



## EXECUTIVE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE EXECUTIVE TO BE HELD IN THE JOHN MEIKLE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON, TA1 1HE ON TUESDAY 11TH AUGUST 2009 AT 18:15.

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### AGENDA

1. Apologies.
2. Minutes of the meeting of the Executive held on 15 July 2009 (attached).
3. Public Question Time.
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct. The usual declarations made at meetings of the Executive are set out in the attachment.
5. Rent Increase Decrease. Report of the Chief Housing Officer (attached). John Williams
6. Tenant Empowerment in Taunton Deane. Report of the Chief Housing Officer (attached). John Williams

Tonya Meers  
Legal and Democratic Services Manager  
03 August 2009

Executive Members:-

Councillor Henley (Chairman)

Councillor Coles

Councillor R Lees

Councillor Paul

Councillor Prior-Sankey

Councillor Slattery

Councillor Mrs Smith

Councillor A Wedderkopp

Councillor Mrs Wilson



Members of the public are welcome to attend the meeting and listen to the discussion. Lift access to the main committee room on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is a time set aside at the beginning of the meeting to allow the public to ask questions



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact Greg Dyke on:



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Website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk) (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

## **Executive – 15 July 2009**

- Present:** Councillor Wedderkopp (Vice-Chairman) (In the Chair)  
Councillors Coles, R Lees, Prior-Sankey, Slattery and Mrs Smith
- Officers:** Penny James (Chief Executive), Joy Wishlade (Strategic Director),  
Brendan Cleere (Strategic Director), Maggie Hammond (Strategic  
Finance Officer), Phil Sharratt (Economic Development Manager) and  
Richard Bryant (Democratic Services Manager)
- Also present:** Councillors Mrs Court-Stenning, Farbahi, Hall, Horsley,  
Mrs Lewin-Harris, Morrell, Mullins, O'Brien, Mrs Stock-Williams and  
Mrs Whitmarsh  
Steve Read and Dave Mansell from the Somerset Waste Partnership  
Councillor Parsley (South Somerset District Council and a Member of  
the Somerset Waste Board)

(The meeting commenced at 6.15 pm.)

### **56. Apologies**

The Chairman (Councillor Henley) and Councillors Paul and Mrs Wilson.

### **57. Minutes**

The minutes of the meeting of the Executive held on 17 June 2009, copies of which had been circulated, were taken as read and were signed.

### **58. Public Question Time**

- (1) Councillor Mrs Whitmarsh, as a member of the public, referred to the presentation Mr Jim Laflin had made to the Overview and Scrutiny Board on 19 March 2009 in connection with the former Gaumont Theatre, currently the Mecca Bingo Hall, in Corporation Street, Taunton.

Mrs Whitmarsh's recollection was that Members had been generally supportive of Mr Laflin's proposals to bring the Gaumont back into use as a multi-purpose cultural, arts and entertainment centre. Mr Laflin had asked the Council to support his ideas in writing before he attempted to contact the owners of the venue, the Rank Organisation, to discuss them further. He felt that such support would add credibility to his approach to the company.

Mrs Whitmarsh asked whether the Executive would consider giving the support requested by Mr Laflin.

In response, Councillor Mrs Smith stated that she would be happy to provide a letter of support on behalf of the Executive.

(2) Councillor Morrell, as a member of the public, referred to the presentation given to Full Council the previous evening by Professor Mark Hepworth. He had been particularly interested in Professor Hepworth's view that far stronger political leadership was needed to meet Taunton Deane's economic challenges in the future. Councillor Morrell asked:-

- (a) Would Professor Hepworth be re-employed by the Council to provide further guidance?
- (b) Could an urgent meeting of Full Council be arranged to address the "lack of political leadership"? and
- (c) Did the Executive have the moral courage to look at the situation afresh with a "blank piece of paper"?

Councillor Mrs Smith confirmed that Councillor Morrell's questions would be considered at the Executive's next agenda setting meeting and a response would be sent to him following that meeting.

