

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 16 September 2013 at 18:00.

---

## **Agenda**

- 1 Apologies.
- 2 Minutes of the meeting of the Tenant Services Management Board held on 19 August 2013 (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 Consultation on changes to Children's Centres - Verbal Update from Andrew Hinchcliffe of Somerset County Council.
- 6 Performance Indicators Quarter 1 2013/2014. Report of the Health and Housing Manager (attached).  
Reporting Officer: James Barrahan
- 7 ALHCO Performance. Report of the Property Manager - Maintenance (to follow).  
Reporting Officer: Steve Esau
- 8 Tenancy Agreement. Report of the Housing Services Lead (attached).  
Reporting Officer: Stephen Boland

Tonya Meers  
Legal and Democratic Services Manager

22 October 2013

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.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, 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](http://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 the Corporate Support Unit on 01823 356414 or email [r.bryant@tauntondeane.gov.uk](mailto:r.bryant@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](mailto:enquiries@tauntondeane.gov.uk)

**Tenant Services Management Board Members:-**

Mr D Etherington	(Chairman)
Mrs J Hegarty	(Vice-Chairman)
Councillor R Bowrah, BEM	
Mrs J Bunn	
Mrs E Drage	
Mr M Edwards	
Mr D Galpin	
Mr I Gould	
Mr K Hellier	
Mr R Middleton	
Mrs T Urquhart	

## **Minutes of the meeting of the Tenant Services Management Board held on Monday 19 August 2013 at 6pm in Newton Road Community Hall, Newton Road, Taunton.**

**Present:** Mr Dustyn Etherington (Chairman),  
Mrs J Hegarty (Vice-Chairman),  
Mrs J Bunn, Mrs E Drage, Mr M Edwards, Mr D Gaplin, Councillor Bowrah and  
Councillor Mrs Gaden.

**Officers:** Stephen Boland (Housing Services Lead), Martin Price (Tenant Empowerment  
Manager) and Emma Hill (Corporate Support Officer).

**Others:** Councillor T Slattery and Councillor J Warmington.

(The meeting commenced at 6.00pm)

### **1. Public Question Time**

Questions were received from Councillor Slattery in relation to:

- grass cutting charges for tenants
- tenants earning over £60,000 paying a higher level of rent
- rent convergence
- tenants with reading difficulties being able to complete forms

### **2. Feedback from Tenant Services Management Board on STAR Survey 2013**

Considering the report previously circulated, concerning the STAR (Survey of Tenants and Residents) Survey 2013. This survey provides social housing landlords with the essential means of discovering how satisfied tenants and leaseholders are with the services provided to them and also allows landlords to benchmark satisfaction results with each other.

The aim of this report and survey was to allow the Tenant Services Management Board (TSMB) to analyse the results and highlight areas of the service that they feel should be reviewed in order for improvements to be made.

During the discussion of this item, board members and the public made the following comments and asked questions: - (*Responses shown in italics*)

- *Officers informed Members of the Board that the summary version of the STAR Survey results went out in the Deane Housing Newsletter.*
- Anti-Social Behaviour at 19%, this was a positive point. There should be a more in depth review of tenants and residents with litter and rubbish in their front garden.
- Need to investigate why tenants have not kept their gardens clean. Was it an education issue or not able to remove rubbish? Motivational issue = if the estates were tidy then the tenants would be encouraged to keep their gardens tidy.
- An idea, which had worked in other areas, was Community Clean up sessions. More work needs to be done in finding out why and find a way to resolve the issue.

- Would the Tenant's Forum be in the 'task & finish' group for this?  
*Yes, the council would be inviting the Tenants Forum to get involved for this.*
- Large majority of tenants didn't have internet access or a computer. The DWP were now going to all electronic communications.  
*Plans to look at a Digital Inclusion Project for this area, there was Capital Funding put aside. The Council were investigating places to put such facilities. There would be training in place at the localities. This would be local people training assisting others.*

**Resolved that:**

- The Board noted the Officer's report.
- The Board suggested the following areas to scrutinise from the results of STAR Survey:
  1. Housing Repairs
  2. Ground Maintenance & Estate Services
- The Board Members also suggested an internal review with Housing Department of Customer Services as this had also been flagged on the STAR Survey.

