUNCIL OWNED APPLIANCES.

CARBON MONOXIDE KILLS

WHITE COPY – TENANT, YELLOW COPY – MJT, GREEN COPY - TDBC



Amanda Oaten
Housing Property Services
Priory Depot, Priory Way, Taunton, Somerset, TA1 2BB
Tel. 01823 356523
email: a.oaten@tauntondeane.gov.uk
Our ref: H81/7/7/057/5

To The Occupier

Dear Sir/Madam

Gas and Solid Fuel Central Heating and Smoke Detector Servicing
Annual Safety/Servicing inspection

The Council has a legal obligation to carry out an annual safety inspection and service of all gas and solid fuel heating appliances together with smoke detectors installed in Council owned dwellings. This is a statutory requirement and failure to do so may result in legal proceedings being brought against the Council.

All Council tenants are obliged under their tenancy agreements to assist the Council in meeting this obligation.

Gas and solid fuel heating appliances must be inspected/serviced on a regular basis to ensure that they are in safe working order, that they are not producing potentially harmful Carbon Monoxide gas and that they continue to operate efficiently.

I understand from our contractors (MJT Mechanical Services), that they have attempted to gain access to your dwelling but to date have been unsuccessful, although they have left a request for you to contact them in order to arrange a convenient time to call.

The heating appliances installed in your dwelling must be inspected/serviced as soon as possible and it would be appreciated if you would contact our approved Contractor MJT Mechanical Services direct on (01823) 289036 between 8.30am and 5.00pm or e mail mags@mjt-mech.co.uk to arrange an appointment. Should you experience any difficulty in making an appointment or wish to discuss any points made in this letter then please do not hesitate to contact me at the above.

If the appliances have been serviced within the last few weeks or you have recently made an appointment please ignore this letter.

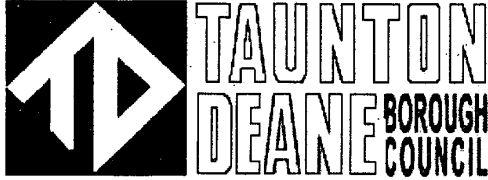
Yours faithfully

[Handwritten signature]

Technical Assistant

Address

Signature Date



Amanda Oaten
Housing Property Services
Priory Depot, Priory Way, Taunton, Somerset, TA1 2BB
Tel. 01823 356523
email: a.oaten@tauntondeane.gov.uk

Our ref: H81/7/7/057/5

28th October 2011

Dear

URGENT

**Gas and Solid Fuel Central Heating and Smoke Detector Servicing
Annual Safety/Servicing inspection**

The purpose of this letter is to strongly emphasise that it is essential that any gas installations in your home are checked. The Council as landlord, has a legal duty to ensure that any gas appliances and gas pipes that it provides in its properties are tested at least every 12 months [Gas Safety (Installation and Use) Regulations 1998].

Recently our contractors (MJT Mechanical Services) have attempted to gain access to your dwelling because there are gas installations in your home that require safety checks. From our records, we do not appear to have received a response from you so that an appointment can be made for these safety inspections to be carried out.

It is absolutely essential that the gas installations are checked as yours and others health and safety maybe at risk. Therefore, if you fail to respond to this letter within 14 days, it may be necessary for the Council to serve notice upon you, that it has the right under the Housing Act 1988 Section 16 and as set out in your Tenants Handbook, to force entry into your home after serving you with at least 24 hours' notice of intention to gain entry. Please note: The cost of such action would be rechargeable to you as the occupier.

The Council hopes that such action will not be necessary and would ask you to contact MJT Mechanical Services direct on (01823) 289036 between 8.30am and 5.00pm or e mail mags@mjt-mech.co.uk and arrange an appointment.

Yours Sincerely

Technical Assistant

Legal Services

Head of Legal and Democratic Services – Tonya Meers
The Deane House, Belvedere Road, Taunton TA1 1HE
Tel 01823 356539 Fax 01823 356329

Deane Housing Management

The Deane House, Belvedere Road, Taunton TA1 1HE

Tel: «Next Record» Fax: 01823 356583

E-Mail: «Next Record»@tauntondeane.gov.uk

Our Ref:

Date:

Insert Tenant Address

Dear Insert Tenant Name

7 DAY NOTICE OF INSPECTION OF GAS HEATING INSTALLATION

Further to a contact card being left at your address and your failure to make an appointment this is to give you 7 days notice under your Conditions of Tenancy - Section 3.4 and 3.5 Access for Repairs:

- 3.4 You have the discretion to allow Council's Officers or agents to enter the dwelling at any time for the purpose of inspection or the execution or repairs. However, you **MUST allow such access**, after receiving not less than 24 hours written notice from the Council of the intention to enter.
- 3.5 The Council reserves the right to enter the dwelling in an emergency without notice, if it is necessary to prevent injury to any person or damage to property. The Council will be responsible for making good all damage or loss arising from such entry. **You must note, should it be necessary for a forced entry to be made, you will be recharged for any replacement locks used.**

The purpose of this visit is to complete the legal annual safety inspection and servicing of your gas heating and smoke detector installations.

To avoid this action please contact Deane Housing Management on 01823 356319 within the next 7 days in order to arrange a suitable appointment.

Please do not ignore this letter; your safety is at risk.

Yours sincerely

Estates Officer

Our Ref: alt/Gas/
Your Ref:

Please reply to: Mrs A Taylor
Direct Line: 01823 356539
email: enforcement.solicitor@tauntondeane.gov.uk
1st August 2008

Appendix E

Dear

Re: Failure to permit access for gas inspection.

I understand that despite repeated attempts to carry out an inspection of your gas appliances, by inviting you to make a mutually convenient appointment, Taunton Deane Borough Council have been unable to gain access to your property.

As you have been advised the Council, as your landlord, has a legal duty to ensure that any gas appliances and gas pipes that it provides in its properties are tested every 12 months. This is to protect you and other members of your community from damage or death from gas leaks. Your property has not been inspected in the last 12 months and this potential hazard cannot be allowed to continue.

The terms and conditions of your tenancy provide that you “have the discretion to allow council officers or agents to enter the dwelling at any time for the purpose of inspection or the execution of repairs. However, you **MUST** allow such access after receiving not less than 24 hours written notice from the Council of the intention to enter.”

PLEASE NOTE THEREFORE THAT WE GIVE YOU NOTICE IN WRITING OF OUR INTENTION TO VISIT YOUR PROPERTY ON (insert day) (insert date) at approximately (insert time) WITH OUR CONTRACTOR TO GAIN ACCESS TO INSPECT YOUR GAS APPLIANCES. Please ensure that gas and electricity are connected so that we can carry out the inspection. If no gas is being supplied to your property our contractor will insert a disc into the gas meter so that it cannot be used without a service being carried out. This will ensure safety both to you and your neighbours.

If there is no one at the property to provide access we consider it reasonable for us to gain access to your property to carry out the safety inspection. If that is necessary, we will arrange for a locksmith the change the lock to your front door and provide access for the inspection this way. A new lock will be fitted to keep your property secure and you will be invoiced for this work which will be at a cost of not less than £100 nor more than £250.

You will find enclosed with this letter a key. You should retain this key, as it will open the new lock which will be fitted if you do not let us in to carry out the inspection. Should a new lock not be necessary our officer will simply collect this key from you during the inspection.

If the new lock is required and you do not take the enclosed key with you on (insert date) you will still be able to contact us on 01823 356331 during office hours to arrange to collect another key. If you need to do this, you, as the named tenant, will need to bring some proof of your identity with you e.g. passport, driving licence or other photo ID. For security reasons we will not release the new key to your property without the production of the proof of identity.

I hope it will not be necessary to change your lock for security purposes on (insert date) and that you permit access for the inspection.

If you have any points or questions you would like to raise please contact (insert name) your estates Officer on 01823 356331.

Yours sincerely

Alison Taylor
Enforcement Solicitor

Taunton Deane Borough Council

Tenant Services Management Board – 19 December 2011

National Tenant Training Programme – Growing Together, HotHouse Training Event, November 2011.

Report of Tenant Services Development Officer

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

1. Executive Summary

This report provides the Tenant Services Management Board with an update on the Growing Together 'HotHouse' Training Event held on the 17th November 2011.

2. Background

The 'Growing Together' 'HotHouse' event was free training available to tenants on co-regulation and scrutiny. The training was funded by the national Tenant Empowerment Programme and was delivered by the Tenant Participation Advisory Service (TPAS) in partnership with The Tenants and Residents Association of England (TAROE) and Housemark.