(3) Councillor Mrs Lewin-Harris, as a member of the public, referred to an e-mail she had received some time ago from Simon Lewis concerning possible help the Council could give to businesses during the current recession.

It appeared possible that a National Non-Domestic Rate (NNDR) Hardship Scheme could be introduced which would provide eligible businesses with rate relief for up to a year. The cost of the scheme would be met by the Government (75%) and the Council (25%).

She asked whether the Executive had considered introducing this scheme.

Councillor Mrs Smith confirmed that a scheme had been developed and that she would have further discussions with Councillor Mrs Wilson, who held the Resources Portfolio, as to its possible introduction.

#### **59. Declarations of Interest**

Councillor Prior-Sankey declared personal interests as a Member of Somerset County Council and a former Member of the Somerset Waste Board. Councillor Coles declared a personal interest as a Director of Southwest One. Councillor Mrs Smith declared a personal interest as an employee of Somerset County Council. Councillor Slattery declared personal interests as a Member of the Somerset Waste Board and as an employee of Sedgemoor District Council. Councillor Mullins declared a personal interest as a Member of the Somerset Waste Board.

#### **60. Implementation of Sort It Plus (+) Recycling Collections**

Considered report previously circulated, concerning the introduction of a kerb side collection of plastic bottles and cardboard known as Sort It +.

The Somerset Waste Board instituted trial rounds with differing collection frequencies of plastic bottles and card in 2008.

The results of the trial had been previously discussed by the Overview and Scrutiny Board and it had been agreed that Service Package 2 (SP2) appeared to be the best value in terms of performance versus cost. However, it was recognised that SP5 would produce a higher level of performance if it could be made to be affordable.

A new "one pass" vehicle was used for further SP5 trials early in 2009 and these proved successful and significantly lowered the cost. This package meant that food waste, paper, cans, glass, card and plastic bottles could be collected weekly and residual rubbish collected fortnightly.

Somerset County Council had increased the Recycling Credit Payments to District Councils who planned to implement Sort It +, as the increase in recycling would reduce the amount of waste sent for disposal in landfill. Noted that additional recycling would lower the risk of incurring higher tax costs for residents in landfill tax.

The outcome of the trials and final costs of Sort It + were submitted. The Somerset Waste Partnership felt that SP5 should be adopted as its extra costs were relatively low, compared to the improvement in recycling and customer satisfaction.

Reported that there was currently no solution available for providing the enhanced recycling service to communal properties. May Gurney and the Somerset Waste Partnership were considering options for these properties. Whatever solution was eventually found would mean an increased cost.

The total annual costs for the Council if SP2 or SP5 were implemented across the County with all Districts participating was as follows:-

SP2 - £181,600

SP5 - £210,100

These prices were based on 2009/2010 costs and were net of Recycling Credit Payments. However, with fewer authorities participating at the outset, the costs would rise. All Somerset District Councils were considering introducing SP5, although only Taunton Deane and Sedgemoor were likely to implement it in the current financial year.

If both decided to go forward, the annual cost to Taunton Deane would be £269,300. The roll out would be phased over the 2009/2010 and 2010/2011 period. There was currently £145,000 in the budget for 2009/2010 and £189,000 in the Medium Term Financial Plan (MTFP) for 2010/2011. It would therefore be possible to reduce the requirement in the MTFP by £64,700. If only Taunton Deane went ahead, the Somerset Waste Partnership and May Gurney had confirmed that there would be no added costs.

As the Sort It + services were rolled out it was recommended that the bring bank sites should be removed. The Executive had agreed to remove bring banks in line with the implementation of the Sort It + services. A further £40,000 had been taken out of the 2009/2010 budget and £46,200 from 2010/2011 in the MTFP. As part of the roll out programme, the Somerset Waste Partnership would provide a strategy for the removal of the bring banks that fell within the budgetary constraints of the overall programme.

Further reported that there were capital costs of £163,400 for the purchase of extra recycling bins. However, Somerset County Council was in receipt of Waste Infrastructure Grant and had agreed to assist District Councils in these purchases by offering 75% of the cost. The cost to Taunton Deane was £40,900 which was available from residual waste reserves.