**3. Tenant Participation Advisory Services (TPAS) Tenant Central Training**

It was noted that this item be deferred to the next meeting of the Tenant Services Management Board. The Tenant Empowerment Manager provided copies of the training packs that were distributed at the training event.

**4. Annual Report to Tenants and Leaseholders 2013**

The Tenant Empowerment Manager gave a verbal update regarding the Annual Report to Tenants and Leaseholders for 2013. This report currently comes in the format of calendar.

This year's annual report would include financial information from 2012/13. The format of this report would be decided by task and finish group. This would go out to all tenants and leaseholders. In 2012, 88% expressed liking for the current format.

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

- Agreed with the coming together of TSMB and Tenants Forum in a task and finish group to make decisions regarding the Annual Report.
- The volunteers from TSMB to take part in the task and finish were Mark Edwards, Bob Bowrah and Judith Hegarty.
- Could you the Council help community set up something like 'Halcon in Bloom' competition?
- *Did the Members of the Board want to keep the format from 2013 calendar or change it?*
- The general opinion was preference to the format from 2012. The suggestion was to combine the best bits of both formats.
- Board Members agreed with putting out the Annual Report and 2014 Calendar at the end of November/start of December.

- *The contacts list and rubbish collections timings had proved a very popular addition to the calendar with everyone. The format and contents was a fine balancing act.*

**Resolved** that the officer's report be noted.

(The meeting ended at 7.30pm)

## Declaration of Interests




### **Tenant Services Management Board**

- Taunton Deane Borough Council Housing Tenants;
  - Mrs J Bunn
  - Mrs E Drage
  - Mr M Edwards
  - Mr D Etherington
  - Mr D Galpin
  - Mr I Gould
  - Mrs J Hegarty
  - Mr K Hellier
  - Mr R Middleton
  - Mrs T Urquhart
  
- Family member a Taunton Deane Borough Council Housing Tenant;
  - Councillor Bowrah





# Health & Housing Services Scorecard Q1 2013/14

## Housing HRA



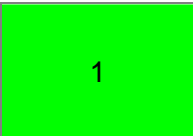
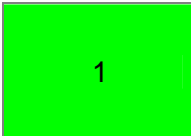

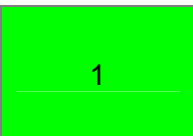

### KEY TO ALERTS

	Planned actions are on course		Some uncertainty in meeting planned actions		Planned actions are off course
	Performance Indicators are on target		Some concern that performance indicators may not achieve target		Performance indicators will not achieve target

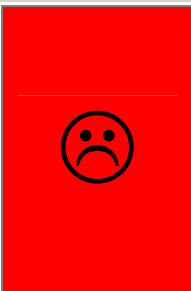



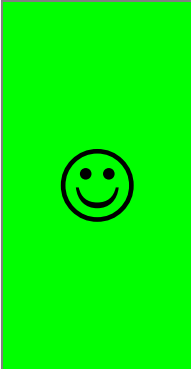
### KEY TO QUARTILES

	1 <sup>st</sup> Quartile		2 <sup>nd</sup> Quartile
	3 <sup>rd</sup> Quartile		4 <sup>th</sup> Quartile



### 1. MANAGING FINANCES

MEASURE	MEASURE ALERT	ACTUAL	COMPARISON WITH ALL COUNCILS NATIONALLY			COMPARISON WITH ALL HOUSING PROVIDERS NATIONALLY		
			QUARTILE	NO. IN SAMPLE	TDBC RANK	QUARTILE	NO. IN SAMPLE	TDBC RANK
<b>1. Housing Revenue Account</b> Overall expenditure against budget		Forecast: £99,580 overspend against £24,950,700 budget (0.4% overspend)	N/A	N/A	N/A	N/A	N/A	N/A
<b>2. Income Team</b> Former tenant arrears as a % of annual rent debit Target = 5%		0.51%		26	4		133	21
<b>3. Income Team</b> Rent written off as a % of annual rent roll Target = 0.70%		Now an annual measure in Housemark, will report in Q4.	N/A	N/A	N/A	N/A	N/A	N/A
<b>4. Income Team</b> % of rent lost through dwellings being vacant Target = 2%		0.82%		29	8		142	50








