

**Minutes of the meeting of the Tenant Services Management Board held on Tuesday 19 June 2012 at 6pm in the Meeting Room, Kilkenny Court Extra Care Housing Scheme, Station Approach, Taunton.**

**Present:** Mr Etherington (Chairman), Mr Edwards (Vice-Chairman) Councillor Bowrah, Mrs Bunn, Mrs Drage, Mr Gaplin, Mr Gould, Mrs Hegarty, Mr Hellier and Mr Middleton.

**Officers:** Chris Hall (DLO Manager), Cyril Rowe (Open Spaces Manager), Stephen Boland (Housing Services Lead), Phil Webb (Housing Property Services Manager), James Barra (Housing and Health Manager), Martin Price (Tenant Empowerment Manager), Steven Clarke (Tenant Services Development Officer), Tony Knight (Estates Officer ASB) and Emma Hill (Corporate Support Officer)

**Others:**

(The meeting commenced at 6.00pm)

**1. Apologies**

Councillor S Brooks

**2. Minutes**

The minutes of the meeting held on 22 May 2012 were taken as read and signed subject to the following amendments being included

- Change of Date in item two.
- Removal of Mr Etherington name from item three.
- Addition for Councillor Bowrah to item four.

**3. Public Question Time**

Representatives of the Halcon North Tenants and Residents Association expressed their Thanks and Gratitude to Taunton Deane Borough Council for filling the void and empty properties on their Street.

**4. Declaration of Interests**

The following members declared personal interests as a Council house tenants:-

- Mrs Bunn
- Mrs Drage
- Mr Etherington
- Mr Edwards
- Mr Galpin
- Mr Gould
- Mrs Hegarty
- Mr Hellier
- Mr Middleton

## 5. Grounds Maintenance and Grass Cutting Update

The Community and Commercial Manager gave an update on Taunton Deane's current Grounds Maintenance and Grass Cutting regime. The breakdown of Taunton Deane's current responsibilities for Ground Maintenance and Grass Cutting.

- Parks and Open Spaces
- Highway Grass Verges
- Council Homes Grass (cut 15 – 18 times per year)
- Cut and Collect for Shelter Housing

Unfortunately due to consistent bad weather since the start of the grass cutting schedule are behind schedule so in order to get back on target Taunton Deane has increased Flexi-Time for staff.

There are currently two different services that the Council operates for Grass Cutting regimes, they are;

- Cut and Collect
- Cut and Leave

The Grass Cutting service is 'Get what you pay for', there is NO profit made on the charges. As standard, the grass is cut 15 – 18 times per year at a cost of £203,000 but the additional services of collection of the cutting has an extra cost of £10,000 per cut. In addition to the grass cutting service for both sheltered and ordinary housing is provided a small grounds maintenance service.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Who is now responsible for Somerset County Council Grass Cutting regime?  
*We currently have the SCC contract for Grass Cutting.*
- Who is responsible for and pay for when grass cuttings blocks drains?  
*SCC is responsible for blocked drains as Highways and Transport Agency.*
- It was mentioned that Taunton Deane has a limited budget for Grounds Maintenance and Grass Cutting. The majority of the budget goes to Grass Cutting.
- It was asked if the Grounds Maintenance teams could be allocated certain estates or wards to promote familiarity of staff in Communities.  
*Taunton is currently split in area based working but it is not yet 100% operational.*

**Resolved** that the Community and Commercial Managers Report be noted.

## 6. Halcon North Project Update

The Housing Services Lead gave a brief update on Halcon North Regeneration project.

Currently, the draft questionnaire and information sheet, which would be sent out to the Tenants and Residents of Halcon North are still being worked. These will be completed soon. A sub-committee of the Board would then be called to look over the questionnaire and information sheets.

