

Date: 20 December 2012
Contact number: 01395 517525 (group number 01395 517546)
E-mail: athompson@eastdevon.gov.uk



To: Members of the Housing Review Board
Other Members of the Council for Information
Members of the Tenant Scrutiny Panel
Members of the Tenant Representative Group
Chief Executive
Deputy Chief Executives

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507

www.eastdevon.gov.uk

**Meeting of the Housing Review Board
Thursday, 10 January 2013 at 6.00 pm
Council Chamber, Knowle, Sidmouth**

The above meeting will be held in the Council Chamber at East Devon District Council Offices, Knowle, Sidmouth, to consider the matters detailed on the agenda below.

Members of the public are welcome to attend this meeting.

- There is a period of 15 minutes at the beginning of the meeting to allow members of the public to ask questions.
- In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman (Leader of the Council) will ask if any member of the public wishes to speak and/or ask questions.
- All individual contributions will be limited to a period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of the group.
- The Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.

Should anyone have any special needs or require any reasonable adjustments to assist them in making individual contributions, please contact Alethea Thompson (contact details at top of page).

Councillors and members of the public are reminded to switch off mobile phones during the meeting. If this is not practical due to particular circumstances, please advise the Chairman before the meeting.

AGENDA

PART A - Matters for Decision

Page/s

1 Public question time – standard agenda item (15 minutes)

Members of the public are invited to put questions to the Board through the Chairman.

Councillors also have the opportunity to ask questions of the Chairman

Chief Executive: Mark Williams
Richard Cohen – Deputy Chief Executive
Denise Lyon – Deputy Chief Executive and Monitoring Officer

PART A - Matters for Decision

Page/s

and/or Portfolio Holders present during this time slot. Members of the public are given priority at this part of the agenda.

2	To confirm the minutes of the meeting of the Housing Review Board held on 8 November 2012.		4 - 10
3	To receive any apologies for absence.		
4	To receive any declarations of interests relating to items on the agenda.		
5	To consider any items which, the Chairman thinks, should be dealt with as matters of urgency because of special circumstances. (Note: such circumstances need to be recorded in the minutes; any individual wishing to raise a matter under this item is requested to notify the Chairman before the meeting).		
6	To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which Officers recommend should be dealt with in this way.		
7	Housing Review Board forward plan.	Head of Housing	11 - 12
8	Draft Housing Revenue Account 2013/14 and Service Plan.	Head of Housing	13 - 34
9	Housing Revenue Account budget monitoring report.	Accountant	35 - 43
10	Rent setting options for the future.	Rental Manager	44 - 49
11	Welfare Reform and 'bedroom tax'.	Head of Housing	50 - 56
12	Resident involvement policy update,	Landlord Services Manager	57 - 70
13	Review of grounds maintenance.	Landlord Services Manager	71 - 75
14	Respect agenda and anti-social behaviour policy.	Landlord Services Manager	76 - 97
15	Draft flexible tenancy agreement.	Head of Housing	98 - 119
16	Community Development programme update.	Landlord Services Manager	120 - 125
17	Review of drop in sessions and surgeries.	Landlord Services Manager	126 - 130

Decision making and equality duties

- The Council will give due regard under the Equality Act 2010 to the equality impact of its decisions.
- An appropriate level of analysis of equality issues, assessment of equalities impact and any mitigation and/or monitoring of impact will be addressed in committee reports.
- Consultation on major policy changes will take place in line with any legal requirements and with what is appropriate and fair for the decisions being taken.

- Members will be expected to give reasons for decisions which demonstrate they have addressed equality issues.

Members and co-opted members remember!

- You must declare the nature of any disclosable pecuniary interests. [Under the Localism Act 2011, this means the interests of your spouse, or civil partner, a person with whom you are living with as husband and wife or a person with whom you are living as if you are civil partners]. You must also disclose any personal interest.
- You must disclose your interest in an item whenever it becomes apparent that you have an interest in the business being considered. Make sure you say what your interest is as this has to be included in the minutes. [For example, 'I have a disclosable pecuniary interest because this planning application is made by my husband's employer'.]
- If your interest is a disclosable pecuniary interest you cannot participate in the discussion, cannot vote and must leave the room unless you have obtained a dispensation from the Council's Monitoring Officer or Standards Committee.

Getting to the Meeting – for the benefit of visitors



The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

The following **bus service** stops outside the Council Offices on Station Road: **From Exmouth, Budleigh, Otterton and Newton Popleford – 157**

The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).

From Exeter – 52A, 52B
From Honiton – 52B
From Seaton – 52A
From Ottery St Mary – 379, 387

Please check your local timetable for times.

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The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Housing Review Board held at Knowle, Sidmouth on 8 November 2012

Present:

Councillors:

Pauline Stott (Chairman)
Christine Drew
Douglas Hull
Jim Knight

Co-opted Tenant Members:

Victor Kemp
Pat Rous
Sally Lancaster
Sue Saunders

Co-opted Independent Community Representative:
Rob Finch

Officers:

Dennis Boobier, Housing Needs and Strategy Manager
John Golding, Head of Housing
Giles Salter, Solicitor
Alethea Thompson, Democratic Services Officer
Mandy White, Housing Accountant

Also Present:

Councillors:

Jill Elson - Portfolio Holder for Sustainable Homes and Communities
Stephanie Jones – Deputy Portfolio Holder for Sustainable Homes and Communities
Geoff Pook
Peter Sullivan
Phil Twiss

Apologies

Co-opted Tenant Member:
Christine Morrison

Co-opted Independent Community Representative:
Julie Adkin

Councillors:

Ray Bloxham
Steve Gazzard
Eileen Wragg

The meeting started at 6.00pm and ended at 7.12pm.

***34 Public question time**

There were no questions raised by members of the public.

Action against loan sharks

Tenant member Sue Saunders advised the Board that a small working group had been formed to help prevent people succumbing to loan sharks. The group had no name, but its members were:

- Wendy Loades, Community 'Stop Loan Sharks' advocate.
- Maureen Loman, Plough and Share Credit Union administrator.
- Councillor Stephanie Jones.
- Councillor Peter Sullivan.
- Jane Reading, EDDC Tenant and Communities Section Leader.
- Sue Saunders, Tenant/Vice-Chair of the Housing Review Board

The group had arranged a tour of the district and would be speaking to people to warn them of the dangers of borrowing money from un-licensed money lenders and advising them of the advantages of credit unions, as well as providing good financial advice. Tenants and local Councillors were encouraged to join the campaign. Everyone was invited to attend a road show and were advised to contact Jane Reading for further information. The dates of the events were:

- Advocate training for tenants – Monday 10 December 2012, morning, The Knowle, Sidmouth.
- Enhanced training for frontline Council staff – Monday 10 December 2012, afternoon, The Knowle, Sidmouth.
- Honiton – Tuesday 11 December 2012, all day.
- Exmouth – Wednesday 12 December 2012, all day.
- Ottery St Mary – Thursday 13 December 2012, morning.
- Budleigh Salterton – Thursday 13 December 2012, afternoon.
- Seaton – Friday 14 December 2012, morning.
- Axminster – Friday 14 December 2012, afternoon.
- Sidmouth – Saturday 15 December 2012 (morning at Stowford Community Centre, afternoon at the town centre Co-Operative).

Further details of the events would be published nearer the time and it was suggested that these be included in The Knowledge.

***35 Minutes**

The minutes of the meeting of the Housing Review Board held on 6 September 2012, were confirmed and signed as a true record.

Concern was raised by Councillor Douglas Hull over Minute 29 (Development Statement for increasing housing stock); he challenged the decision to include Portfolio Holders in the virtual housing development team. However the Chairman advised that the minute accurately reflected the meeting and its recommendation. Councillor Hull's vote against the recommendation had already been included in the minutes. These minutes had been considered and agreed by Cabinet and Council. It was emphasised that the virtual housing development team was intended as an ad hoc sounding board for potential development projects and the membership would be flexible.

***36 Declarations of interest**

Board Member	Minute number	Type of interest	Nature of interest
Jim Knight		Personal	His daughter lives in a Council owned property.
Jim Knight		Personal	Devon County Council Councillor

***37 Housing Review Board forward plan**

The Head of Housing presented the forward plan. He updated the forward plan at the meeting advising that the following items would be added to the January 2013 meeting:

- An annual update report on community development work.
- An updated anti social behaviour policy.
- A revised tenant involvement policy.
- An update report on the position with Supporting People.

It was suggested that a report and review of grounds maintenance be considered at the next Board meeting

RESOLVED: that the forward plan be updated and noted.

38 Green Deal, fuel poverty and energy efficiency issues

The Housing Review Board (HRB) received the report of the Housing Needs and Strategy Manager on the Green Deal, fuel poverty and energy efficiency issues. The Green Deal was a government initiative to increase the energy efficiency of properties in the public and private sector. The Green Deal allowed private energy firms to provide domestic and commercial customers with double glazing, loft and wall insulation and other structural improvements designed to boost the energy efficiency of their buildings and reduce heating bills.

In the UK, fuel poverty was said to occur when a household needed to spend more than 10% of its income on heating the home to an adequate standard of warmth. Overall, fuel poverty in East Devon for 2010 was 12.3% (down from 13.2% in 2009), with the rate in the private rented sector being 18.8%, according to the Private Sector Housing Condition Survey (December 2010). Although the emphasis in the definition was on heating the home, in the definition of fuel poverty 'fuel costs' also included spending on heating water, lighting appliance usage and cooking costs.

Energy efficiency measures such as solar panels, air source heating pumps and wind turbines could also help to reduce the use of energy and the cost of fuel.

38 **Green Deal, fuel poverty and energy efficiency issues (cont'd)**

The Council delivered major improvements to its housing stock each year that included most of the measures that the Green Deal was proposing to address. It was therefore proposed that the Council continued to use the Cyclical and Programmed Maintenance budgets to improve the energy efficiency of Council homes and reduce the cost of energy to tenants, and to implement the 'catch up' and decent homes standard repairs identified in the public sector stock condition survey. This would ensure that EDDC met the principle aim of the government's Green Deal initiative.

It was proposed to not allow tenants to make improvements to their home through the Green Deal initiative for the reasons set out in the report.

Questions were received from the Tenant Representative Group (TRG) over the type of heating systems that would be used when replacing existing heating. It was reported that the residents of Dray Court, Exmouth were very pleased with their new heating system and were feeling much warmer already.

It was suggested that the Council look at joint working opportunities with other social housing providers and the Housing Needs and Strategy Manager reported that EDDC was already working with Exeter City Council and Mid Devon District Council.

- RECOMMENDED:**
- 1 that the Council focus on the delivery of the improvement programmes to ensure all Council homes were as energy efficient and thermally insulated as possible to enable tenants to minimise their energy costs.
 - 2 that the development of a solar panel/retrofit programme be supported and funded to a targeted number of properties, outlined in the report.
 - 3 that consideration be given to whether a new post should be developed to help take forward the Council's targeted approach to thermal insulation and energy efficiency measures.
 - 4 that consideration be given to joint working opportunities with other social housing providers.
 - 5 that tenants be not allowed to make improvements to their homes through the Green Deal.