<b>5. Estate Management Team</b> Rent arrears owed by current tenants as at end of quarter. Target = £360,000		£416,216.93 end of Q1. The overall current tenant rent arrears position has improved to £343,808.18 at 5 <sup>th</sup> July 2013.	N/A	N/A	N/A	N/A	N/A	N/A
<b>6. Estate Management Team</b> Rent collected as a % of rent owed excluding arrears b/f Target = 98.3%		103.65%	1	27	2	1	135	18
<b>7. Local Authority Major Aids and Adaptions</b> Amount spent to date, target £339,000.		£48,625 spend to end of Q1. Ongoing discussions to establish predicted end of year position.	N/A	N/A	N/A	N/A	N/A	N/A
<b>8. Minor Aids and Adaptions</b> Amount spent to date, target £210,000		£32,037 spend to end of Q1. Ongoing discussions to establish predicted end of year position.	N/A	N/A	N/A	N/A	N/A	N/A
<b>9. Housing Debt</b> Total amount of housing debt across all categories, houses, shops, land, etc.		£894,727 Theme scorecard shows debts levels are lower than the same report 2012. There is still work to do on aged debts and work to reduce Rechargeable Repair Debt has begun and Rent Arrears are shown as separate indicator above.	N/A	N/A	N/A	N/A	N/A	N/A



## 2. SERVICE DELIVERY – SATISFACTION

MEASURE	MEASURE ALERT	ACTUAL	COMPARISON WITH ALL COUNCILS NATIONALLY			COMPARISON WITH ALL HOUSING PROVIDERS NATIONALLY		
			QUARTILE	NO. IN SAMPLE	TDBC RANK	QUARTILE	NO. IN SAMPLE	TDBC RANK
<p><b>1a. Housing Services</b>                      General needs tenants' satisfaction with landlord services overall                      Target = Top quartile performance status survey  <i>Result from 2013 STAR Survey Housemark comparison not yet available</i></p>		Actual = 86% Target = 88% General level of satisfaction reduced by specific areas such as grounds maintenance, customer contact (ease of contacting the right person) and the overall rating of repairs service. Tenant Services Management Board working with officers to highlight areas and seek improvements.	N/A	N/A	N/A	N/A	N/A	N/A
<p><b>1b. Housing Services</b>                      Sheltered housing tenants' satisfaction with landlord services overall                      Target = Top quartile performance status survey  <i>Result from 2013 STAR Survey Housemark comparison not yet available</i></p>		Actual = 88% Target = 95% General level of satisfaction reduced by specific areas such as grounds maintenance, customer contact (ease of contacting the right person) and the overall rating of repairs service. Tenant Services Management Board working with officers to highlight areas and seek improvements.	N/A	N/A	N/A	N/A	N/A	N/A






<p><b>2a. Housing Services</b>  % of general needs tenants satisfied that their views are taken into account  Target = Top quartile performance status survey  <i>Result from 2013 STAR Survey Housemark comparison not yet available</i></p>		<p>Actual = 65%  Target = 73%  General level of satisfaction reduced by specific areas such as grounds maintenance, customer contact (ease of contacting the right person) and the overall rating of repairs service.  Tenant Services Management Board working with officers to highlight areas and seek improvements.</p>	N/A	N/A	N/A	N/A	N/A	N/A
<p><b>2b. Housing Services</b>  % of sheltered housing tenants satisfied that their views are taken into account and acted upon  Target = Top quartile performance status survey  <i>Result from 2013 STAR Survey Housemark comparison not yet available</i></p>		<p>Actual = 71%  Target = 82%  Further communication with tenants being undertaken to highlight how Housing Services acts on tenants views and how tenants make a difference in improving services</p>	N/A	N/A	N/A	N/A	N/A	N/A
<p><b>3. Lettings Team</b>  % of tenants who have reported anti-social behaviour in the past 12 months, rating the help and advice given as excellent or good  Target = 66%</p>		<p>94%</p>	N/A	N/A	N/A	N/A	N/A	N/A
<p><b>4. Lettings Team</b>  % of new tenants satisfied with the allocations and letting process  Target = 86%</p>		<p>90%</p>	3	12	8	4	59	46