The Property Surveys are well under way and there are less than 60 properties left. The finalised Stock Condition data would be presented at the same sub-committee meeting. Also invited to the sub-committee will be Halcon North Residents and Tenants Association.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Commented by a Board Member who had their house Survey by Taunton Deane Staff that he was a very polite gentleman. He surveyed both internally and externally.
- Property Services Housing Manager commented that he was having trouble contacting some remaining residents to arrange times to complete the surveys. *A Board Member offered to contact the remaining residents if Taunton Deane could supply the addresses.*
- Can the surveys be completed out of normal working hours?  
*Property Services Housing Manager said that could be arranged where ever needed.*

**Resolved** that the Housing Services Lead Report be noted.

## 7. Changes to Right to Buy Policy

Considered report previously circulated, which summarised recent changes introduced by the Government concerning the Right to Buy provisions and the impact this would have on the Council.

The Right to Buy scheme was introduced in 1980 and gave qualifying social tenants the right to buy their home at a discount. The scheme was open to secure tenants of local authorities and non-charitable housing associations, and to those assured tenants of housing associations who had transferred with their homes from a local authority as part of a housing stock transfer.

The Government had recently announced its intention to increase the caps on Right to Buy discounts to enable more tenants to achieve their ambition for home ownership. It also set out the Government's commitment to ensure that the receipts on every additional home sold under the Right to Buy were used to fund its replacement, on a one for one basis, with a new home for Affordable Rent.

Reported that the key changes to existing policy were set out in the following table:-

Policy	Current Policy	From 2 April 2012
<b>Discount Rates, Cap and Eligibility</b>	<p>Current discount rates were:-</p> <ul style="list-style-type: none"> <li>• For houses: 35% of the property's value plus 1% for each year beyond the qualifying period up to a maximum of 60%;</li> </ul>	<p>The discount cap had been increased to <b>£75,000 across England</b>, giving tenants a much greater incentive to purchase their own home.</p> <p>Discount rates would not change and tenants would still need to have been public sector tenants</p>

	<ul style="list-style-type: none"> <li>For flats: 50% plus 2% for each year beyond the qualifying period up to a maximum of 70%.</li> </ul> <p>Tenants must have been public sector tenants for 5 years before they qualified for the Right to Buy</p> <p>In practice, most Right to Buy discounts were limited by caps. These currently ranged from £16,000 in most parts of London and were currently £30,000 in the South West.</p>	<table border="1" data-bbox="932 136 1404 517"> <thead> <tr> <th rowspan="2">Years renting from council</th> <th colspan="2">Discount</th> </tr> <tr> <th>House</th> <th>Flat</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>35%</td> <td>50%</td> </tr> <tr> <td>10</td> <td>40%</td> <td>60%</td> </tr> <tr> <td>15</td> <td>45%</td> <td>70%</td> </tr> <tr> <td>20</td> <td>50%</td> <td>70%</td> </tr> <tr> <td>25</td> <td>55%</td> <td>70%</td> </tr> <tr> <td>30</td> <td>60%</td> <td>70%</td> </tr> <tr> <td>Over 30</td> <td>60%</td> <td>70%</td> </tr> </tbody> </table> <p>for 5 years.</p>	Years renting from council	Discount		House	Flat	5	35%	50%	10	40%	60%	15	45%	70%	20	50%	70%	25	55%	70%	30	60%	70%	Over 30	60%	70%
Years renting from council	Discount																											
	House	Flat																										
5	35%	50%																										
10	40%	60%																										
15	45%	70%																										
20	50%	70%																										
25	55%	70%																										
30	60%	70%																										
Over 30	60%	70%																										
<b>Use of Right to Buy Receipts</b>	Subject to the deductions mentioned below, 75% of the receipts were paid to HM Treasury (“the poolable amount”) and the remaining 25% was retained by local authorities.	After calculating transaction costs and compensating authorities for loss of income above what had been covered in the self-financing settlement, HM Treasury and local authorities would receive the amounts they would have expected to receive, had the policy on Right to Buy remained unchanged.																										
<b>Administration Costs</b>	For the purposes of calculating the poolable amount, local authorities could deduct the actual transaction costs of successful sales from Right to Buy receipts, but there was no allowance for costs relating to Right to Buy applications which did not result in a sale.	Flat rate allowances for London and the rest of England had been set with a 50% uplift for withdrawn applications. Allowances would be fixed at £2,850 for London and £1,300 for the rest of England.																										
<b>Buy Back</b>	Councils could Buy Back former council properties and claim around 50% of the costs from their total Right to Buy receipts.	The Council would retain the Buy Back facility, allowing councils to claim up to 50% of the value of each property bought-up to a total of 6.5% of the value of net Right to Buy receipts (after administration costs, debt and assumed income). 6.5% was around the average level of Right to Buy receipts retained by local authorities for Buy Back over the last three years.																										