Taunton Deane would enter into a legal agreement with May Gurney to deliver kerbside card and plastic bottle collections throughout the Borough.

A detailed roll out plan that was most operationally and cost effective would be provided by the Somerset Waste Partnership and May Gurney. A communication plan would also be implemented prior to each part of the roll out for both Ward Members and the public involved in that particular area.

**Resolved** that:-

- (1) Service Package 5 (SP5) for Sort It + collections with roll out commencing in 2009/2010 and completing in 2010/2011 be adopted;
- (2) a strategy for the removal of bring banks be developed as part of the implementation of the Sort It + services;
- (3) the Council's Medium Term Financial Plan be amended for 2010/2011 onwards to reflect the actual costs of Sort It +;
- (4) recommendations and options for servicing communal properties be developed as soon as possible;
- (5) Full Council be recommended to approve an increase to the capital programme of £40,900 for the estimated shortfall in capital funding needed to purchase additional recycling bins, to be funded from uncommitted Waste Services Reserves; and
- (6) any further comments be submitted to the Somerset Waste Board for consideration.

#### **61. Review of Deane DLO – Brief of External Advisors**

Reported that Full Council had approved an alternative approach to completing the Core Council Review in April 2009. This included the commissioning of independent external expertise to advise the Council on

Theme 3 of the Core Council Review and develop options for the future of services provided by Deane DLO.

An outline of the timetable for Theme 3 of the Core Council Review was submitted as follows:-

<b>Activity</b>	<b>Indicative Deadline</b>
Challenge of current activities by Members and identification of priority outcomes the Council wanted to deliver for residents and the communities of Taunton Deane, from this theme. Staff and a number of key stakeholders would also be engaged in this process.	End June 2009
Detailed brief agreed by Members, outlining the requirements of independent advisors commissioned to develop options for the future of services provided by Deane DLO.	Early July 2009
Independent and external specialist advice commissioned to develop options against the brief agreed by Members.	End July 2009
Interim feedback on emerging options provided to Members. Members to provide guidance on which options to be developed in more detail.	End September 2009
UNISON would consider steer given by Members, with opportunity to provide input prior to decision on preferred option.	October 2009
Members sign off preferred option(s). (Corporate Scrutiny, Executive and Full Council if necessary).	November 2009
Corporate Management Team produce proposals to implement the preferred option(s), with timetable.	December 2009

A copy of the brief, which had already been considered by the Corporate Scrutiny Committee on 2 July 2009, was submitted for discussion. It was vital that the brief that external advisors would work to accurately reflected the wishes of Members.

The brief which had been prepared following consultation with UNISON, senior management and the Change Programme Member Steering Group had already been sent to bidders to enable them to prepare detailed tenders in advance of the interview. Any significant changes to the brief made by the Executive would be notified to the bidders.

**Resolved** that the brief, as submitted, be approved.

62. **Local Authority Business Growth Incentives (LABGI) Scheme : Awards 2009/2010**

Reference Minute No. 180/2008, considered report previously circulated, which provided an update on the LABGI allocations made last year and the proposed awards for the current and next financial years.



The Executive had previously agreed that funding amounting to £410,200 should be retained within Economic Development and allocated against three blocks over a three-year period of activity as follows:-

- Pioneer Somerset integration £ 85,500  
(Into Somerset; Inward Investment Support and Aftercare; Creative Industry Support)
- Economic Development activity £244,700  
(Economic Development Planning; Business Improvement District (BID) Shop Front Grant; BID Core Costs; BID Levy; Taunton Tourist Information Centre; Wellington Economic Partnership; Rural Business Support; Rural Projects Support)
- Deprived Area Regeneration £ 80,000  
(Taunton Deane Young Enterprise Primary Programme; Enterprise Gateways; Feasibility Studies)

**Total £410,200**

Submitted for the information of Members a detailed report on expenditure against each of the above allocations during 2008/2009. In some instances the available finance had not been used and it had either been accrued into the current financial year or reallocated to another topic.