39 **Housing Revenue Account 2013/14 – budget issues and programmes for improvement works**

Every year the HRB approved the Housing Revenue Account (HRA) budget. Part of this budget was identified for repairs and maintenance. A large proportion of this budget was spent on programmed works, which included cyclical and improvement works such as replacing kitchens, doors, and boilers. A bathroom replacement programme and a fascia/bargeboard/soffit programme to replace the wooden elements with plastic needed to be introduced. The housing stock condition survey identified a number of areas where repairs were required to bring the housing stock up to the decent home standard and these were contained in the report. The Housing Needs and Strategy Manager's report set out the budget requirements over the next 5 years to fund programmed improvements to the housing stock.

The adjustments proposed to major works/improvement programmes were consistent with the HRA Business Plan objectives and the need to undertake good asset management. The programmes of property upgrades would need to be kept under review to ensure that objectives were being achieved and tenant aspirations met.

Concerns were expressed from the TRG over wooden doors no longer being repainted by the Council, although they were pleased with the door replacement programme. Further information was requested and provided at the meeting.

RECOMMENDED: that consideration be given to the budget requirements for programmed works when setting the HRA budget for 2013/14.

*40 **HRA financial monitoring report 2012/13 – month 6, September**

The Board received a report from the Housing Accountant giving a summary of the overall financial position on the Housing Revenue Account (HRA), HRA Capital Programme and the Business Plan for 2012/13 at the end of month six (September 2012). Regular monitoring would highlight any areas of concern or unforeseen expenditure in the HRA and associated capital programme and enable corrective action to be taken as required. Any variances would be reflected in the Business Plan.

Current monitoring indicated that:

- The Housing Revenue Account Balance would be maintained at or above the adopted level.
- The position on the HRA Business Plan had not changed significantly and remained in a healthy position.

The Housing Accountant updated the Board and advised that the purchase of 11 houses at Morton Way, Axminster would be part funded from the HRA surplus, rather than increasing the borrowing from the Public Work and Loans Board (PWLB). The budget had been monitored extremely carefully and the surplus was higher than originally predicted. This was partly due to very high rent collection figures. The intention was to reinvest the surplus into investment in stock and into new build.

*40 **HRA financial monitoring report 2012/13 – month 6, September (cont'd)**

It was noted that six properties had so far this year been sold under the Right to Buy Scheme and this was expected to rise to about 10 by the end of the financial year. An increase in Right to Buy sales would be built into next year's budget.

The Portfolio Holder for Sustainable Homes and Communities and the Housing Review Board thanked the tenants and the rent collection staff for achieving such high rent collection figures.

RESOLVED: that the variances identified as part of the HRA revenue and capital monitoring process up to month six be acknowledged.

41 **Audit of the Housing Revenue Account Business Plan**

Consideration was given to the report of the Head of Housing following an audit of the HRA Business Plan. Local authority housing had undergone considerable change in the last year with the introduction of self financing and the Council taking on significant debt to escape the HRA subsidy system. EDDC's HRA Business Plan was updated in June to reflect the changes and the careful preparations that had been made for self-financing. Due to the scale of the change it was felt useful to invite the South West Audit Partnership (SWAP) to scrutinise the Business Plan and make recommendations for improvement.

The audit report was largely positive about EDDC's approach to updating the Business Plan. The audit concentrated on the risks associated with the Business Plan rather than a technical assessment of the construction of the Plan and income and expenditure predictions. Four significant risks were identified and all were assessed. No significant findings were identified for the Service, but a series of useful recommendations were made where risk management could be improved and known risks mitigated.

The audit of the HRA Business Plan was a useful exercise and since the risk assessment had been updated the majority of the recommendations had been undertaken. It was important to keep the risk assessment element of the Plan up to date through periodic reviews. The updated Business Plan was on the Council's website. This dynamic, 'living', document would regularly be reviewed and revised.

Members discussed the number of tenants currently under occupying their homes and whether there were enough homes available for these tenants to downsize to when the welfare reforms and changes to housing benefit came into effect. The Council was writing to all of its under occupying tenants to prepare them for the impacts of welfare reform. It was suggested consideration be given to the size of affordable homes that the Council was requesting from developers in the future.

Members agreed that it was an excellent report and congratulated the officers involved.

RECOMMENDED: that consideration be given to the contents of the SWAP audit and the changes made to the HRA Business Plan risk assessment and sensitivity analysis be endorsed.

***42 Benchmarking of housing costs and performance**

EDDC was a member of HouseMark and participated in their housing benchmarking exercise. The Head of Housing’s report presented the results of a cost and performance benchmarking exercise using last year’s financial data. The report compared the Council with its peers in a number of key areas of housing management service delivery. The data related primarily to 2011/12 although the report also showed the Council’s costs and performance in 2010/11 as a comparison. There had been a noticeable improvement in many areas since the housing service completed the exercise last year.

A number of factors that stood out from the results included:

- Relatively low overheads as a percentage turnover and direct costs;
- Low percentage of staff turnover;
- High cost of void works;
- Relatively low percentage of responsive repairs completed on time;
- High proportion of urgent responsive repair jobs;
- Low cost of housing management per property;
- Low percentage of tenants whom the organisation has diversity information;
- Low cost of estate services.

These highlighted areas for further investigation. The results of the benchmarking exercise had been presented to the service managers, who had all been asked look at their service areas.

RESOLVED: that the results of the HouseMark benchmarking survey be noted.

43 CIH repairs charter for housing

The report of the Housing Needs and Strategy Manager outlined the contents of a new repairs charter published by the Chartered Institute of Housing (CIH), which represented good practice in the housing sector. It was proposed that the Council ‘sign up’ and embrace the core commitments building them into operational arrangements for service delivery.

The Tenant Representative Group (TRG) had considered the repairs charter and supported the Council signing up to the principles and good practice contained in it. The contents of the charter had all been discussed with the responsive repairs contractors who both supported it.

RECOMMENDED: that the Council ‘sign up’ to formally adopt the Repairs Charter .

***44 Briefing note on HRB car parking improvement schemes**

Members received a briefing note from the Housing Needs and Strategy Manager updating them on each of the improvement schemes approved by the HRB on 12 January 2012, following the Car Parking Task and Finish Forum. The Board agreed the Housing Needs and Strategy Manager and his team had done a fantastic job, achieving so many of the improvement schemes in such a short space of time.

Chairman Date

HOUSING REVIEW BOARD – FORWARD PLAN

This forward plan identifies reports and other agenda items for future meetings of the Housing Review Board. It is also intended to assist agenda management and act as a reminder of items to come forward to future meetings.

Report title	Meeting date	Author
Draft Housing Revenue Account for 2013/14 and Service Plan	January 2013	Head of Housing
Housing Revenue Account budget monitoring report	January 2013	Housing Accountant
Rent setting options for the future	January 2013	Rental Manager
Welfare Reform and 'bedroom tax'	January 2013	Head of Housing
Resident Involvement Strategy update	January 2013	Landlord Services Manager
Review of grounds maintenance	January 2013	Landlord Services Manager
Respect agenda and anti-social behaviour policy	January 2013	Landlord Services Manager
Draft Flexible Tenancy Agreement	January 2013	Head of Housing
Community Development programme review	January 2013	Landlord Services Manager
Review of Drop In sessions and Surgeries	January 2013	Landlord Services Manager
Supporting People contract revision	March 2013	Landlord Services Manager
Changes to support services	March 2013	Landlord Services Manager
Performance digest – a dashboard of performance indicators	March 2013	Housing Needs and Strategy Manager
Telecare services	TBC	Home Safeguard Manager
Danby House/Exbank – DCC updated proposals	Reliant on DCC timetable	Head of Housing
Quarterly performance reports and regular report		
Responsive repairs	Quarterly report	Asset and Property Manager
Letting of Council homes/voids	Quarterly report	Housing Needs and Strategy Manager
Devon Home Choice	Quarterly report	Housing Needs and Strategy Manager

Rent management	Quarterly report	Landlord Services Manager
Systems Thinking leading & lagging measures New Tenants Survey	Quarterly report	Head of Housing
Forward Plan	Every meeting	Head of Housing
Formal Complaints	Annual report	Housing Needs and Strategy Manager
Evaluating the achievements of the Board	Annual report	Head of Housing

HRB & Housing Drop In sessions - dates and venues	Date and time

Board Members can propose agenda items during meetings/debates that can be included on the Forward Plan for future meetings, or outside the meetings with the agreement of the Chairman and Vice chairman.

Future HRB meeting dates: 7 March 2013; 9 May 2013.

Agenda Item: 08

Housing Review Board

10 January 2013

jg



Draft Housing Revenue Account 2013/14

Summary

This report provides the Housing Review Board with details of the draft Housing Revenue Account for 2013/14. This account shows the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a Housing Revenue Account has been a statutory requirement for Councils who manage and own their housing stock, and therefore a key document for the Board to influence.

Last year saw the major reform to social housing finance and a move to self-financing, which involved the Council taking on debt rather than paying a subsidy to government from tenants' rents. As a result we are showing a healthy HRA balance going into the new financial year. The budget has been produced in accordance with our Housing Revenue Account Business Plan assumptions.

The Council has a timetable for the production of its budgets for 2013/14, which involves the development of draft estimates and scrutiny by various member and officer groups. This report presents an opportunity for the Housing Review Board to input into this process.

I have included a refresh of the Housing Service Plan which is updated annually and sits alongside the budget.

Recommendation

The Housing Review Board is invited to approve the report on the 2013/14 Housing Revenue Account, and recommend it to the Cabinet.

a) Reasons for Recommendation

To give the Housing Review Board an involvement opportunity to contribute towards the development of the main housing service budget.

b) Alternative Options

To amend the draft Housing Revenue Account for 2013/14 by deleting or adding items of expenditure, or increasing income streams.

c) Risk Considerations

The Board will not be able to make a meaningful contribution to the production of service budgets without an understanding of the financial and budgetary framework for income and expenditure on landlord activities.

d) Policy and Budgetary Considerations

This is a budget report that is aligned with key housing landlord policies.

Positive Impact Overall

Providing more service at less cost.

Potential Negative Impact

Affordable Homes.

e) Date for Review of Decision

The Board's recommendations will be considered as part of the Council's annual budget making process.

The budget is monitored monthly and completely reviewed annually.

1 Housing Revenue Account for 2013/14

- 1.1 The Housing Revenue Account (HRA) is the landlord account and is a statutory account that is operated by all local authorities that own and manage their own housing stock. The account must be maintained in surplus and cannot go into a deficit position. The HRA sets a financial context for the operation of the Council's landlord service, and now demonstrates some of the flexibilities we enjoy and considerable freedom from central government control.
- 1.2 The HRA has to be set out and operated in accordance with prescribed regulations. This means that it is not particularly easy to understand and interpret, and is usually prepared by our specialist Housing Accountant. The draft 2013/14 HRA is shown as **Annex 1** and will eventually appear, possibly in a modified form, in the Council's revenue budgets alongside the General Fund and Capital Plan. We have included a series of notes, which explain the main variations from the 2012/13 HRA budget.
- 1.3 Our annual HRA is underpinned and influenced by a 30 year HRA Business Plan (updated September 2012), which was a requirement of the housing stock options appraisal, and intended to demonstrate that the Council can afford to maintain and manage its housing stock to an acceptable standard over the long term. The HRA Business Plan considers income and expenditure over a 30-year period based upon known stock condition data, tenant aspirations, projections on staff costs, inflation and interest payments. The draft budget is closely aligned to the HRA Business Plan.
- 1.4 This Board is charged with keeping under review the options for the future ownership and management of the housing stock. I would suggest that the financial environment that we work in (including Welfare Reform) is likely to be one of the main influences on our thinking in respect of options other than the Council retaining the housing stock 'in-house'. We have made the change to the self-financing regime in April 2012. This involved the Council taking on a share of the national housing debt (£84.4 million).
- 1.5 We have created East Devon Homes as a business unit of the Council charged with providing landlord services for

EDDC tenants. We are in a good position to maintain and improve the housing stock to a good standard and employ staff resources to deliver an excellent housing service. You will recall from the benchmarking work we have undertaken that we are lean when compared to many similar sized housing organisations and relatively high performing. Current projections suggest an improving financial picture for the HRA now that we have left the subsidy based system.