<b>Cost Floor</b>	Section 131 of the Housing Act 1985 (the cost floor) limited the Right to Buy discount to ensure that the purchase price of the property did not fall below what had been spent on building, buying, repairing or maintaining it over a certain period of time (relevant expenditure).	The period of time the cost floor covered had been increased from 10 to 15 years for new homes subject to Right to Buy, bringing rules for councils into line with those for Housing Associations and protecting initial investment in the housing. In addition the option for councils to apply for an exemption from pooling receipts for new homes built in future would be retained.
-------------------	--	--

Further reported that the Council had a legal duty to make tenants aware of these changes to the Right to Buy provisions.

Although arrangements to do this were in hand, due to the national publicity there had already been a number of enquiries from tenants about the new arrangements, suggesting a significant increase in sales. From the 1 April to 25 May, 22 Right to Buy applications had been received, against 25 in all of the last financial year.

Increases in numbers of Right to Buys would have an impact on administration and conveyancing, so capacity in both Housing and Legal Services would have to be monitored. The addition of uplift in deductible allowances for withdrawn applications was welcomed as a number of these may arise particularly in the early days of the new policy.

With regard to the new provision for the one to one replacement of dwellings, submitted for information an extract from documents released by the Department for Communities and Local Government (DCLG) which explained the new system.

In essence, receipts from additional sales would be used to fund replacement stock on a one-for-one basis and that delivering these new homes would be through local authorities retaining receipts to spend in their areas.

In order for Taunton Deane to keep these additional receipts it would be necessary to enter into an agreement with the Secretary of State for Communities and Local Government who would:-

- i. Allow the Council to retain additional Right to Buy receipts to fund the provision of replacement stock, and
- ii. Allow the Council three years (from commencement of the agreement) to invest those receipts before asking for the money to be returned.  
(The agreement would not require the Council to complete the building of any home within three years. However, the Council would be required to have incurred expenditure sufficient that Right to Buy receipts formed no more than 30% of it.)

In return Taunton Deane would be expected to agree that:-

- i. Right to Buy receipts would not make up more than 30% of total spend on replacement stock, and

- ii. Any unused receipts were returned to the Secretary of State with interest. Should the Council not wish to enter into an agreement then any surplus receipts arising would have to be surrendered to the Secretary of the State for them to investment in replacement stock.

Noted that the 30% cap was necessary to ensure that the Government obtained maximum value for money from the Right to Buy receipts and enabled the building of as many new homes as possible. The Council would be expected to fund the remaining 70% from its own reserves or through borrowing serviced by the anticipated rental income from the new homes built.

Where retained receipts exceeded 30%, the Council would be required to return the additional receipt to the Secretary of State with interest.

Each financial quarter a report would have to be submitted to DCLG showing the cumulative sum the Council had retained for replacement stock and the cumulative amount it had spent on replacement stock.

Although there would be no requirement to return receipts in the first three years of the agreement, in Quarter 1 of 2015/2016 Taunton Deane would have to compare;

- the total amount spent on replacement stock from the start of the agreement to the end of that quarter, with
- The total amount it had retained from Right to Buy receipts in Quarter 1 of 2012/2013.

Where the latter was 30% or less than the former then no further action would be necessary.

In Quarter 2 of 2015/2016 the comparison would be between the total spent on replacement stock since the agreement began with the total it retained on Quarters 1 and 2 in 2012/2013 and then for each subsequent quarter.

Historically Right to Buy receipts had been used to fund our Housing Enabling Programme and had primarily been targeted to schemes in conjunction with Registered Housing Providers.