Also reported that the retrospective LABGI Award for Taunton Deane for 2008/2009 had been confirmed as £69,310, which was significantly less than in previous years:-

**Taunton Deane LABGI Awards**

2005/2006	£138,171
2006/2007	£245,327
2007/2008	£319,051
2008/2009	£69,310

It was generally felt that the Award would continue for this funding cycle to year 2010/2011, the final payment being received at the beginning of 2011/2012, but it was not known with any certainty what the level of the Award would be for future years.

It was therefore proposed that a 'commitment only' strategy should be adopted for expenditure during 2009/2010 to allow expenditure prioritisation of this year's Award to be made against the new Economic Development Strategy (EDS) and planning for economic recovery with the creation of a Reserve, with expenditure proposals being brought back to the Executive in a future report.

As a result, the summary of proposed changes to allocations for 2009/2010 and

2010/2011 was as follows:-

<b>LABGI Allocations 2009 - 2011</b>			
	<b>2009/2010</b>	<b>2010/2011</b>	
<b>Pioneer Somerset</b>	<b>£</b>	<b>£</b>	
Into Somerset	20,000	20,000	
Inward Investment Support & Aftercare	12,000	6,000	
Creative Industry Support			
<b>Totals</b>	<b>32,000</b>	<b>26,000</b>	
<b>Economic Development</b>			
Economic Development Planning	10,000	0	£20,000 Learning and Skills Council match funding
BID Shop Front Grant	0	0	
BID Core Costs	0	0	
BID Levy	4,300	8,600	
Taunton TIC relocation	60,000		
Wellington Economic Partnership	0	0	
Rural Business Support	0	0	
Rural Projects Support	10,000	10,000	
<b>Totals</b>	<b>84,300</b>	<b>18,600</b>	
<b>Deprived Area Regeneration</b>			
Taunton Deane YE Primary Programme	5,000	2,500	
Enterprise Gateways	20,000	20,000	
Feasibility Studies	0		
<b>Totals</b>	<b>25,000</b>	<b>22,500</b>	
<b>Future EDS Priorities*</b>	88,810		LABGI Reserve
* Exact figure subject to reconciliation			

**Resolved** that:-

- (1) a strategy of commitment only expenditure for the Local Authority Business Growth Incentives funds during 2009/2010 as shown in the above table be agreed; and
- (2) the creation of a reserve of funds for future expenditure to support economic and business growth priorities identified within the new Economic Development Strategy, be also agreed.

(Councillor O'Brien declared a personal interest during the discussion of this item.)

(The meeting ended at 7.57 p.m.)

## **Usual Declarations of Interest by Councillors**

### **Executive**

- **Members of Somerset County Council – Councillors Henley, Paul and Prior-Sankey**
- **Employee of Somerset County Council – Councillor Mrs Smith**
- **Director of Southwest One – Councillor Coles**
- **Member of Somerset Waste Board and employee of Sedgemoor District Council – Councillor Slattery**

# ***Taunton Deane Borough Council***

***Executive – 11 August 2009***

## ***Rent Increase Decrease***

### **Report of the Chief Housing Officer (John Williams)**

(This matter is the responsibility of Councillor Hazel Prior-Sankey, Housing Portfolio Holder)

#### **1. The Purpose of the Report**

- 1.1 To seek a decision on whether to reduce the rent increase of 6.2% for Council tenants, which was agreed by Council on 17<sup>th</sup> February this year, to a local average of 2.95%.

#### **Executive Summary**

Following the setting of Council rents on 17<sup>th</sup> February, using the government formula, and the formal notification of an average rent rise for TDBC tenants of 6.2%, the government made a surprise announcement that they would enable Councils to reduce their rent to a national average of 3.1%. A period of formal consultation followed before the government released a new formal subsidy determination for each authority.

The government will fund the reduction in the rent increase by, in their terms, increasing the Council's subsidy. From the viewpoint of tenants, Officers and Members of this authority, this means that the Council will pay less in Negative Subsidy – TDBC's contribution to the national subsidy pot will be therefore be less than the projected £6,112,000 contribution.

The average rent for a TDBC tenant was set at £63.96 in February, but will reduce to £62.10 if the Council decides to reduce the rental increase.