- 1.6 We have funded the acquisition of 11 new homes in Axminster from the HRA during 2012/13 without the need to borrow to finance the purchase. We have made no specific provision for new build or acquisitions in 2013/14 and will present site specific proposals as and when they arise together with a statement on the financial impact.
- 1.7 The HRA is presented in a familiar form that shows a summary with a breakdown of income then a range of expenditure items grouped under headings for repairs (day to day, annual, cyclical and improvements), supervision and management (essentially direct and support staff costs with premises, transport etc); other expenditure and major repairs.
- 1.8 It can be seen from the draft 2013/14 HRA budget that income from rents and other charges amounts to an estimated £17.2 million. This assumes an average 4.79% increase in Council home rents, in line with the government's rent convergence formula, and a 3% increase in garage rents. This will make our average rent £75.88 per week in 2013/14.
- 1.8 The major areas of expenditure are various repairs and maintenance activities - £8.5 million; Staffing, supervision and management costs (general) - £2.6 million; and the interest on PWLB loans - £2.6 million. This replaces the HRA subsidy where we paid £6 million in 2011/12 to the Treasury.
- 1.9 From the draft HRA you can see planned expenditure on repairs and improvements under the section headed Major Repairs (Major Repairs Account) - £5,150,000; other expenditure - £243,000; and under the section Repairs and Maintenance, responsive maintenance - £1,550,270; annual programme maintenance - £540,450; cyclical maintenance - £112,850; and Repairs and Maintenance special works - £998,000.
- 1.10 The budget page on Supervision and Management shows the staffing and associated costs. You can see that Housing Service employees cost £1,614,430 per annum, with a lesser amount (£1,151,620) for support services. It is estimated that £337,660 will be spent on premises, transport and supplies and services per annum. Special items which cover grounds maintenance, communal cleaning, play areas, Mobile Support Officers etc amount to £888,500 for the year ahead.
- 1.11 I have included an additional provision for major repairs as agreed at your November meeting (boiler replacement; bathroom modernisation and fascia/soffit replacement) and increased the change of tenancy budget to £1.2 million. I have allowed £5,000 for the ongoing updating of the Business Plan. The budget shows £3,240 for the annual Residents' Conference. I have kept the removal expenses budget to £75,000 following the review of downsizing, and increased funding for community development (£9,750). I have created a new budget (£40k) for estate management

works. There is likely to be a reduction in Supporting People funding as we move to a new commissioning model imposed by DCC. We have allowed for 10% less income.

- 1.12 The staffing costs have been grouped into three teams – housing needs & strategy; landlord services; and asset and property services in the supervision and management section of the budget.
- 1.13 We are showing greater investment into the repair and improvement of tenants’ homes and there is a projected end of year surplus on the HRA of £4,408,757. I intend to maintain the surplus at a higher level during the next few years as we acclimatise to the self-financing regime. I have also made an increased provision for bad debts/voids rising from 1.5% and increasing each year by 0.5% until we reach 3% of the rent roll in 2014/15.
- 1.14 The HRA now meets its own capital programme requirements each year. We have used the capital funds identified for re-modelling sheltered schemes to part fund the demand for adaptations in sheltered housing. I have included £350k for a new housing software system as the estimate has increased considerably as we move closer to selecting a new supplier.
- 1.15 The capital programme is part financed by the sale of council homes under the Right to Buy and the contribution to capital from the HRA will be £975k in 2013/14. The capital programme for 2013/14 is reproduced below.

HRA Capital Programme	2013/14
	£000
Major Improvements/Extensions to Existing Dwellings	175
Off Street Car Parking	50
Re-modelling of Sheltered Schemes	200
Social Services Adaptations	200
	<hr/>
	625
New Housing IT System	350
TOTAL EXPENDITURE	<hr/> 975 <hr/>

- 1.16 The HRA is still in draft and will take a journey through Overview and Scrutiny Committee/TaFF then to the Cabinet before being finalised and agreed by Council. Your officers will use the budget set for service delivery over the next financial year.
- 1.17 Sitting alongside the draft budget is a draft **Service Plan**. This year we have rewritten our individual Service Plans and I have reproduced the latest draft of the Housing Service Plan in **annex 2**. I have tried to capture the main issues arising over the next three years whilst maintaining the services we know are important to tenants. The Plan also includes our other housing activities outside the remit of the Housing Review Board such as homelessness, new affordable housing, private sector housing etc.

Legal Implications

There are no legal implications on which to comment.

Financial Implications

The financial implications are included in the report and HRA budget book.

Consultation on Reports to the Executive

None.

Background Papers

- [Council revenue and capital estimates budget book 2012/13.](#)
- [HRA Business Plan 2012.](#)

John Golding
Head of Housing

Housing Review Board
10 January 2013

EAST DEVON DISTRICT COUNCIL REVENUE ESTIMATES 2013/2014

	2012/13		HOUSING REVENUE ACCOUNT	2013/14	
	Estimate			Estimate	Variance
	Original	Revised			
	£	£			
1	(16,318,000)	(16,318,000)	INCOME		
2	(89,000)	(89,000)	Gross Property Rent including Garages	(17,200,000)	(882,000)
3	(16,407,000)	(16,407,000)	Other Rents & Income	(65,000)	24,000
			Total Income	(17,265,000)	(858,000)
			EXPENDITURE		
			Repairs & Maintenance		
4	2,110,710	2,110,710	General	2,203,570	92,860
5	876,660	876,660	Special Works	998,000	121,340
			Supervision & Management		
6	2,420,510	2,420,510	General	2,603,790	183,280
7	846,030	846,030	Special	888,500	42,470
8	225,700	225,700	Other Expenditure	243,440	17,740
9	6,479,610	6,479,610	Total Management & Maintenance	6,937,300	457,690
10	0	0	Depreciation - dwellings	1,077,950	1,077,950
11	0	0	- other	78,190	78,190
12	4,140,000	4,140,000	Transfer to Major Repairs Reserve	4,072,050	(67,950)
13	10,619,610	10,619,610	Total Expenditure	12,165,490	1,545,880
14	(5,787,390)	(5,787,390)	NET COST OF SERVICE	(5,099,510)	687,880
15	3,316,150	3,316,150	Loan Repayments: Interest/Principal	2,569,200	(746,950)
16	(12,360)	(12,360)	Interest on Balances	(36,130)	(23,770)
17	(160)	(160)	Interest on Council House Sales	(90)	70
18	3,303,630	3,303,630		2,532,980	(770,650)
19	(2,483,760)	(2,483,760)	NET OPERATING EXPENDITURE - Deficit / (Surplus)	(2,566,530)	(82,770)
20	750,000	750,000	Revenue Contribution to Capital Expenditure	875,000	125,000
21	(1,733,760)	(1,733,760)	Deficit / (Surplus) for the Year	(1,691,530)	42,230
22	(1,235,911)	(623,967)	BALANCES		
23		(359,500)	Balance brought forward	(2,717,227)	
24	(1,733,760)	(1,733,760)	Predicted net underspend as at 30 November 2012		
25	(2,969,671)	(2,717,227)	Deficit / (Surplus)	(1,691,530)	
			Balance carried forward	(4,408,757)	

	2012/13		Staff Numbers Fulltime Equivalents	2013/14	Variance
26	2.0		Head of Housing & Support	2.0	0.0
27	17.3		Landlord Services	19.0	1.7
28	14.8		Housing Needs & Strategy	16.8	2.0
29	13.2		Asset & Property Team	14.2	1.0
30	2.1		Communal Areas Cleaning	2.1	0.0
31	19.5		Mobile Support Officers	18.3	(1.2)
32	68.9		Total	72.4	3.5

Significant changes and areas of interest in 2013/14

In line with HRA Self Financing accounting guidelines, the charge for **depreciation** on dwellings (line 10) will be credited to the **Major Repairs Reserve** as will a contribution from the HRA for the difference between the Major Repairs expenditure and the depreciation figure (line 12). Major Repairs expenditure will then be funded from the Major Repairs Reserve.

Loan Repayments are for the interest and principal repayments on PWLB loans. The first self financing loan repayment is due in 2014/15.

The **revenue contribution to capital expenditure** is to fund the HRA capital programme after a deduction for estimated usable capital receipts.

EAST DEVON DISTRICT COUNCIL REVENUE ESTIMATES 2013/2014

	2012/13		HOUSING REVENUE ACCOUNT	2013/14	
	Estimate			Estimate	Variance
	Original	Revised			
	£	£		£	£
1	(15,929,750)	(15,929,750)	INCOME		
2	(388,250)	(388,250)	Gross Property Rents	(16,800,000)	(870,250)
3	(89,000)	(89,000)	Garage Rents	(400,000)	(11,750)
4	(16,407,000)	(16,407,000)	Other Rents and Income	(65,000)	24,000
			TOTAL INCOME	(17,265,000)	(858,000)
			REPAIRS & MAINTENANCE		
			Repairs and Maintenance - General		
5	1,401,360	1,401,360	Response Maintenance	1,550,270	148,910
			Annual Programmed Maintenance		
6	15,450	15,450	Communal Areas Maintenance	15,450	0
7	36,050	36,050	Solid Fuel Appliances - Servicing	80,000	43,950
8	10,000	10,000	Emergency lighting & fire alarms	10,000	0
9	400,000	400,000	Gas Appliances - Servicing	400,000	0
10	35,000	35,000	Lift Maintenance	35,000	0
11	496,500	496,500	Total Programmed Maintenance	540,450	43,950
			Cyclical Programmed Maintenance:		
12	200,000	200,000	External Painting Programme	100,000	(100,000)
13	12,850	12,850	Interior Decoration	12,850	0
14	212,850	212,850	Total Cyclical Maintenance	112,850	(100,000)
15	2,110,710	2,110,710	Total Repairs and Maintenance - General	2,203,570	92,860
			Repairs and Maintenance - Special Works		
16	103,000	103,000	Social Services Adaptations (minor works)	100,000	(3,000)
17	2,000	2,000	Woodworm Treatment	2,000	0
18	60,000	60,000	Condensation & Damp Eradication	55,000	(5,000)
19	10,000	10,000	Carbon Management Programme	100,000	90,000
20	20,000	20,000	Improvements Voucher Scheme	20,000	0
21	3,000	3,000	Sanctuary Scheme	3,000	0
22	20,000	20,000	Structural Works - Subsidence	20,000	0
23	40,000	40,000	Asbestos Works	40,000	0
24	3,000	3,000	Grant Via Tenant Participation	3,000	0
25	10,000	10,000	Soundproofing	10,000	0
26	15,000	15,000	Energy Performance Certificates	15,000	0
27	20,000	20,000	Path Repairs	20,000	0
28	5,000	5,000	Minor Schemes	5,000	0
29	50,000	50,000	Fire Safety Works	50,000	0
30	0	0	Flat Roof Repairs *	10,000	10,000
31	0	0	Chimney Repairs *	10,000	10,000
32	0	0	Fence Programme *	15,000	15,000
33	0	0	Replacement Floors *	20,000	20,000
34	515,660	515,660	Catch up Repairs	500,000	(15,660)
35	876,660	876,660	Total Repairs and Maintenance - Special Works	998,000	121,340

Significant changes and areas of interest in 2012/13

Dwelling rents have been increased by an average of 4.79% (September RPI + 0.5% +/- £2) in line with the government's social rent convergence policy but have been offset by an increased provision for bad debts of 2.5% and an allowance for sales of properties. The average rent has increased from £72.41 to £75.88. Garage rents have been increased by 3%.