The recent introduction in the new Housing Revenue Account (HRA) 30 year business plan of a Social Housing Development fund provided a second option for the provision of new units retained within the HRA. In practice if the Executive was minded to accept an agreement with the Government for one for one replacement, both of these avenues would be needed to allow a suitable level of investment to be made to offset the 30% restriction. The additional investment now available for affordable housing in the HRA would improve our ability to meet the 30% requirement.

Reported that the Council did not have to sign up to an agreement now. However, if it was not signed by the deadline of 27 June 2012, the Council would not be able to retain any receipts for the first quarter of this financial year.

Other important issues to be noted on qualifying spend to put towards the 70% requirement included:-

- Any contribution from a partner housing association could not include any Homes and Communities Agency grant; and
- The Council could not use HRA receipts from non Right to Buy receipts for example selling surplus to requirements property, as a dispensation from Government already existed which allowed the Council to keep these receipts if spent on affordable housing;
- The Council could spend receipts on the acquisition of property but would have to decide whether to utilise the existing provision of Buy Back Allowance or not depending on which route would be more financially favourable.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Where are the 3 year receipts going?  
*Receipts are accounted for previously into general fund (GF).*
- What about putting Solar Panels on Council Properties?  
*There is a government grant scheme for the installation of Solar Panels but the council is not able to deliver this on Council Properties.*
- What is the percentage of 'Green' Houses or Low Energy House?  
*The numbers of 'Green' Houses are not known.*
- New Build Council Properties can be built more energy efficient.

**Resolved** that the Tenant Services Management Board Committee strongly support the recommendations of this report and that the report be noted.

## 8. **Housing Estates Team Anti-Social Behaviour Strategy 2012 – 2015**

Considered report previously circulated, which proposed the new Anti-Social Behaviour Strategy for Taunton Deane Borough Council Housing Services. This outlines the strategic overview that tenants in council housing can expect from Housing Services in relation to Anti Social Behaviour.

The background of this report is based around tackling anti-social behaviour in relation to Council properties. This is a priority for our elected members and tenant representatives. It is key to the effective management of our housing stock at Taunton Deane Borough Council.

Housing services are responsible for ensuring tenants comply with their tenancy agreement and do not behave in an anti-social manner within our communities. This strategy has been developed in line with the Anti-Social Behaviour Act 2003 & The Crime & Disorder Act 1998 (as amended),

This new Anti-Social Behaviour Strategy is a living document and runs over three year period. The aim of this strategy is to provide:

- Providing an accessible and accountable service for all tenants.
- Taking swift action to protect tenants and communities from Anti Social Behaviour.
- Adopt a supportive approach to working with victims of and witnesses to Anti Social Behaviour.
- Encourage individual and community responsibility from our tenants. To support the development of sustainable communities.

Have a clear focus on prevention and early intervention to Anti Social Behaviour.

- Ensure staff in the service takes an effective value for money approach.

**Resolved** that the Tenant Services Management Board Committee have noted and approved the Report and attached Strategy.

## 9. Tenancy Termination Leaflet

Considered report previously circulated, which provides the members of the Board with details of a Tenancy Termination Leaflet for tenants who are intending to end their council owned housing tenancy.

Housing staff have been focusing on improving performance of void management of the councils housing stock, part of this focus was the implementation of a pilot project to improve performance of void turn round times.

It is vitally important for both the outgoing tenant and also the council that when tenancies are terminated the process is completed effectively to avoid rental loss to the council and also the possibility of re-charges to the outgoing tenant.

There are no financial implications to the introduction of the leaflet. Its production will be funded through existing budgets.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Is the relative of the Council Tenant who is unable to stay in the property responsible for the charge?  
*No, the relative is not responsible for the charges. It can be taken from the Estates Budget.*
- What is the number of Void Tenancies?  
*Is 548 re-lets during 2011/12.*
- What is the period of weeks to clear the property?  
*A minimum of two weeks notice. This can be extended by the next of kin but this would mean them taking on the tenancy and paying the rent on the property.*

**Resolved** that the Housing Managers – Lettings Report be noted.

(The meeting ended at 7.20pm)