The event was attended by tenants of registered providers across the south west, including members of the Board Mrs Drage, Mr Hellier and Mrs Urquart. Members of the Tenants' Forum Mr Beaman and Mrs Duddridge and Officers Martin Price, Tenant Empowerment Manager, and Rosie Reed, Tenant Services Development Officer, also attended.

The day was facilitated by Michael Gelling, the chair of TAROE, Val Alker from TPAS and Carole Halfacre from Housemark with guest speakers including a tenant of Soha Housing and the Tenant Involvement Manager from Exeter City Council.

The training day covered many areas of co-regulation and scrutiny including:

- The Proposed New Regulatory Framework
- Consumer Regulation

- The Localism Bill & The Revised Involvement & Empowerment Standard
- Tenant Panels
- Tenant Scrutiny
- Tenant Led Inspection
- The Future of Tenant Empowerment and Regulation

3. The Proposed New Regulatory Framework

The current regulator of social housing, the Tenant Services Authority (TSA), is to be abolished and its functions transferred to a statutory committee of the Homes and Communities Agency (HCA). The Localism Bill, now the Localism Act, allows for this change to occur. Other changes to the regulatory framework will be implemented through the revision to the TSA national standards which will remain in place.

4. Consumer Regulation

Consumer regulation is the term that the Government uses to describe the core of its approach to regulation. Consumer regulation puts emphasis on the tenant as an individual being able to make choices and to comment on services. It also puts emphasis that co-regulation should be local in nature and the regulator should be a very distant partner and should only be involved in very exceptional circumstances. An exceptional circumstance refers to a matter essentially where someone's life is at risk, for example a consistent failure by a landlord to undertake gas servicing and not just poor performance by a landlord.

5. The Localism Act & the Revised Involvement & Empowerment Standard

The Localism Act covers a wide range of measures to transfer decision making to local communities; this includes a range of changes to social housing such as:

- The introduction of flexible tenancies
- Changes to the duties to the homeless

These measures are in the Localism Act because they need primary legislation in order to be introduced.

6. Tenant Panels

Tenant panels are planned to be introduced as a way of making co-regulation consumer focused. Tenant panels will not be imposed on housing providers and there will not be a standard approach on how tenant panels should be used. Each housing provider will need to develop with tenants the most appropriate approach that meets tenants' needs in their area.

7. Tenant Scrutiny

The scrutiny role may be carried out by a specific group designed for the scrutiny function or carried out within existing tenant panels. The Government is unlikely to prescribe a single approach to scrutiny but have provided ideas on how scrutiny should be:

- Scrutiny is a process of holding decision makers within housing providers to account for their decisions.
- It can contribute to policy making up to the point of decision making.
- It can look at the performance of an organisation and ask the hard questions about why performance is weak and why improvements are not being made.

8. Tenant Led Inspection

Inspections have always been used in social housing; however the TSA placed a lower priority on 'traditional' inspections and favoured short notice inspections. Since the introduction of the Coalition Government very few inspections have been carried out and the Audit Commission with its housing inspectorate is to be abolished.

Under the new consumer based regulatory regime the role of inspection will effectively end. The idea is that performance and accountability will be overseen by tenant scrutiny groups and panels. The gap left by the ending of inspections will be filled by housing providers developing tenants as inspectors as a key performance review tool.

9. The Future of Tenant Empowerment and Regulation.

The new consumer regulation will start to become a reality now that the Localism Bill has become law and the revised involvement and empowerment standard is being agreed. The challenge arising from consumer regulation is to ensure that tenants are empowered and able to play a full and effective role through consumer regulation.

10 Finance Comments

There are no finance comments for this report.

11. Legal Comments

There are no legal comments for this report.

12. Links to Corporate Aims

Although there are no specific links to Corporate Aims the whole area of co-regulation enables tenants to scrutinise the actions of TDBC to identify whether priorities are being met.

13. Environmental Implications & Community Safety Implications

There are no specific environmental or community safety implications for this report.

14. Equalities Impact

For effective co-regulation to take place all tenants must have access to the formal and informal routes of scrutiny.

15. Risk Management

There are no risk management issues for this report.

16. Partnership Implications

The training day provided an opportunity for tenants and staff to create contacts with other housing providers and learn and share experiences on co regulation and tenants' scrutiny.

17. Recommendations

The Tenant Services Management Board is asked to:

- Note the report.

Contact: Rosie Reed, Tenant Services Development Officer
01823 356 327
r.reed@tauntondeane.gov.uk