<b>5. Lettings Team</b> % of new tenants satisfied with the lettable standard of property Target = 86%		90.38%	N/A	N/A	N/A	N/A	N/A	N/A
<b>6. Repairs &amp; Maintenance</b> % of tenants satisfied with the most recent repair Target = 98% <i>Corporate Indicator</i>		97.07% This is a slight improvement from Q4. We will continue to work with our contractors to improve performance.	2	31	14	2	144	52
<b>7. Supported Housing</b> % of tenants satisfied with the Extra Care Housing service Target = 86%		Provided annually, 90% as at September 2012.	N/A	N/A	N/A	N/A	N/A	N/A
<b>8. Satisfaction of Gas Servicing</b> % of tenants satisfied with the Gas Service procedure Target = 90% <i>Annual Housemark Indicator</i>		96.38%	N/A	N/A	N/A	N/A	N/A	N/A
<b>9. Local Authority Major Aids and Adaptions</b> % satisfaction, target 95%.		100% satisfied with help in receiving the adaption, 100% satisfied with the adaption.	N/A	N/A	N/A	N/A	N/A	N/A

### 3. SERVICE DELIVERY – DECENT HOMES

MEASURE	MEASURE ALERT	ACTUAL	COMPARISON WITH ALL COUNCILS NATIONALLY			COMPARISON WITH ALL HOUSING PROVIDERS NATIONALLY		
			QUARTILE	NO. IN SAMPLE	TDBC RANK	QUARTILE	NO. IN SAMPLE	TDBC RANK
<b>1. Asset Management</b> Average SAP (energy efficiency) rating of housing stock Target = 70 <i>Annual Housemark Indicator</i>		66.08 We are considering an eco funding bid for external wall insulation to around 400 homes which should increase our rating. The SAP software upgrade is currently in test.	N/A	N/A	N/A	N/A	N/A	N/A
<b>2. Asset Management</b> % of dwellings with a valid gas safety certificate Target = 100%		100%	1	35	1	1	188	1


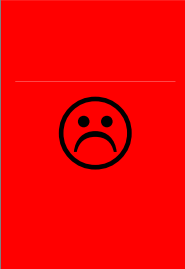

**4. SERVICE DELIVERY – MANAGE HOUSING STOCK AND MAINTENANCE SERVICE TO MEET THE NEEDS OF THE TENANTS**

MEASURE	MEASURE ALERT	ACTUAL	COMPARISON WITH ALL COUNCILS NATIONALLY			COMPARISON WITH ALL HOUSING PROVIDERS NATIONALLY		
			QUARTILE	NO. IN SAMPLE	TDBC RANK	QUARTILE	NO. IN SAMPLE	TDBC RANK
<b>1. Lettings Team</b> % of closed ASB cases that were resolved Target = 66%		100%	1	31	1	4	136	1
<b>2. Lettings Team</b> Average re-let time (calendar days) Target = 21 days		17 days	1	32	2	1	148	23
<b>3. Lettings Team</b> % of dwellings that are vacant but unavailable to let (this includes dwellings undergoing or awaiting major works, held for decant, illegally occupied or awaiting demolition) Target = 0.5%		0.51%	2	29	15	3	127	69
<b>4. Lettings Team</b> % of dwellings that are vacant and available to let Target = 0.5%		0.03%	1	29	1	1	127	3
<b>5. Repairs &amp; Maintenance</b> % of properties re-let that meet lettable standard (20% sample) Target = 100%		Under development						
<b>6. Lettings Team</b> % of properties accepted on first offer Target = 75%		74.14% Although below target confident that target will be met within the next quarter	1	16	2	1	74	19

<b>7. Housing Services</b> % of tenants on whom the landlord holds diversity information Target = 90%		54.87% Further work is planned to improve our percentage of diversity information throughout the year.	N/A	N/A	N/A	N/A	N/A	N/A
<b>8. Repairs &amp; Maintenance</b> Proportion of expenditure on emergency and urgent repairs to HRA dwellings compared to non-urgent repairs expenditure to HRA dwellings. Performance criteria = lowest Target = 15%		Under development						
<b>9. Repairs &amp; Maintenance</b> % of repairs completed on first visit Target = TBC		Under development						
<b>10. Repairs &amp; Maintenance</b> Completion of repairs within priority target times: Emergency (within 24 hours) Target =98%		94.85% Whilst this indicator has not met target, there has been an improvement of 3.45% on Q4. We will continue to manage contractor performance with a view to increasing our % further.	4	36	30	4	184	160
<b>11. Repairs &amp; Maintenance</b> Completion of repairs within priority target times: Urgent (within 3 working days) Target =94%		86.07% Whilst this indicator has not met target, there has been an improvement of 2.24% on Q4. We will continue to manage contractor performance with a view to increasing our % further.	4	32	29	4	163	149