There will be no significant impact on service or investment because the loss in income will be compensated through the subsidy determination. However, there will be additional IT and administrative costs, estimated at £15,000, which will not be covered by government, and which therefore will slightly reduce the HRA working balance.

## **2. Background**

- 2.1 There are a number of partners and contractors who have to be involved in the implementation of a mid-year rent decrease:

South-west One – IT, housing benefit, finance and administration, and the management of IT suppliers.

IBS – Housing Benefit software

Capita – Housing *Academy* software

## **3. Timetable**

- 3.1 The proposed decrease has been provisionally scheduled to operate from 5<sup>th</sup> October 2009, which is exactly half-way through the rent year. The decision to implement the decrease at that point has been taken with the following factors in mind:

- We can gain from the experience of other authorities, particularly those using Academy rents software, who implement earlier
- Tenants can more easily check the accuracy of the calculations made at this half-way point in the rent calendar

## **4. The Effect on Tenants**

- 4.1 First of all, some tenants are almost inevitably going to be confused by the changes, and this is why the Council's Public Relations Officer is an integral member of the project team. A publicity campaign has been created to get the key messages across.
- 4.2 The 41% of tenants who receive full housing benefit will experience no financial gain, and the further 18% who receive partial housing benefit will only receive a reduced gain. It is therefore important to manage expectations amongst those on benefit.
- 4.3 The following table illustrates the kind of difference in rent those who receive no housing benefit are likely to see. I do stress they are illustrative examples based on average rents of the various property types.

<b>No of Bedrooms</b>	<b>Academy Rent 2008-09</b>	<b>Academy Rent 2009-10 060409</b>	<b>Reduced rent</b>	<b>Rent difference</b>	<b>New increase from 08-09</b>	<b>% increase</b>	<b>Credit Adjustment @ 26 Weeks</b>
1 Average	53.47	56.83	55.09	1.74	1.62	3.03	45.24
2 Average	59.91	63.59	61.64	1.95	1.73	2.89	50.70
3 Average	66.50	70.62	68.45	2.17	1.95	2.93	56.42
4 Average	72.45	76.95	74.59	2.36	2.14	2.95	61.36
5 Average	79.41	84.36	81.77	2.59	2.36	2.97	67.34
6 Average	83.93	89.28	86.55	2.73	2.62	3.12	70.98
Bedsit Average	42.40	45.49	43.78	1.71	1.38	3.25	44.46
<b>Grand Average</b>	<b>60.32</b>	<b>64.07</b>	<b>62.10</b>	<b>1.97</b>	<b>1.78</b>	<b>2.95</b>	<b>51.22</b>

## **5. The Effects on the Council**

- 5.1 The proposed decrease will be largely cost neutral during this financial year, as the government has promised to cover the loss of rental income (approx. £620,000 for TDBC) by taking less from us in Negative Subsidy. However, as explained earlier, administrative costs will not be covered and are estimated to be approximately £15,000.
- 5.2 There will be a significant additional workload placed upon existing staff involving additional administrative and IT tasks, in addition to an inevitable temporary increase in tenant enquiries
- 5.3 There are potential risks in what is a complex and untried administrative task, involving a number of partners and IT systems.
- 5.4 There will be administrative and IT challenges even where the actual net financial gain to the tenant is zero, because HB overpayments will be created which have to be recovered from the rent accounts.
- 5.5 Whilst the major cost of this one off adjustment will be covered by government, this loss of rent operates year upon year and as yet there is no certainty that the reduction in Negative Subsidy payment will continue after this financial year.

## **6. Recommendation**

6.1 Members are asked to decide from the following two options:

1. To maintain the average rent increase of 6.2% for all Council tenancies, which was approved by full Council on 17<sup>th</sup> February 2009.
2. To reduce the rent increase agreed by full Council on 17<sup>th</sup> February 2009 to a local average of 2.95%, as described in the report.