Following good practice guidelines all **Solid Fuel Appliances** will be serviced annually rather than bi-annually (HRB 08/11/12).

The **external painting programme** budget has been reduced as it is intended that wooden fascias, bargeboards and soffits are replaced with uPVC (see Major Repairs) (HRB 08/11/12).

The **Carbon Management Programme** budget has been increased to £100,000 to cover loft insulation and other energy saving options (HRB 08/11/12).

Catch up Repairs will be those identified by the Stock Condition Survey and deemed necessary by the Maintenance Surveyors.

* The budgets for these four schemes (lines 30 to 33) have been moved from Major Repairs.

EAST DEVON DISTRICT COUNCIL REVENUE ESTIMATES 2013/2014

	2012/13		HOUSING REVENUE ACCOUNT	2013/14	
	Estimate			Estimate	Variance
	Original	Revised			
	£	£		£	£
			SUPERVISION & MANAGEMENT		
			Supervision & Management - General		
1	1,473,980	1,473,980	Employees	1,614,430	140,450
2	100,190	100,190	Premises	98,690	(1,500)
3	106,250	106,250	Transport	104,090	(2,160)
4	144,740	144,740	Supplies & Services	134,880	(9,860)
5	1,029,350	1,029,350	Support Services	1,151,620	122,270
6	2,854,510	2,854,510	Total Expenditure	3,103,710	249,200
7	(2,500)	(2,500)	Income	(2,000)	500
8	2,852,010	2,852,010	Net Expenditure before Recharges	3,101,710	249,700
9	(431,500)	(431,500)	Recharges	(497,920)	(66,420)
10	2,420,510	2,420,510	Net Supervision & Management - General	2,603,790	183,280
			Net Expenditure Analysis by Cost Centre		
11	563,840	563,840	General Operational Management	579,340	15,500
12	188,050	188,050	Head of Housing & Support	254,470	66,420
13	744,950	744,950	Landlord Services	797,470	52,520
14	612,330	612,330	Housing Needs & Strategy	649,530	37,200
15	676,450	676,450	Asset & Property Team	744,470	68,020
16	2,750	2,750	Council House Sales	21,400	18,650
17	3,450	3,450	Sewage Treatment Works	4,110	660
18	60,190	60,190	Communal Areas Cleaning	50,920	(9,270)
19	2,852,010	2,852,010	Net Expenditure before Recharges	3,101,710	249,700
20	(431,500)	(431,500)	Recharges	(497,920)	(66,420)
21	2,420,510	2,420,510	Total Analysis by Cost Centre	2,603,790	183,280
			Supervision & Management - Special		
22	42,500	42,500	Community Centres	46,160	3,660
23	5,000	5,000	Choice Based Lettings	10,000	5,000
24	323,470	323,470	Maintenance of Grounds	327,170	3,700
25	66,770	66,770	Play Areas	30,430	(36,340)
26	0	0	Estate Management	40,000	40,000
27	0	0	Noise Nuisance Issues	10,000	10,000
28	0	0	Anti Social Behaviour	2,000	2,000
29	0	0	Caretaking & Window Cleaning	410	410
30	29,380	29,380	Communal Areas Lighting	32,000	2,620
31	12,000	12,000	Communal Areas Heating	24,000	12,000
32	5,000	5,000	STAR Survey	0	(5,000)
33	3,240	3,240	Tenants' Conference	3,240	0
34	15,000	15,000	ASW Procurement	15,000	0
35	10,000	10,000	De-commissioning Costs	10,000	0
36	10,300	10,300	Business Plan Update	5,000	(5,300)
37	317,700	317,700	Mobile Support Officers	324,130	6,430
38	5,670	5,670	District Offices Running Expenses	8,960	3,290
39	846,030	846,030	Total Supervision & Management - Special Expenses	888,500	42,470

Significant changes and areas of interest in 2012/13

An allowance for a 1% pay award has been included in the **Employees** budgets.

General Operational Management includes internal recharges from other services, rates, insurance, fees for external audit & Treasury Management advice and the annual valuation of the housing stock.

The decrease in **Play Areas** is due to a lower recharge from Streetscene for inspections and maintenance.

New budgets for **Estate Management**, **Noise Nuisance Issues** and **Anti Social Behaviour** have been included for improving estates, dealing with problem issues and engaging communities.

The **STAR Survey** is conducted every other year.

There has been a reduction of 1.2 fte in the **Mobile Support Officers** staff. Supporting People income has been reduced by 10% to reflect the anticipated changes to the funding contract with Devon County Council.

EAST DEVON DISTRICT COUNCIL REVENUE ESTIMATES 2013/2014

	2012/13		HOUSING REVENUE ACCOUNT	2013/14	
	Estimate			Estimate	Variance
	Original	Revised			
	£	£		£	£
			Other Expenditure		
1	13,850	13,850	Sewerage - Repairs, Maintenance & Emptying	13,080	(770)
2	36,070	36,070	Tenant Participation	38,110	2,040
3	5,150	5,150	Tenant Scrutiny	5,150	0
4	2,060	2,060	Storage	2,000	(60)
5	2,000	2,000	38 St Pauls Road Heathpark	2,600	600
6	6,000	6,000	Community Development Work	9,750	3,750
7	2,000	2,000	Minor Management Schemes	5,000	3,000
8	10,000	10,000	Road Repairs	20,000	10,000
9	1,000	1,000	Signs on Estates	1,000	0
10	3,000	3,000	Off Street parking - Grants to Tenants	3,000	0
11	10,000	10,000	Other Expenses (incl pest control)	8,000	(2,000)
12	0	0	Gully Cleansing	3,000	3,000
13	37,170	37,170	Tree Felling and Planting	29,850	(7,320)
14	5,000	5,000	Landscaping	5,000	0
15	75,000	75,000	Removal Expenses (Downsizing)	75,000	0
16	500	500	Private Water Supplies - Service & Maintenance	400	(100)
17	10,000	10,000	Removal of Rubbish	15,000	5,000
18	6,900	6,900	Best Value - Housemark	7,500	600
19	225,700	225,700	Total Other Expenditure	243,440	17,740
			Major Repairs		
20	500,000	500,000	Central Heating Replacement	200,000	(300,000)
21	150,000	150,000	Electrical Updating	150,000	0
22	250,000	250,000	Roof Renewal	250,000	0
23	0	0	Replacement uPVC fascias etc	400,000	400,000
24	1,000,000	1,000,000	Replacement Kitchens	1,000,000	0
25	0	0	Replacement Bathrooms	300,000	300,000
26	600,000	600,000	Replacement Doors	600,000	0
27	0	0	Replacement Gas Boilers	800,000	800,000
28	250,000	250,000	Electrical Works on Change of Tenancy	250,000	0
29	900,000	900,000	Change of Tenancy Other Expenditure	1,200,000	300,000
30	10,000	10,000	Flat Roof Repairs *	0	(10,000)
31	10,000	10,000	Chimney Repairs *	0	(10,000)
32	15,000	15,000	Fence Programme *	0	(15,000)
33	20,000	20,000	Replacement Floors *	0	(20,000)
30	435,000	435,000	Modernisation	0	(435,000)
31	4,140,000	4,140,000	Total Major Repairs	5,150,000	1,010,000

Significant changes and areas of interest in 2012/13

Road Repairs includes £10,000 moved from the Capital Programme.

Tree Felling and Planting has been reduced to reflect actual expenditure incurred.

Budgets for Major Repairs include the changes agreed at HRB on 08/11/12.

Central Heating replacements will now be carried out every 30 years.

A new budget of £400,000 for replacing wooden **fascias, bargeboards and soffits** with uPVC has been included which is partially offset by the reduction in the painting programme.

Replacement kitchens and bathrooms have now been identified separately with an increased overall budget.

Boiler Replacements require a budget of £800,000 to catch up and bring boiler life cycles to 15 years.

Change of Tenancy expenditure has been increased to reflect the actual level of expenditure incurred.

* Budgets for these four schemes (lines 30 to 33) have been moved to Special Works .

The **Modernisation** budget of £435,000 is no longer required and the saving used to offset additional expenditure elsewhere.

Service Plan Template 2013-2016: Contents Page

Section 1	Brief description of service and purpose(s)
Section 2	Key achievements in 2012/13
Section 3	Looking forward: what we will do in 2013/14
Section 3a	Looking forward: any Service challenges or pressures for next 3 years
Section 3b	Looking forward: options for doing things differently
Section 3c	Looking forward: what we will measure, how often and for whom
Section 4	Resources and workforce planning
Section 5	Training and development
Section 6	Service risks: current and new/emerging
Section 7	Equalities

Notes for Service Heads and Corporate Managers:

*Certain parts of this form will be pre-populated. This will include your turnover, full time equivalent/headcount, absence rates and current net budget for your service.

Shaded areas are for guidance.