<b>12. Repairs &amp; Maintenance</b> Completion of repairs within priority target times: Non Urgent (up to 28 days) Target =85%		91.87% Improvement of 2.84% on Q4	4	34	27	4	177	147
<b>13. Community Clean ups</b> Number of events held, broken down by area		5 Events: <ul style="list-style-type: none"> <li>▪ Outer Circle,</li> <li>▪ Oaken Ground, Rockwell Green</li> <li>▪ Laxton Road, Taunton</li> <li>▪ Heathfield, West Bag.</li> <li>▪ Polkesfield, Stoke st Gregory</li> </ul>	N/A	N/A	N/A	N/A	N/A	N/A
<b>14. Tonnage removed</b> From clean ups, broken down by event		Data not provided by Viridor	N/A	N/A	N/A	N/A	N/A	N/A
<b>15. Events supported</b> Number of events/activities put on or supported by the team, broken down by area		North Taunton: <ul style="list-style-type: none"> <li>• Pride in Priorswood</li> </ul> East Taunton: <ul style="list-style-type: none"> <li>• Happy Halcon</li> <li>• Halcon Brunch Club – every Monday and Friday morning during the school holidays.</li> <li>• Link Power – volunteers tidying up the neighbourhood and training days</li> <li>• 18 – 25'ers</li> <li>• Graffiti Group</li> <li>• Young Wood volunteering event</li> <li>• Face painting masterclass</li> </ul> Wyndhams Community Garden and Friends of Hamilton Gault Park – Family Fun Day	N/A	N/A	N/A	N/A	N/A	N/A






<b>16. Local Authority Major Aids and Adaptions</b> Number of applications completed, target 84.		18 during Q1 (if this trend continues end of year will be 72 = 18 x 4)	N/A	N/A	N/A	N/A	N/A	N/A
<b>17. Local Authority Major Aids and Adaptions</b> End to end completion time, target 22 weeks.		32 weeks. Exceptions: 2 grants one of which was an extension and a second which was delayed due to client wishes. With the 2 grants extracted figures time would have been 21 weeks.	N/A	N/A	N/A	N/A	N/A	N/A
<b>18. Minor Aids and Adaptions</b> Number of applications completed. Target 350		113 Q1 at current prediction will be 452 by year end.	N/A	N/A	N/A	N/A	N/A	N/A

# Summary for TSMB 16<sup>th</sup> September 2013

## Health and Housing Quarter 1 / Outturn performance

### Overview & summary

Section	No. of measures	 Green	 Amber	 Red	N/A	Trend (from last quarter)
1) Managing Finances Housing	9	56% (5)	0% (0)	33% (3)	11% (1)	↓
2) Service Delivery – Satisfaction	11	55% (6)	45% (5)	0% (0)		↓
3) Service Delivery – Decent Homes	2	50% (1)	0% (0)	50% (1)		↔
4) Service Delivery – Manage Housing Stock	18	50% (9)	11% (2)	22% (4)	17% (3)	↓
<b>TOTALS</b>	<b>40</b>	<b>52.5% (21)</b>	<b>17.5% (7)</b>	<b>20% (8)</b>	<b>10% (4)</b>	

<b>Movement since Q4</b>	<b>+7 Measures</b>	<b>-8.5%</b>	<b>+11.5%</b>	<b>-1%</b>	<b>-2%</b>
--------------------------	--------------------	--------------	---------------	------------	------------

### 8 RED ISSUES

Planned actions are off course.

- **Housing Services - Estate Management.** Our arrears figures are higher than target at the end of the quarter but the position has now improved and is better than target as of 5<sup>th</sup> July 2013.
- **Local Authority Major Aids and Adaptions, spend against budget** – there are ongoing discussions to establish the predicted end of year position.
- **Local Authority Minor Aids and Adaptions, spend against budget** – there are ongoing discussions to establish the predicted end of year position.
- **1 Measures for Decent Homes is off course.** Average SAP (energy efficiency) rating. Sustainable energy fund established in the business plan. New person in post to lead on retrofit project and has started to look at SAP ratings data.
- **Housing Services Diversity Information.** We hold 54.87% of diversity information which has increased since last quarter. We have increased our target from 58% to 90%.
- **2 Repairs and Maintenance measures relating to completion on time.** Whilst the indicators have not met target there has been an improvement of 3.45% on Q4 for 24 hour repairs and 2.24% for 3 working day repairs.
- **Local Authority Major Aids and Adaptions, end to end completion time.** The 32 week figure that was reported is due to 2 cases which if removed from the figures the completion time would be 21 weeks.