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Taunton Deane Borough Council

**Executive – 11 August 2009**

**Report of the Chief Housing Officer**

## **TENANT EMPOWERMENT IN TAUNTON DEANE**

**This matter is the responsibility of Executive Councillor Hazel Prior-Sankey**

### **1. Summary**

In the spring of 2008 a small group of tenants came together on “Task and Finish” principles with the task of examining opportunities available for tenants to have more say in the way in which their homes are managed. Members of the Tenants’ Forum took part, alongside tenants fresh to formal tenant involvement who had been attracted by articles about the initiative placed in Tenants Talk, the TDBC tenants’ newsletter.

Four meetings took place, the last of which was a whole day event facilitated by a consultant in tenant empowerment. The report which was produced is attached as Appendix One, and it has already been formally approved by the Housing Executive Portfolio-holder and the Tenants’ Forum. The recommendations have been interpreted in this report in a manner which fits with the Council’s constitution, its political arrangements, and with the process and aspirations of the Core Council Review.

### **2. Background**

The way in which social landlords are regulated is undergoing fundamental change with the creation of the new regulator, the Tenant Services Authority (TSA). The TSA, which is currently the responsible regulator for housing associations, will take formal responsibility for the regulation of local authority landlords such as Taunton Deane Borough Council from April 2010.

The TSA is committed to improving the deal for tenants via a new standards framework, with tenant empowerment key to a cultural change in the way social landlords engage with their tenants.

For Taunton Deane Borough Council, it is therefore essential to review its tenant involvement arrangements, and work towards a model which will begin the movement of direct influence over investment and services to a new representative body of Councillors and tenants.

### **3. The Four Tenant Empowerment Meetings**

The first three meetings were designed to provide information on the levels of involvement nationally, and stimulate members of the group to think about where tenant participation is currently in Taunton Deane and where they would like it to be.



A “ladder of participation” model was used, where the lowest rungs on the ladder represent relationships where tenants are given information about their service but have little say, and the higher rungs are where tenants have adopted full control by means of a Tenant Management Organisation (TMO).

The message came back from the group that they considered TDBC to inform and consult tenants, but that little real influence on service was devolved. The second message was that they wanted tenant involvement in Taunton Deane to “climb the ladder”, and whilst real control was an aspiration, definite steps needed to be taken to devolve real influence.

The fourth meeting was an all-day event facilitated by the consultant Paul Lusk, who has thirty years experience of developing tenant controlled housing and is a director of consultants *Partners in Change*. He is secretary of ATIC, the national network of tenant empowerment agencies, and was on the team which wrote the recent government guidance on tenant management.

The outcome of the fourth meeting was the report, “*Tenant empowerment in Taunton Deane: next steps*”, which is attached as Appendix One.

#### **4. The Report**

The Report provides an opportunity for the council to make a significant difference by taking tenant involvement to a level not seen before in Taunton Deane. It suggests the creation of a board of ten tenant representatives and two Councillors, one from each of the main parties. The board would be non-political and charged with the responsibility for ensuring the best possible standards of service delivery to tenants.

The report describes the board’s remit as including:

- involvement in setting the budget and determining spending priorities
- reviewing and revising policies
- involvement in agreeing and reviewing contracts
- staff appointments including a role for tenants in interviewing
- monitoring service quality
- considering complaints and appeals
- making proposals for future development including identifying new build opportunities
- developing the capacity to progressively manage services
- supporting and encouraging tenant and resident management in local neighbourhoods

To this I would add the negotiation of a brand new partnership agreement with the Council which would formalise the relationship in a positive and constructive way, and confirm the tenant at the heart of all decision-making.

The Board would also have a key role in self-assessment of the landlord service against the new standards and regulatory framework being developed by the Tenant Services Authority (TSA).

## **5. Transformation**

Taunton Deane Borough Council is transforming itself by means of the Core Council Review, and the suggested new Board would be a good “fit” with the stated principles of the review and in particular its commitment to community engagement.

What members and tenants would see developing is a change in culture in which services are delivered that tenants have shaped through their own decision-making processes, employing staff recruited to their specification, and by a landlord services organisation committed to ensuring that tenants cease to be seen as second-class citizens merely because of their housing tenure.