When you have completed your Service Plan:

- ✓ Save to O:\Service Plans. Final versions will be placed on the intranet/internet
- ✓ Communicate it to your staff
- ✓ Keep it under review – make it a live document which adds value!
- ✓ Use it to formulate individual objectives

Service Planning 2013-16

HOUSING SERVICE

Version3/Dec.2012

April 2013 – March 2014

Head of Service: John Golding

Portfolio holders: Cllr Jill Elson & Cllr Stephanie Jones

Housing Review Board Chair: Cllr Pauline Stott

Section 1 – Brief description of service and purpose(s)	
What we do and who we deliver to	<p>In Housing we aim to secure - A decent home for all.</p> <p>We have also adopted the following purposes where we have undertaken Systems Thinking reviews:</p> <ul style="list-style-type: none"> ➤ <i>To match the right people with the right home (voids & allocations).</i> ➤ <i>Do the right repair at the right time, get it right first time, and stay fixed (responsive repairs).</i> ➤ <i>Do the right service/repair at the right time, and leave safe (gas servicing).</i> ➤ <i>To collect the right amount of rent at the right time (rent management).</i> ➤ <i>Deal with customer emergencies promptly (Home Safeguard).</i> ➤ <i>Better housing, better health (private sector housing).</i>
How we deliver and ensure equal access	<p><i>Service delivery is through a variety of direct or in-house provision and a number of contracts/partnerships with partners.</i></p> <p><i>In Landlord Services we work to an adopted specific housing diversity commitments and Housing Customer Charter.</i></p> <p><i>We set service standards with customers.</i></p>
How we compare	<p><i>We use HouseMark for periodic benchmarking exercises of Landlord Services and report the results to the Housing Review Board. We have also undertaken a STAR tenant satisfaction survey.</i></p> <p><i>The Devon Housing Options Partnership uses the Quality Standards Framework which we have reported to Cabinet.</i></p>
Statutory elements of the service	<p><i>Landlord services</i></p> <p><i>Homelessness/Housing Advice</i></p> <p><i>Housing Register and Allocations</i></p> <p><i>Tenancy Strategy</i></p> <p><i>Private sector housing enforcement, Private Water Supply assessment and enforcement, Caravan Site Licensing, Provision of Disabled Facilities Grants, Environmental Pollution associated with Rural Drainage.</i></p>
Current net budget (excludes Internal support charges and capital budget)	<p><i>Housing Revenue Account has an annual turnover of £17 million.</i></p> <p><i>General Fund budgets are annually circa. £280k for private sector housing; £518k for homelessness; and a modest trading surplus for Home Safeguard.</i></p>

Section 2 – Key achievements in 2011/12		
	<i>Briefly describe key achievements and what outcomes were created. This will inform Corporate Plan summary at year end.</i>	<i>Strategic link to Council Plan priorities</i>
1	<p>Housing Needs and Strategy Homes and Communities Plan published. Acquisition of 11 homes at Morton Way, Axminster. Third Annual Report to Tenants produced. Homeless prevention and reduced use of temporary accommodation. Rough Sleeping initiative introduced. Peer Review and improvement actions implemented for housing options. STAR survey demonstrating high levels of tenant satisfaction.</p>	<p>Council Plan</p> <p>Homes and Communities Plan</p> <p>HRA Business Plan</p> <p>Homelessness Strategy</p>
2	<p>Landlord Services Maintaining a high proportion of rent collection. Home Safeguard maintaining TSA accreditation. Cluster offices for support staff established in towns. Get Digital project being rolled out. Extension and consolidation of community development activities. Tenancy audits. SWITCH Project extended into Axminster. Housing Matters magazine introduced. Tenant Scrutiny report and review of community centres produced and recommendations acted upon.</p>	<p>Council Plan</p> <p>Homes and Communities Plan</p> <p>HRA Business Plan</p> <p>Tenant Involvement Strategy</p>
3	<p>Property and Asset Services Maintaining Council homes in good condition. Mobilisation and introduction of the new responsive repairs contract. Procurement efficiencies progressed. Fire Risk Assessments being rolled out. Car parking and garage reviews undertaken and actions being implemented.</p>	<p>Council Plan</p> <p>Homes and Communities Plan</p> <p>HRA Business Plan</p>
4	<p>Private Sector Housing Long term empty homes brought back into use. Private water supplies monitoring and risk assessments. Improving housing conditions. Introducing an alternative Home</p>	<p>Council Plan</p> <p>Homes and Communities Plan</p> <p>Private Sector Housing</p>

	Improvement Agency service.	Renewal Plan Empty Homes Strategy
5	General Housing Revenue Account Business Plan updated. HRA loan portfolio secured at favourable interest rates. HouseMark benchmarking survey undertaken. Plans and strategies updated. Response to flooding and other emergencies. Housing Review Board considering a wide range of issues.	Council Plan Homes and Communities Plan HRA Business Plan

Section 3 – Looking forward : what we will do in 2012/13				
Key Service Objectives (please include consultation or procurement activity required)	Financial/corporate resource	Lead Officer	Start date	End date
a) Living in an outstanding place				
Our Homes & Communities Plan aims are:				
1. Provide a range of affordable housing to meet housing needs.	HRA/Capital Plan	DB	Ongoing	
2. Prevent homelessness wherever possible, and otherwise ensure that accommodation is provided for those who do become homeless.	General Fund	DB	Ongoing	
3. Maintain and manage the council owned housing stock to a high standard, actively involving tenants in all aspects of the service.	HRA	SB	Ongoing	
4. Bring sub-standard housing (of all tenures) up to current standards.	HRA/General Fund/Capital Plan	MS	Ongoing	
5. Improve the use and safety of housing.	Ditto	MS	Ongoing	
6. Enable elderly persons, disabled people, and people with special needs to live as Independently as possible and remain in their own homes if they so wish.	Ditto	MS/SB	Ongoing	
7. Improve the sustainability and energy efficiency of housing and eliminate fuel	Ditto	MS/DB	Ongoing	

poverty.				
8. Widen the choice of housing, especially for those in priority need.	Ditto	DB	Ongoing	
9. Support the improvement and regeneration of local communities by encouraging social inclusion, involving children and young people in housing issues, and enabling residents to actively participate in their communities.	Ditto	SB	Ongoing	
10. Have consistently satisfied customers.	Ditto	All	Ongoing	
b) Working in an outstanding place				
c) Enjoying an outstanding place				
d) Outstanding Council				
Core Service Specific Actions				
Produce at least 100 new affordable homes per annum.	Capital Plan/HRA	DB	Ongoing	
Produce at least one rural affordable scheme per annum.	Capital Plan	DB	Ongoing	
Maintain a healthy Housing Revenue Account, manage debt/loan portfolio, and programmes of maintenance, improvement and adaptations to tenant's homes.	HRA	JG	Ongoing	
Manage and utilise all housing assets to best effect and consider disposal where assets are not meeting their purpose.	HRA	JG	Ongoing	
Maintain high levels of rental and other income whilst achieving affordable homes and affordable warmth for tenants.	HRA	SB	Ongoing	
Procure services and programmes efficiently achieving value for money for service users.	HRA	JG	Ongoing	
Explore opportunities for introducing fair and proportionate service charges.	HRA	SB	Ongoing	
Comply with the regulatory framework and evidence achievement of the standards.	HRA	JG	Ongoing	
Support the Tenant Scrutiny process, Tenant Representative Group and Service Review Groups.	HRA	SB	Ongoing	
Deliver service efficiencies and improvements through the application of Systems Thinking techniques and ensure that we do 'what	HRA/GF	All	Ongoing	

matters' for customers.				
Improve the environment on selected estates.	HRA	SB	Ongoing	
Continue the programme of estate walkabouts and BlitzDays.	HRA	SB	Ongoing	
Deliver continuing improvements in communal cleaning and grounds maintenance.	HRA	SB	Ongoing	
Undertake Fire Risk Assessments in flats and implement any improvements required to comply with good practice advice.	HRA	DB	Ongoing	
Implement the Private Sector Housing Renewal Plan delivery actions.	GF	MS	Ongoing	
Implement the loan scheme to provide alternative assistance through partners for elderly and vulnerable home owners to carry out repairs to their properties and to remain in their own homes.	GF	MS	Ongoing	
Set up a Landlords' accreditation scheme.	GF	MS	March 2013	Sept 2013
Improve conditions in the private rented sector using advice and enforcement, specifically targeting houses in multiple occupation.	GF	MS	Ongoing	
Produce a Home Energy Conservation Act Strategy aimed at improving the thermal efficiency of homes in the district.	Capital Plan/GF	MS	Dec 2012	March 2013
Implement the Empty Homes Strategy and revise the action plan.	GF	MS	Ongoing	
Complete the risk assessments of private water supplies and maintain a sampling regime.	GF	MS	Ongoing	
Develop the Switch project for training and employment opportunities for younger people.	HRA	SB	Ongoing	
Develop targeted community projects and facilities for young people to develop their skills.	HRA	SB	Ongoing	
Develop the Devon Home Choice regional Choice Based Lettings scheme and ensure that we match the right people with the right home.	HRA/GF	DB	Ongoing	
Through decommissioning have less sheltered housing.	HRA	SB	Ongoing	
Increase Home Safeguard income and maintain Supporting People income.	GF	SB	Ongoing	
Expand the use of Home Safeguard including lone working and telecare services.	GF	SB	Ongoing	

Support tenants in holding an annual tenant conference.	HRA	SB	Ongoing	
Expand homeless prevention work and have less temporary accommodation in use.	GF	DB	Ongoing	
Continue to reduce the average void times and End to End times.	HRA	DB	Ongoing	
Achieve all responsive repairs within target timescales and at tenant's convenience.	HRA	DB	Ongoing	
Meet the local offers/standards commitments to tenants contained in Our Commitments to You.	HRA	JG	Ongoing	

Section 3 a – Looking forward: any Service challenges or pressures for the next three years? (Revenue/Capital)

1. Operating the Housing Revenue Account under the self-financing regime and managing high levels of debt whilst continuously improving services for customers.
2. Managing the transition to Welfare Reform which may lead to the loss of income if tenants struggle to pay their rent and service charges.
3. Improving housing standards in the private sector.
4. Preventing homelessness and increasing housing options.
5. Loss of Supporting People income.
6. Housing demand increasing faster than our ability to supply housing options.
7. Insufficient subsidy/grant/opportunities to provide new affordable homes.
8. Insufficient resources to achieve our private sector ambitions.
9. Implementing the National Housing Strategy Laying the Foundations: A Housing Strategy for England.
10. Assisting the development of a sense of community in Cranbrook.

Section 3 b– Looking forward: options for doing things differently – financial savings / increasing income

1. Establishing East Devon Homes as a standalone business unit of the Council
2. Self-financing of Council housing with the freedoms from government control.
3. Purchasing a new software package for housing, implementation and the introduction of mobile working.
4. Providing a mobile support service in the private sector.
5. Attracting more Home Safeguard business, including Telecare, through marketing and promotion

of our services.
6. Facilitating more Localism/Big Society activities through our community development programme.
7. Introducing a Service Charge regime and considering charging affordable rents.
8. Greater enforcement presence in the private sector.