## 7 AMBER ALERTS 😞

Some uncertainty in meeting planned actions

- **Housing Services – 4 Satisfaction measures.** The 2013 Star survey (conducted every two years) reported satisfaction figures in general needs tenants and sheltered housing tenants which were below target. We are waiting for our council national rankings.
- **Repairs and Maintenance.** 97.07% of tenants are satisfied with the repairs and maintenance service, our target is 98%
- **Lettings** – The % of properties accepted on first offer is slightly short of target. The service is confident that the target will be met next quarter.
- **Local Authority Major Aids and Adaptions, number of applications** if current trends continue the service will process 72 applications not the 84 target

## 21 ON TRACK 😊

Planned actions are on course

- **Housing Services, expenditure against budget.** The current forecast is for the revenue account to be £99,580 overspent against a budget of £24,950,700 which is 0.4% overspend.
- **Housing Managing Finances** – 4 measures are better than target.
- **Lettings Team Measures** – 7 measures are better than target.
- **Gas Servicing** satisfaction measure better than target.
- **Supported Housing Satisfaction Measure** – is better than target.
- **Local Authority Major Aids and Adaptions** – 100% satisfaction.
- **Gas Safety Certificate** 100% against 100% target, this position has improved again since last month.
- **Three Community Development** measures are on track.
- **Repairs and maintenance** – 91.87% of non urgent repairs are complete within priority time of 28 days, this is up from 89.03%. Target is 85%
- **Local Authority Minor Aids and Adaptions** – 452 predicted by year end against a target of 350

## 4 MEASURES UNDER DEVELOPMENT, NOT REPORTED OR WITHOUT ALERTS

- Rent written off as a % of rent roll is now an annual, not a quarterly measure so will be reported in quarter 4.
- Three Repairs and Maintenance Measures are under development (proportion of expenditure on emergency and urgent repairs, % of repairs completed right first visit, % of properties re-let that meet the lettable standard).

# Taunton Deane Borough Council

## Tenant Services Management Board - 16 September 2013

### Taunton Deane Borough Council Housing Services Tenancy Policy: Discussion on draft proposal

#### Report of Stephen Boland- Housing Services Lead (This matter is the responsibility of Executive Councillor Jean Adkins)

##### 1.0 Executive Summary

Taunton Deane Borough Council (TDBC) Housing Services is to undertake a review its current tenancy policy.

Tenant Services Management Board members are requested to consider and comment on the draft tenancy policy proposal.

##### 2.0 Introduction and background information

In November 2010, the Government published *Local decisions: a fairer future for social housing*, setting out plans for radical reform of the social housing system.

In addition to other matters, the paper made clear the Government's intention to change the legislation governing the types of tenancies granted to social housing tenants.

These changes are intended to provide greater freedoms and flexibilities for local authorities and social landlords to meet local needs and local priorities; make better use of resources; promote fairness; and ensure that support is focused on those who need it for as long as they need it.

##### 3.0 TDBC Housing Services – Tenancy Policy

TDBC Housing Services agreed to review its existing tenancy policy. Attached (Appendix 1) is a draft tenancy policy proposal for consideration and comment at this evenings meeting.

#### 4.0 Recommendation

TSMB are requested to:

- Consider and comment on the draft tenancy policy proposal.

**Contact:** Stephen Boland Housing Services Lead  
Direct Dial No 01823 356446  
E-mail address [s.boland@tauntondeane.gov.uk](mailto:s.boland@tauntondeane.gov.uk)

# APPENDIX 1

Taunton Deane Borough Council  
Housing Services  
Draft: Version 001– August 2013

## Tenancy Policy

### 1.0 Introduction

It is good practice for all registered providers of social housing to have in place a tenancy policy that sets out the type of tenancies that they grant, the circumstances that each will be granted etc. This policy sets these out for Taunton Deane Borough Council (TDBC) as a landlord of social housing.

This policy has been written with reference to the: Countywide Tenancy Strategy for Somerset – June 2012; Homes and Communities Agency regulatory framework for social housing providers in England – April 2012; Taunton Deane Borough Council Health and Well Being Policy; Localism Act 2011; and several, relevant, Housing Acts.