Recruitment to the Board would offer opportunities for the development of individuals – for example the young parent who as a tenant representative on the Board would have a personal training and development plan to enable effective participation in the role, but also as a means of building a personal CV which increases employment opportunities for the future. A publicity campaign leading on these and other positive benefits (eg. creche facilities and, for those in work, the availability of compensation for loss of earnings) would be created to attract members to a board which is truly representative of the diverse nature of the Council's tenants.

## **6. Comments by the Legal & Democratic Services Manager**

I am satisfied that the composition of the proposed board and the decision making process that will be put in place will satisfy the democratic process and allow for transparency of decision making.

## **7. Comments and Recommendations of the Community Scrutiny Committee**

16 June 2009. The following is an extract from the Community Scrutiny Committee minutes:-

Members felt that tenants should have more say and the TEG would be the ideal mechanism. However, it was acknowledged that tenants' expectations would need to be managed.

Members also commented on co-opting members onto the TEG but felt that they would prefer the more democratic route of election of tenant representatives.

**Resolved** that the Executive be recommended to agree to:

- 1) The creation of a Tenant Services Management Board comprised of ten tenants and two Councillors (proportional);

- 2) The Chief Housing Officer and Housing Operations Manager be tasked to begin the work necessary to create an operational Tenant Services Management Board by April 2010;
- 3) The approval for a supplementary estimate from Housing Revenue reserves of £20,000 to employ a temporary consultant Tenant Empowerment Officer to progress the work involved;
- 4) The Chief Housing Officer and Housing Operations Manager examining the options for resourcing tenant empowerment within the consideration of the Core Council Review; and
- 5) That increased tenant empowerment be adopted as one guiding principle of the Core Council Review.

## **8. Recommendations**

Members are asked to approve the creation of a Tenant Services Management Board comprised of ten tenants and two Councillors (one from each of the main parties).

The Chief Housing Officer and Housing Operations Manager be tasked to begin the work necessary to create an operational Tenant Services Management Board by April 2010, and to seek Executive and Full Council approval for a supplementary estimate from Housing Revenue reserves of £20,000 to employ a temporary consultant tenant empowerment officer to progress the work involved

The Chief Housing Officer and Housing Operations Manager to examine the options for resourcing tenant empowerment within the consideration of Phase 4 (Operations and Regulation) of the Core Council Review.

That increased tenant empowerment be adopted as one guiding principle of the Core Council Review.

Contact Officers:

John Williams, Chief Housing Officer, tel. 01823 356446, ext 2609

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# Tenant empowerment in Taunton

## Deane: next steps

## *Appendix One*

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January 2009

### Summary

A group of tenants in Taunton Deane has been working with councillors and officers to consider options for effective tenant empowerment in the Borough's housing landlord operation. This group is now ready to propose the following outcome:

- Tenants should form a borough-wide board or committee to oversee all landlord services
- Its terms of reference will be based on the expectation that its recommendations will normally be followed by the council's executive
- It will enable and encourage formal devolution of management to local groups where demand exists
- The borough-wide entity will develop the capacity to become a Tenant Management Organisation with legally delegated powers should it decide to take this route after building experience

### Background

With the encouragement of the council's Housing Executive Member and officers, a group of tenants have come together and met 4 times in the last 10 months to examine ways to achieve greater tenant empowerment in making decisions about the management of the council's 6000 homes. The group, including Tenant Forum members, came together and worked on the 'Task and Finish' principle ie. The Tenant Empowerment Group would have a limited life and produce recommendations on empowering tenants of Taunton Deane Borough Council. On 12<sup>th</sup> January 2009, a meeting of this group met with an external facilitator to reach a view on the way forward. This meeting involved five tenants and three council officers.

The outcome of the meeting was a consensus about an appropriate empowerment model. This paper gives an outline description of this model and the main actions that can achieve it.