Section 3 c – Looking forward: what we will measure, how often and for whom

Measure/indicator	How often – monthly, quarterly, bi-annually, annually	For whom? Cabinet, Overview and Scrutiny	Link to Corporate Priorities (listed on page 3 a,b,c or d)	Responsible Officer	Retain this measure (yes/no) or new
1. Homes and Communities Plan	Quarterly	Overview & Scrutiny	Living in an outstanding place	John Golding	Yes
2. Housing Revenue Account Business Plan	Quarterly	Housing Review Board	Living in an outstanding place	John Golding	Yes
3. Housing Revenue Account budget	Quarterly	Housing Review Board	Living in an outstanding place	John Golding	Yes
4. Private Sector Renewal Plan	Quarterly	Overview & Scrutiny	Living in an outstanding place	Meryl Spencer	Yes
5. NI155 Number of affordable homes delivered (gross) (LAA)	Quarterly	Overview & Scrutiny	Living in an outstanding place	Paul Lowe	Yes
6. NI156 Number of households living in temporary accommodation	Quarterly	Overview & Scrutiny	Living in an outstanding place	Andrew Mitchell	Yes
7. NI158 % non-decent council homes	Quarterly	Housing Review Board	Living in an outstanding place	John Golding	Yes
8. Capability at Point of Transaction - Ability to deal with customers at first contact	Quarterly	Overview & Scrutiny	Living in an outstanding place	John Golding	Yes
9. Percentage of Customer Satisfaction within the Housing	Quarterly	Housing Review Board	Living in an outstanding place	John Golding	Yes

Service					
10. Percentage of preventable demand in the Housing Service	Quarterly	Overview & Scrutiny	Living in an outstanding place	John Golding	Yes
11. Rent and other income collected	Quarterly	Housing Review Board	Living in an outstanding place	Peter Richards	Yes
12. End to End times for void turnaround	Quarterly	Housing Review Board	Living in an outstanding place	Dennis Boobier	Yes
13. Responsive repair End to End times & right first time.	Quarterly	Housing Review Board	Living in an outstanding place	Jonathan Burns	Yes
14. Number of empty properties returned to use.	Quarterly	Overview & Scrutiny	Living in an outstanding place	Meryl Spencer	Yes
15. Risk assessments of private water supplies.	Quarterly	Overview and Scrutiny	Living in an outstanding place	Meryl Spencer	Yes

Section 4 – Resources and workforce planning	
Full time equivalents/Headcount*	FTE = 84.92 (as of 30/09/12) Headcount = 95 (as of 30/09/12)
Turnover*	Voluntary Turnover 4 = 4.2% Voluntary & Non Voluntary Turnover 4 = 4.2%
Absence*	Days lost per person: 4.49 days
Which posts have you found it difficult to recruit for/retain in last 12 months?	Programme Works Officer
Number of staff rated below Meets in Performance Excellence Review?	<i>Action being taken to improve performance</i> Performance management including PERs and one to ones.
Number of 'high potential staff'	<i>Action being taken to retain these individuals:</i> CIH Qualification training Housing Study Group

Section 5 – Training and development			
Team based skills/development required	Who for	Expected outcome	When
1. Customer service	All staff	Improved customer service and complaint handling	2013
2. Equalities	All staff	Awareness of our responsibilities	2013
3. Safeguarding children	All staff	Awareness of the Councils policy and reporting procedure	2013
4. Data protection	All staff		2013
5.			

Section 6 – New/emerging risks description	Impact [minor, significant serious, major]	Likelihood [remote, unlikely, likely, very likely]	How managed/controlled <i>What action will you take to reduce/minimise risk</i>
From HRA Business Plan Loans taken out to meet the cost of self-financing of Council housing	3	2	Loans kept to the minimum required and negotiated at low/fixed interest rates. Maintain a healthy HRA surplus.
Rents do not rise or are not collected as anticipated due to Welfare Reform and/or other factors.	3	3	Provision made for increased bad debt. Welfare Advisors appointed. Promote Credit Unions and use of Discretionary Housing Payments.
Right to Buy receipts exceed predictions which need to be reinvested	2	2	Cancel the agreement with the CLG and repay receipts with interest.
Right to Buy sales are lower than planned.	1	2	Costs could be reduced, probably in the major repairs area. Loans could be increased.
Loss of Supporting People income and/or a cut in the funding for the community	3	3	New business generated and/or service charges increased.

alarm system.			
The programme to bring sheltered housing up to fit for purpose standards.	2	2	Reschedule costs, bid for external funding reprioritise work planned.
The cost of maintaining the planned cyclical repairs programme exceeds budget.	3	2	Costs in other areas could be reduced. Loans could be increased.
The achievement of the major repairs programme proves more expensive than anticipated.	3	3	Programme items may need to postponed or lengthened. Expenditure in other areas may need to be cut back, threatening other plan objectives Additional loans may be taken on to ensure slippages do not occur.
The demand for responsive repairs exceeds planned levels.	3	2	Costs in other areas could be reduced.
Failure of responsive repair contractor.	3	3	Other partnering contractor takes over the area.
Changing cost of borrowing.	3	2	Reschedule borrowing and/or work programmes.
Decent Homes Standard raised significantly.	3	2	Business Plan to be reviewed in light of changes.
Unforeseen expenditure required on Council homes.	3	2	Programmes in other areas adjusted to compensate.
New development schemes, locally and nationally creating labour shortages.	3	2	Other costs could be reduced.
Ability to attract and retain suitably qualified housing staff.	3	3	Ensure that recruitment packages are attractive.
Housing staff lone working	2	2	Policies in place to mitigate the risk and Home Safeguard monitoring.
General Fund risks			
Increase in homelessness	2	2	Homelessness Strategy actions.
Failure of private water supply	3	2	Risk assessments.
Home Safeguard system failure/interruption to service	2	2	Disaster recovery arrangements and maintenance contracts.
Data Protection	3	2	Corporate policies and training.
Lone working	2	2	Corporate policies and training.
Grant fraud	1	2	Checks as part of the application process.
Affordable housing scheme failure	1	2	Financial appraisal of development schemes.

Section 7 – Equalities Analysis Requirements	Impact Level [High, Medium, Low]	How managed/controlled <i>What action will you take to reduce/minimise impact</i>
1. Homes and Communities Plan 2012	Medium	Equality Analysis undertaken with details.
2. HRA Business Plan 2012	Medium	Equality Analysis undertaken with details.
3. Homelessness Strategy	High	Equalities Analysis being refreshed with new strategy.
4. Private Sector Renewal Plan 2012	Medium	Equalities Analysis being refreshed with new strategy.
5. Devon Home Choice	High	Equality Analysis undertaken with details.
6. Tenant Involvement Strategy	Medium	Equality Analysis undertaken with details.

Agenda Item: 09

Housing Review Board

10 January 2013

MW



HRA Financial Monitoring Report 2012/13 – Month 8 November

Summary

This report gives a summary of the overall financial position on the Housing Revenue Account, HRA Capital Programme and the Business Plan for 2012/13 at the end of month eight (November 2012).

Regular monitoring will highlight any areas of concern or unforeseen expenditure in the HRA and associated capital programme and enable corrective action to be taken as required. Any variances will be reflected in the Business Plan.

Current monitoring indicates that:

- The Housing Revenue Account Balance will be maintained at or above the adopted level.
- The position on the HRA Business Plan has not changed significantly and remains in a healthy position.

Recommendation

That the variances identified as part of the HRA revenue and capital monitoring process up to month eight be acknowledged.

a) Reasons for Recommendation

The report updates the Board on the overall financial position of the Housing Revenue Account and Business Plan following the end of each month and includes recommendations where corrective action is required for the remainder of the financial year.

b) Alternative Options

To disagree with the recommended actions proposed.

c) Risk Considerations

Current monitoring indicates that the HRA and Business Plan balances are being maintained at or above the adopted levels.

In compiling this report we have looked at all large, high risk and volatile budget areas. Predicted spending patterns have been linked to operational activity and all material budgets have been subject to thorough risk assessments by operational managers

and finance staff. Any continuing variances in spending patterns will be considered and incorporated into the Business Plan.

d) Policy and Budgetary Considerations

This report highlights all budgetary variances and then comments on the level and adequacy of balances.

e) Date for Review of Decision

Updated positions are to be presented to future meetings of the Board.

Financial Monitoring Report 2012/13 – To Month 8 November

1. Introduction

1.1.1 The purpose of this monitoring report is to update members of the Board on the overall financial position of the Housing Revenue Account and Business Plan following the end of month eight.

2. Housing Revenue Account Position

2.1 A summary of the predicted over and under spends to the year end is shown below:

	Variation at Month 8 £	Predicted Outturn Variation £
Slippage of purchase of new IT system into 2013/14	(150,000)	(150,000)
Balance of funding to purchase 11 properties at Morton Way Axminster from HRA surplus		520,000
Estimated capital receipts available to fund capital schemes	(71,000)	(139,000)
Overspend on responsive maintenance (day to day repairs)	(46,000)	100,000
Underspend on external painting contract	(41,000)	(100,000)
Variations from previous report (month 6)		(590,500)
Total variations		(359,500)

2.2 The following table shows the original budget surplus set for the year and the total variations as identified above, which are likely to affect the budget to give a revised budget surplus for the year.

	£	£
Budget surplus (set 22/02/12)		(1,733,760)
Month 8 predicted net (under)/overspend to year end	(359,500)	(359,500)
Predicted Budget Surplus		(2,093,260)

Appendix A gives a more detailed breakdown of the HRA budgets and actual expenditure and income to date.

- 2.3 These variations will have the following effect on the Housing Revenue Account Balance:

	£	£
Housing Revenue Account Balance (01/04/12)		(623,967)
Predicted budget surplus as above		(2,093,260)
Predicted HRA Balance (31/03/13)		(£2,717,227)

The recommended level for the HRA balance has been agreed at £2.1m (£500 per property). The current balance is above the recommended level and will be carried forward into 2013/14 to be used for further investment in the housing stock and to offset any adverse effects of Welfare Reform.

3. Capital Programme Position

- 3.1 The following table shows the revised HRA Capital Programme totalling £1.784m and the expenditure to date. Capital receipts can be used to fund part of this sum with the balance to be met by a revenue contribution from the HRA and/or from external borrowing.

HRA Capital Programme Summary	Budget £000	Spend to date £000
River Otter flood & erosion protection scheme	265	150
New Housing IT System – slipped to 2013/14	0	0
Major improvements/extensions/loft conversions to existing dwellings	175	8
Off street car parking	50	28
Re-modelling of sheltered schemes	200	53
Non feaseance road repairs	10	1
Social Services Adaptations	200	21
Purchase of 11 houses Morton Way Axminster	884	874
Total Programme	1,784	1,135

As agreed at the last HRB meeting on 8 November 2012, the balance of the cost of the purchase of 11 houses at Morton Way Axminster, after using the S106 commuted sum and retained RTB receipts, is to be funded from the HRA surplus.

It is unnecessary to borrow externally when the HRA surplus is expected to be higher than the recommended level.

- 3.2 This table shows the capital receipts received in the year to date and how those receipts must be allocated.

Capital Receipts	£000
Sale of council houses/flats	(634)
Sale of land	0
Total capital receipts received	(634)
Allocation of receipts:	
Retained for repayment of debt	(98)
Retained for provision of new social housing	(203)
Retained for funding other HRA capital expenditure	(105)
Paid to HM Treasury	(228)
Total capital receipts allocation	(634)

There have been 8 Right to Buy sales completed so far this year with further sales known to be proceeding.

HRA Business Plan

- 4.1 Appendix B shows the Business Plan Operating Account which reflects the above changes in 2012/13 and the subsequent impact on balances for future years.

Legal Implications

There are no legal implications identified.

Financial Implications

Details are contained within the report.

Consultation on Reports to the Cabinet

Not applicable.