### 2.0 Policy

#### Purpose:

This policy aims to:

- Ensure all tenancies are granted fairly;
- Ensure TDBC's approach to granting tenancies is transparent;
- Help and ensure accommodation is focused on those who need it most when they need it most;
- Contribute towards maintaining healthy and sustainable communities;
- Ensure existing tenancies of secure tenants are protected and respected; and
- Recognise that security of tenure is the best option for some groups, particularly for older people and those with long term illness or disability.

### 3.0 Types of tenancy

We will grant a range of tenancies; and all current tenants will remain on their existing tenancy types:

### 3.1 Introductory Tenancy

Introductory tenancies will be granted to all tenants new to Taunton Deane Borough Council. The purpose of an introductory tenancy is to allow Taunton Deane Borough Council to be satisfied that the tenant or tenants are suitable to have either a secure tenancy or a flexible tenancy.

Introductory tenancies will not be granted for:

- TDBC tenants who are transferring to another dwelling house within our stock, unless they are already introductory tenants, in which case they will be granted a new introductory tenancy;
- Tenants of another registered provider or local authority who transfer to a TDBC dwelling house, unless they are already introductory tenants, in which case they will be granted a new introductory tenancy; and
- Tenants who are granted temporary accommodation. Such tenants will be granted a non secure tenancy.

Introductory tenancies will usually last for twelve months from the tenancy start date and if a tenant's conduct raises concerns then the introductory tenancy period can be extended for a further six months, giving an introductory period of eighteen months in total.

Before the start of an introductory tenancy, tenants will be told which kind of tenancy (secure or flexible) they will be granted upon succession completion of their introductory tenancy period.

Following the successful completion of the introductory tenancy period an introductory tenancy will automatically become either a secure tenancy or a flexible tenancy.

### 3.2 Flexible Tenancy

New 'general needs' housing tenants will be granted a flexible tenancy upon the successful completion of their introductory tenancy period.

#### 3.2.1 Flexible tenancies will not be granted:

- Where, in consultation with TDBC Housing Options, it is determined that due to household circumstances, a tenant offered 'general needs' housing be granted a secure tenancy. Such circumstances will include:
  1. Learning disability;
  2. Chronic physical disability;
  3. Severe sight impairment; and

#### 4. Severe and enduring mental health problems.

Note: Further work in defining the above household circumstance criteria will be undertaken by housing officers.

- To tenants who are resident at one of TDBC's designated supported housing schemes.

3.2.2 Flexible tenancies will be granted for a fixed term of five years, in addition to any probationary tenancy period.

3.2.3 Exceptionally, a flexible tenancy may be granted for a minimum fixed term of less than five years but no less than two years, in addition to any probationary tenancy period.

Such exceptions will be:

- Where a tenant's conduct raises concerns during their introductory or flexible tenancy period. For example: serious and persistent rent arrears or incidents of neighbour nuisance/anti social behaviour.

#### 3.2.4 Flexible Tenancy Review

There will be a comprehensive appraisal of the tenant's circumstances and options well before the end of a fixed term tenancy.

We will begin the review period of all flexible tenancies at least 12 months prior to the end of the fixed term.

We will normally renew a flexible tenancy unless there are specific reasons not to, such as:

- The accommodation afforded by the dwelling-house is substantially more extensive than is reasonably required by the tenants and his/her family;
- The accommodation is designed for tenants with special needs or who are physically disabled and the tenant and his/her family would no longer require these features
- The level of income of the household. For example: Where a tenant's gross household income exceeds £60,000 per annum.

Note: The present Government are continuing to develop their proposals in relation to high income social tenants. The Government are keen to ensure that best use is made of social housing, and that those tenants with high incomes, who can afford to pay a fairer level of rent, do so.



- Serious and or persistent breaches of tenancy agreement conditions. For example: Damage to the dwelling-house; neighbour nuisance/anti social behaviour; rent arrears;
- Where we intend to demolish, redevelop or dispose of the property within the next five years; and
- Failure of the tenant to co-operate in the review process;

### 3.2.5 Granting another Flexible Tenancy or the expiry of a Flexible Tenancy

We shall provide 6 months notice in writing to the tenant stating either that we propose to grant another tenancy on the expiry of the existing fixed term or that we propose to end the tenancy. In addition we shall provide the reason/s for ending the tenancy as well as informing the tenant about their right to request an appeal.