### Borough-wide oversight of landlord services

The vision of tenants and officers is for a tenant-led body that will exercise oversight over the landlord service. Its remit will include

- involvement in setting the budget and determining spending priorities

- reviewing and revising policies
- involvement in agreeing and reviewing contracts
- staff appointments including a role for tenants in interviewing
- monitoring service quality
- considering complaints and appeals
- making proposals for future development including identifying new build opportunities

This body will not have legally delegated powers since this is not possible without a transfer of control with 'section 27' consent. However it will operate with the knowledge and consent of the council's executive and the understanding that its recommendations will be followed by the council. It will have written terms of reference making clear what matters it will consider and what information and reports it receives. It will be fully supported by the council's officers. It will, in effect, operate as a management board for the service.

The body will normally meet monthly with sub groups meeting in addition.

### Membership

The body will comprise tenants and councillors, including the executive member with housing responsibility. At this point it is suggested that there be 10 tenants and 2 councillors, but these numbers can be reviewed.

Tenant membership will be recruited as follows:

- Tenants will be nominated by tenant groups or a number of individual tenants. To be successfully nominated, a candidate should receive nominations from more than one locality.
- Candidates should support their nomination with a statement of their qualifications for membership. These should include their willingness and ability to participate in decisions as an informed member of a team. There will be a separate group in place to assess these statements.
- A list of successful nominees will be submitted to all tenants for approval and, if necessary, election in a ballot.

### Local tenant empowerment

At the estate or neighbourhood level, tenants will have the opportunity to manage local services and budgets through local management agreements (with section 27 consent). This opportunity will be promoted to tenants and appropriate budgets will be made available where there is demand and capacity.

### Training and support

The new tenant body will need to have regular training in governance skills, housing finance, legal requirements and policy areas. It will have a carefully planned agenda and be serviced with clear and timely reports. Good communication within the body, between the executive and the body and with tenants across the borough is essential. All this will require support. This will be a call on the resources of the council's paid service. Careful consideration should be given to identifying and earmarking the needed resources. Use of external training, for example from the National Community Resource Centre and Instep, should be maximised.

### The Tenant Empowerment Programme (TEP)

TEP grant is available from the Tenant Services Authority (TSA). Grant is available for groups interested in achieving control over services, for example through local management agreements or tenant management organisations. Grant is paid directly to incorporated tenant bodies. Where tenant groups are unincorporated, they can select a lead advisor to apply for the grant. A list of lead advisors is found on the website of the National Federation of TMOs.

If the new tenant body reaches a point where it wishes to look at tenant management, then it can apply for TEP grant to explore this option and develop its management proposal including reaching the required standard of competency.

Local tenant groups can benefit from TEP if they wish to look into local management agreements.

### A future tenant management organisation (TMO)

A TMO provides for tenants to control the housing service with section 27 consent. It is a membership organisation where all tenants and leaseholders are entitled to become voting members. Its members elect a board of directors to run the organisation.

As part of the empowerment proposal for Taunton Deane, the borough-wide oversight group should have the ability to form a TMO to manage housing services with delegated legal powers. This could happen in one of two ways:

- As a voluntary arrangement with the council. The parties could, after consulting tenants, agree a statement of intent to form a TMO and proceed as a joint initiative to set it up, achieve competency and submit the proposals to a formal tenant ballot
- Through the Right to Manage. In this case, tenants would serve a Right to Manage proposal notice on the council and then proceed to establish the organisation with a competency test and a formal ballot. A right to manage

notice can be served by a democratic tenant group where at least 20% of all tenants have become members.

To have this option and achieve other aims of the strategy, the parties (the council and the tenant body) could consider setting up an incorporated organisation with the following objects and powers in its constitution:

- To promote tenant control of housing including the ability to serve a right to manage notice
- To provide training, support and information including publishing newsletter and a website

This body could then fulfil a number of purposes:

- Attracting TEP grant
- Providing advice to local groups and providing an independent way to inform and involve tenants
- Moving towards a TMO in future if wished

This incorporated body should build up an individual membership. If tenants decide in future to serve a right to manage notice, and the incorporated body has the necessary 20% membership, then it could serve a right to manage notice by resolution of a general meeting (after informing all tenants of this intention). This would provide a speedy way to trigger tenant management.

PL

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