Background Papers

- HRA budget monitoring statement
- [HRA Business Plan](#)

Mandy White (HRA Accountant) Ext 2357

**EAST DEVON DISTRICT COUNCIL
REVENUE BUDGET MONITORING 2012/2013**

**SUMMARY OF HOUSING REVENUE ACCOUNT
Period to 30 November 2012**

2012/2013			Service	2012/2013	2012/2013
Budget				Actual	Variance
Original	Revised	Year to Date		£	£
£	£	£		£	£
			INCOME		
1	(16,318,000)	(16,398,000)	(10,712,132)	Gross Property Rent including Garages	(10,794,055) (81,923)
2	(89,000)	(89,000)	(75,220)	Other Rents & Income	(57,726) 17,494
3	(16,407,000)	(16,487,000)	(10,787,352)	Total Income	(10,851,781) (64,429)
			EXPENDITURE		
			Repairs & Maintenance		
4	2,110,710	2,110,710	1,407,230	General	1,346,521 (60,709)
5	876,660	876,660	584,480	Special Works	179,611 (404,869)
			Supervision & Management		
6	2,420,510	2,412,010	1,793,682	General	1,722,362 (71,320)
7	846,030	826,030	737,958	Special	685,582 (52,376)
8	225,700	225,700	159,900	Other Expenditure	130,100 (29,800)
9	6,479,610	6,451,110	4,683,250	Total Management & Maintenance	4,064,176 (619,074)
10	0	0	0	Adjustment to Bad Debt Provision	0 0
11	0	0	0	Housing Subsidy - 2011/12 adjustment	(27,645) (27,645)
12	4,140,000	4,140,000	2,759,840	Major Repairs Account	1,925,626 (834,214)
13	10,619,610	10,591,110	7,443,090	Total Expenditure	5,962,157 (1,480,933)
14	(5,787,390)	(5,895,890)	(3,344,262)	NET COST OF SERVICE	(4,889,624) (1,545,362)
15	(12,360)	(12,360)	0	Interest on Balances	0 0
16	3,316,150	2,569,150	1,284,570	Principal & Interest Payable (PWLB loans)	1,256,870 (27,700)
17	(160)	(160)	(80)	Interest on Council House Sales	(61) 19
18	3,303,630	2,556,630	1,284,490		1,256,809 (27,681)
19	(2,483,760)	(3,339,260)	(2,059,772)	NET OPERATING EXPENDITURE - Deficit / (Surplus)	(3,632,815) (1,573,043)
20	750,000	1,246,000	0	Revenue Contribution to Capital Expenditure	0 0
21	(1,733,760)	(2,093,260)	(2,059,772)	Deficit / (Surplus) for the Year	(3,632,815) (1,573,043)
			BALANCES		
22	(1,235,911)	(623,967)	(623,967)	Balance b/f	(623,967) 0
23	(1,733,760)	(2,093,260)	(2,059,772)	Deficit / (Surplus)	(3,632,815) (1,573,043)
24	(2,969,671)	(2,717,227)	(2,683,739)	Balance C/F	(4,256,782) (1,573,043)

EAST DEVON DISTRICT COUNCIL
REVENUE BUDGET MONITORING 2012/2013

HOUSING REVENUE ACCOUNT - DETAILED STATEMENT

	2012/2013			Service	2012/2013		
	Budget				Actual	Variance	Committed
	Original	Revised	Year to Date				
	£	£	£	£	£	£	
				SUPERVISION & MANAGEMENT			
				Supervision & Management - General			
1	1,473,980	1,465,480	981,402	Employees	958,094	(23,308)	
2	100,190	100,190	53,250	Premises	9,167	(44,083)	
3	106,250	106,250	73,400	Transport	67,888	(5,512)	
4	144,740	144,740	89,460	Supplies & Services	92,937	3,477	
5	1,029,350	1,029,350	1,029,350	Support Services	1,029,350	0	
6	2,854,510	2,846,010	2,226,862	Total Expenditure	2,157,436	(69,426)	
7	(2,500)	(2,500)	(1,680)	Income	(3,574)	(1,894)	
8	2,852,010	2,843,510	2,225,182	Net Expenditure before Recharges	2,153,862	(71,320)	
9	(431,500)	(431,500)	(431,500)	Recharges	(431,500)	0	
10	2,420,510	2,412,010	1,793,682	Net Supervision & Management - General	1,722,362	(71,320)	0
				Net Expenditure Analysis by Cost Centre			
11	563,840	563,840	504,680	JG General Operational Management	462,271	(42,409)	
12	188,050	188,050	150,910	JG Head of Housing	149,288	(1,622)	
13	744,950	758,950	549,247	SB Landlord Services	540,395	(8,852)	
14	612,330	614,830	453,428	DB Housing Needs & Strategy	454,838	1,410	
15	676,450	651,450	514,577	DB Asset & Property	491,969	(22,608)	
16	2,750	2,750	2,570	SB Council House Sales	4,334	1,764	
17	3,450	3,450	3,320	DB Sewage Treatment Works	5,809	2,489	
18	60,190	60,190	46,450	SB Communal Areas Cleaning	44,958	(1,492)	
19	2,852,010	2,843,510	2,225,182	Net Expenditure before Recharges	2,153,862	(71,320)	
20	(431,500)	(431,500)	(431,500)	Recharges	(431,500)	0	
21	2,420,510	2,412,010	1,793,682	Total Analysis by Cost Centre	1,722,362	(71,320)	0
				Supervision & Management - Special			
22	42,500	42,500	31,240	SB Community Centres	18,897	(12,343)	
23	5,000	5,000	3,360	DB Choice Based Lettings	5,060	1,700	
24	323,470	323,470	319,470	SB Maintenance of Grounds	311,470	(8,000)	
25	66,770	66,770	58,370	SB Play Areas	49,011	(9,359)	
26	0	0	0	SB Caretaking & Window Cleaning	305	305	
27	29,380	29,380	19,600	SB Communal Areas Lighting	15,540	(4,060)	
28	12,000	12,000	8,000	SB Communal Areas Heating	11,857	3,857	
29	5,000	5,000	5,000	SB STAR Survey	8,255	3,255	
30	3,240	3,240	3,240	SB Tenants' Conference	2,181	(1,059)	
31	15,000	15,000	15,000	JG ASW Procurement	14,074	(926)	
32	10,000	10,000	6,640	SB Decommissioning Costs	4,774	(1,866)	
33	10,300	10,300	5,150	JG Business Plan Update	1,799	(3,351)	
34	5,670	7,170	6,505	SB District Offices running expenses	13,512	7,007	
35	317,700	296,200	256,383	SB Mobile Support Officers	228,847	(27,536)	
36	846,030	826,030	737,958	Total Supervision & Management - Special	685,582	(52,376)	0

**EAST DEVON DISTRICT COUNCIL
REVENUE BUDGET MONITORING 2012/2013**

HOUSING REVENUE ACCOUNT - DETAILED STATEMENT

	2012/2013			Service	2012/2013		
	Budget				Actual	Variance	Committed
	Original	Revised	Year to Date				
	£	£	£	£	£	£	
				OTHER EXPENDITURE			
1	13,850	13,850	9,850	DB Sewerage - Repairs, Maintenance & Emptying	5,838	(4,012)	
2	36,070	36,070	24,860	SB Tenant Participation	20,482	(4,378)	
3	5,150	5,150	3,440	SB Tenant Scrutiny	3,702	262	
4	2,060	2,060	1,360	SB Storage	1,341	(19)	
5	2,000	2,000	1,360	SB Honiton - Heathpark	668	(692)	
6	6,000	6,000	4,000	SB Community Development Work	1,975	(2,025)	
7	2,000	2,000	1,360	SB Minor Management Schemes	631	(729)	
8	10,000	10,000	6,640	DB Road Repairs	8,675	2,035	
9	1,000	1,000	640	SB Signs on Estates	640	0	
10	3,000	3,000	2,000	DB Off Street parking - Grants to Tenants	1,021	(979)	
11	10,000	10,000	6,640	DB Other Expenses (pest control, eviction expenses)	3,132	(3,508)	
12	0	0	0	DB Gully Cleansing	2,747	2,747	
13	37,170	37,170	30,530	DB Tree Felling and Planting	19,431	(11,099)	
14	5,000	5,000	3,360	DB Landscaping	3,962	602	
15	75,000	75,000	50,000	DB Removal Expenses (downsizing)	38,167	(11,833)	
16	500	500	320	DB Private Water Supplies - Service & Maintenance	193	(127)	
17	10,000	10,000	6,640	SB Removal of Rubbish	10,290	3,650	
18	6,900	6,900	6,900	SB Best Value - Housemark	7,205	305	
19	225,700	225,700	159,900	TOTAL OTHER EXPENDITURE	130,100	(29,800)	0
				MAJOR REPAIRS ACCOUNT			
20	500,000	500,000	333,280	DB Central Heating	247,239	(86,041)	167,761
21	0	0	0	DB Gas Appliance Replacement	45,646	45,646	
22	150,000	150,000	100,000	DB Electrical Updating	2,321	(97,679)	
23	250,000	250,000	166,640	DB Re-roofing	89,624	(77,016)	160,376
24	1,000,000	1,000,000	666,640	DB Kitchens and Bathrooms	400,768	(265,872)	374,232
25	600,000	600,000	400,000	DB Doors	210,990	(189,010)	199,010
26	0	0	0	DB Water Heater Replacement	0	0	
27	250,000	250,000	166,640	DB Electrical Works on COT	187,471	20,831	
28	10,000	10,000	6,640	DB Flat Roof Repairs	7,309	669	
29	10,000	10,000	6,640	DB Chimney Repairs	12,766	6,126	
30	15,000	15,000	10,000	DB Fence Programme	4,230	(5,770)	
31	0	0	0	DB Renewal of Walls	0	0	
32	20,000	20,000	13,360	DB Replacement Floors	6,929	(6,431)	
33	900,000	900,000	600,000	DB COT: Other Expenditure	706,847	106,847	
34	435,000	435,000	290,000	DB Modernisation	3,486	(286,514)	
35	4,140,000	4,140,000	2,759,840	TOTAL MAJOR REPAIRS ACCOUNT	1,925,626	(834,214)	901,379