We shall give the tenant two months' notice in writing stating that we require possession of the dwelling-house.

Note: The tenant may request a review of the decision to seek an order for possession of a dwelling-house let under a flexible tenancy and must do so before the end of the period of twenty-one days.

We shall provide Taunton Deane Borough Council Housing Options team advance warning of the expiry of the tenancy where we do not wish to grant a new tenancy at the end of the fixed term.

We shall offer advice and assistance to tenants on finding alternative accommodation in the event that we decide not to grant another tenancy.

We shall consider relevant options e.g. issuing a replacement tenancy, home ownership, property sale to the tenant, supported housing, housing in the private rented sector etc. in the event that we decide not to grant another tenancy.

### 3.3 Secure Tenancy

Secure tenancies will be granted to:

- TDBC secure tenants who are transferring to another dwelling house;
- Tenants of another registered provider who are either secure or assured tenants and transferring to a TDBC dwelling house;

- TDBC introductory tenants who are resident at one of TDBC's designated supported housing schemes; and
- Where, in consultation with TDBC Housing Options, it is determined that due to household circumstances, a tenant offered 'general needs' housing be granted a secure tenancy. Such circumstances will include:
  - Learning disability;
  - Chronic physical disability;
  - Severe sight impairment; and
  - Severe and enduring mental health problems.

### 3.4 Demoted Tenancy

Note: A demoted tenancy is in effect a one year probationary tenancy. Social landlords can apply to the court to demote a, for example a secure tenancy, as a penalty against tenants who have been involved in anti-social behaviour. The court has no power to demote a tenancy other than for anti-social behaviour.

Where appropriate, TDBC Housing Services may take legal action to obtain demotion orders against secure or flexible tenancies as part of an approach to tackling serious and persistent neighbour nuisance and or anti social behaviour.

Where a secure tenancy is demoted and the demotion period is completed successfully, the demoted tenancy will automatically become a secure tenancy.

Where a flexible tenancy is demoted and the demotion period is completed successfully, the tenant will be granted a new flexible tenancy. This will involve a tenant being served with a notice prior to the end of the demotion period, informing them that their new tenancy is to be a new flexible tenancy, specifying the length of the flexible term as well as other flexible tenancy terms.

### 3.5 Non Secure Tenancy

Tenants residing in a dwelling house that is designated as temporary accommodation will be granted a Non-secure Tenancy. Temporary accommodation is granted in the discharge of a homelessness duty or function under Part VII of the Housing Act 1996 (as amended).

## 4.0 **Mutual Exchange**

Under the Housing Act 1985 S92 a secure or assured tenant has the right to exchange their tenancy with another secure or assured tenant, subject to the written consent of his/her landlord.

Under the Localism Act 2011 if at least one of the tenants, party to the mutual exchange, has a secure tenancy begun before April 2012 and at least one of the tenants, party to the mutual exchange, has a flexible tenancy, then such exchanges must be administered by surrender and the granting of new tenancies. In such circumstances, a tenant who holds a secure tenancy, predated April 2012 and has remained social housing tenants since that date, will be granted a secure tenancy. This will ensure that existing tenants retain similar security of tenure to that of their original tenancy. Any flexible tenancy tenants have a new flexible tenancy.

## **5.0 Redevelopment or other major works**

Tenants who have been moved into alternative accommodation during any redevelopment or other major works will be granted a tenancy with no less security of tenure on their return to settled accommodation.

## **6.0 Right of Appeal**

Tenants may appeal against or complain about the reasons given and decision to extend an introductory tenancy period from twelve months to eighteen months.

Tenants or prospective tenants may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.

### **6.1 Outline of tenant appeal process**

- Tenant receives notice advising review decision;
- The appeal should be submitted within twenty-one days of the date of the notice, unless there are exceptional circumstances which have caused the delay;
- Tenant submits written appeal or attends an oral hearing, giving reasons why s/he thinks the decision unfair;
- The Housing Manger – Estates and the Housing Options Manager review the decision and make written recommendations to the Housing Services Lead;
- The Housing Services Lead will then make the final decision, in consultation with the Housing Executive Member; and
- Tenant will be notified in writing of the decision and reasons for the decision on the appeal.

DRAFT