**East Devon DC
Business Plan
Operating Account - Programme**
(expressed in money terms)

		Income					Expenditure											Net Operating (Expenditure) £,000	Provision for repayment of external loans £,000	Transfer from / (to) MRR £,000	RCCO £,000	Surplus (Deficit) for the Year £,000	Surplus (Deficit) b/fwd £,000	Interest £,000	Surplus (Deficit) c/fwd £,000
Year	Year	Net rent Income £,000	Other income £,000	Misc Income £,000	HRA Subsidy Receivable £,000	Total Income £,000	Managt. £,000	Depreciation £,000	Responsive & Cyclical £,000	Other Revenue spend £,000	HRA Cost of Rent Rebates £,000	Misc expenses £,000	HRA Subsidy Payable £,000	Total expenses £,000	Capital Charges £,000										
1	2012.13	15,947	477	89	0	16,513	(3,238)	(4,375)	(3,774)	(226)	0	0	0	(11,612)	(2,564)	2,337	(5)	3,005	(3,301)	2,036	623	13	2,672		
2	2013.14	16,523	721	21	0	17,265	(3,597)	(4,532)	(6,639)	(250)	0	0	0	(15,018)	(2,564)	(317)	(5)	3,005	(980)	1,702	2,672	35	4,409		
3	2014.15	17,180	741	0	0	17,921	(3,705)	(4,640)	(4,059)	(257)	0	0	0	(12,660)	(2,563)	2,698	(580)	3,005	(32)	5,092	4,409	104	9,605		
4	2015.16	17,666	762	0	0	18,428	(3,816)	(4,752)	(4,178)	(263)	0	0	0	(13,009)	(2,559)	2,859	(1,029)	3,005	(8,012)	(3,176)	9,605	120	6,549		
5	2016.17	18,231	783	0	0	19,014	(3,930)	(4,868)	(4,302)	(270)	0	0	0	(13,369)	(2,548)	3,096	(1,490)	3,005	(3,535)	1,076	6,549	106	7,732		
6	2017.18	18,794	805	0	0	19,598	(4,048)	(4,986)	(4,429)	(276)	0	0	0	(13,739)	(2,529)	3,330	(1,310)	3,005	(3,575)	1,450	7,732	127	9,308		
7	2018.19	19,360	827	0	0	20,188	(4,169)	(5,107)	(4,559)	(283)	0	0	0	(14,119)	(2,509)	3,560	(1,587)	3,005	(3,617)	1,360	9,308	150	10,818		
8	2019.20	19,935	850	0	0	20,786	(4,294)	(5,231)	(4,694)	(290)	0	0	0	(14,509)	(2,481)	3,795	(1,917)	3,005	(3,661)	1,222	10,818	171	12,212		
9	2020.21	20,523	874	0	0	21,397	(4,423)	(5,358)	(4,832)	(298)	0	0	0	(14,911)	(2,443)	4,043	(2,259)	3,005	(3,706)	1,082	12,212	191	13,485		
10	2021.22	21,125	898	0	0	22,024	(4,555)	(5,488)	(4,975)	(305)	0	0	0	(15,323)	(2,392)	4,308	(2,619)	3,005	(3,874)	820	13,485	208	14,514		
11	2022.23	21,745	924	0	0	22,669	(4,692)	(5,621)	(5,122)	(313)	0	0	0	(15,748)	(2,329)	4,592	(2,889)	3,005	(3,927)	781	14,514	224	15,519		
12	2023.24	22,383	949	0	0	23,332	(4,832)	(5,758)	(5,273)	(321)	0	0	0	(16,184)	(2,255)	4,894	(3,288)	3,005	(3,982)	629	15,519	237	16,385		
13	2024.25	23,039	976	0	0	24,015	(4,977)	(5,898)	(5,429)	(329)	0	0	0	(16,632)	(2,166)	5,217	(3,718)	3,005	(4,040)	464	16,385	249	17,098		
14	2025.26	23,714	1,003	0	0	24,717	(5,126)	(6,041)	(5,589)	(337)	0	0	0	(17,093)	(2,060)	5,564	(4,180)	3,005	(4,100)	289	17,098	259	17,646		
15	2026.27	24,409	1,031	0	0	25,440	(5,280)	(6,188)	(5,754)	(345)	0	0	0	(17,567)	(1,938)	5,936	(4,675)	3,005	(7,169)	(2,903)	17,646	243	14,986		
16	2027.28	25,124	1,060	0	0	26,184	(5,438)	(6,338)	(5,925)	(354)	0	0	0	(18,055)	(1,797)	6,332	(2,427)	3,005	(7,322)	(412)	14,986	222	14,795		
17	2028.29	25,860	1,090	0	0	26,950	(5,601)	(6,492)	(6,100)	(363)	0	0	0	(18,556)	(1,722)	6,672	(2,710)	3,005	(7,481)	(514)	14,795	218	14,499		
18	2029.30	26,617	1,120	0	0	27,737	(5,769)	(6,649)	(6,281)	(372)	0	0	0	(19,071)	(1,637)	7,030	(3,081)	3,005	(7,644)	(691)	14,499	212	14,021		
19	2030.31	27,397	1,151	0	0	28,549	(5,942)	(6,811)	(6,467)	(381)	0	0	0	(19,601)	(1,537)	7,410	(3,483)	3,005	(7,814)	(882)	14,021	204	13,343		
20	2031.32	28,200	1,184	0	0	29,383	(6,121)	(6,976)	(6,659)	(391)	0	0	0	(20,146)	(1,423)	7,814	(3,915)	3,005	(6,117)	787	13,343	206	14,335		
21	2032.33	29,026	1,217	0	0	30,242	(6,304)	(7,145)	(6,856)	(400)	0	0	0	(20,706)	(1,293)	8,244	(6,063)	3,005	(6,244)	(1,059)	14,335	207	13,484		
22	2033.34	29,876	1,251	0	0	31,127	(6,493)	(7,319)	(7,059)	(410)	0	0	0	(21,281)	(1,090)	8,755	(6,735)	3,005	(6,375)	(1,350)	13,484	192	12,326		
23	2034.35	30,751	1,286	0	0	32,037	(6,688)	(7,496)	(7,268)	(421)	0	0	0	(21,873)	(862)	9,301	(7,413)	3,005	(6,511)	(1,618)	12,326	173	10,881		
24	2035.36	31,651	1,322	0	0	32,973	(6,889)	(7,678)	(7,483)	(431)	0	0	0	(22,482)	(613)	9,879	(8,137)	3,005	(6,652)	(1,905)	10,881	149	9,125		
25	2036.37	32,579	1,359	0	0	33,937	(7,095)	(7,865)	(7,705)	(442)	0	0	0	(23,107)	(334)	10,496	(8,911)	3,005	(8,392)	(3,802)	9,125	108	5,431		
26	2037.38	33,532	1,397	0	0	34,929	(7,308)	(8,056)	(7,933)	(453)	0	0	0	(23,750)	(27)	11,152	(225)	3,005	(8,590)	5,342	5,431	122	10,895		
27	2038.39	34,514	1,436	0	0	35,950	(7,527)	(8,251)	(8,168)	(464)	0	0	0	(24,411)	(19)	11,520	(20)	3,005	(8,794)	5,711	10,895	206	16,812		
28	2039.40	35,525	1,476	0	0	37,001	(7,753)	(8,451)	(8,410)	(476)	0	0	0	(25,091)	(18)	11,893	(21)	3,005	(9,006)	5,871	16,812	296	22,979		
29	2040.41	36,566	1,517	0	0	38,083	(7,986)	(8,657)	(8,659)	(488)	0	0	0	(25,789)	(17)	12,277	(22)	3,005	(9,225)	6,035	22,979	390	29,404		
30	2041.42	37,636	1,560	0	0	39,196	(8,225)	(8,867)	(8,916)	(500)	0	0	0	(26,508)	(16)	12,672	(23)	3,005	(9,451)	6,203	29,404	488	36,094		

Agenda Item: 10

Housing Review Board

10 January 2013

FRS1



Future Rent Setting

Summary

From April 2012 the Housing Service became self-financing and one of the advantages of this is that the Council has greater freedom to set its own future rent levels. Rents are currently set by the governments rent restructuring scheme that is due to finish in 2015/16, but we can opt out of this at anytime should we wish to do so. This paper is presented in the form of a discussion document with questions posed in places.

We know that our 'affordable' rents are very popular with tenants and are a high priority whenever we undertake satisfaction/preference surveys.

Discussions are underway with what will replace the current government rent setting scheme from 2016/17. This report sets out the issues involved with the Council looking to have its own rent setting policy.

Recommendation

To discuss the advantages and disadvantages of the Council having its own rent setting policy and scope a way forward.

a) Reasons for Recommendation

To have more flexibility and control with future rent setting and the management of rental income growth.

b) Alternative Options

To continue with the government rent setting scheme until 2015/16 and then adopting the new scheme from 2016/17 onwards.

c) Risk Considerations

Having a rent setting policy that sets rents too high or too low will affect rental income growth, too little or excess. Plus it creates a dependency on more housing benefits if rents are set too high.

d) Policy and Budgetary Considerations

Rents need to be set at a level that will give sufficient budget for the Housing Service to be able to operate its full range of management and maintenance services.

e) Date for Review of Decision

Rents are reviewed at least annually.

1 Background

- 1.1 In April 2002 the Department for Communities and Local Government (DCLG) set up a rent restructuring scheme for social landlords. The aim of this scheme was to set target rents for properties based on location, average local earnings, average local property values of January 1999 and bedroom numbers. The scheme was initially to run for a period of ten years and during this time rent convergence (rents of social landlords being similar for similar properties) was to happen.
- 1.2 Having set target rents, in 2002, the actual property rents were to move towards the target rents by setting a maximum of £2 per week, plus or minus, by which the actual rent could move towards the target rent on an annual basis. This is after a formula of RPI plus 0.5% was applied to both the target and actual rents. Over the years the scheme has been extended and shortened to where it is now. From April 2002 our rents had a starting position of being considerably lower than the target rent set and our actual annual increases reflect this position (see Table 2).
- 1.3 Rents are a vital source of income for the Housing Revenue Account Business Plan and essentially finance the debt we have taken on as well as housing management and maintenance activities. Income from rents perhaps matched with borrowing also finances new build and acquisitions.

2 What should we aim for?

- 2.1 If we do not follow any new guidelines from the Department of Communities and Local Government for rent restructuring when the current scheme finishes in 2015/16, it then leaves the Local Housing Allowance as a target to reach. I have attached the current Local Housing Allowance (LHA) rates, **annex 1**, and these have been frozen for the last 3 years.
- 2.2 However, there is a disadvantage with aiming for the LHA rates and that is the Rent Rebate Subsidy Limitation (RRSL). The RRSL is an average monetary weekly limit above which the average weekly rent should not exceed. The limit rent is a product of the Housing Benefit Subsidy, it is a calculated figure and the current average weekly rent limit figure is £73.71, our average weekly rent is currently £72.41 and so there is no penalty on the HB subsidy payment from the government. The Council would lose the government HB subsidy above that average limit rent figure, but the HB would still be paid on the higher rents.
- 2.3 This subsidy loss would be a loss to the general fund, but it is likely that the cost will be passed to the HRA. Putting the RRSL aside for a moment, at RPI of 2.5% and 2% additional increase the LHA rent levels would not be achieved for several years and even longer if the LHA was unfrozen and increased with possibly Consumer Price Index (CPI) or Retail Price Index (RPI). Aiming for the LHA would give greater income, higher rents, but we would have to pay back some subsidy to the government.

3. Rent Convergence

- 3.1 Under the current rent restructuring scheme which ends in 2015/16, we would not achieve convergence with approx one quarter of our rents unless there were to be a change to the scheme before 2015/16 to allow this to happen. With rent convergence there is a tie in with the rent and the property value. The LHA is based on bedroom numbers and the disadvantage here is that, take the new build homes at Lympstone, the rents reflect the high specification of the property, but when the LHA is reached, the rent will be the same as other 2 or 3 bed properties in the area, but without the same specification as value is not considered. Is this fair with the LHA?

4. Waiting list and new and existing tenants

- 4.1 If we were to move towards LHA rents, it is certain that more tenants would be claiming HB and existing claimants would be receiving more HB. This would have an impact on under occupancy and benefit caps with more tenants reliant on benefits and being affected by the welfare reforms. Advertising higher rents and/or LHA rents on Devon Home Choice, would this put tenants off? Would they opt for cheaper rents with other providers? There would have to be a more flexible approach when it comes to hard to let properties. It may well be that rents could be reduced to a point that makes the property more attractive to let!

5. Business v Political?

- 5.1 Business wise the LHA looks a very attractive proposition, but LHA is not the only consideration. Do we want to be a Council that has high rents and high increases? Affordable housing? Reputation? – Certainly higher rents will greatly enable the provision of affordable housing, but many would possibly consider LHA rents as not affordable. With reputation we are likely to attract attention and criticism from the media at the outset with ambitions for higher rents, and possibly annually with high yearly increases!

6. 30 Year Business Plan

- 6.1 The Business Plan projected income growth is based on RPI assumed at a constant of 2.5% plus 0.5% and at year 30 gives annual rental income as £40m and an average weekly rent of £182.42. The following table 1 gives projections based on increasing the level above RPI at which the rents are set.

Table 1

RPI	Increase above RPI	Gross Rental Income at Year 30	Average Weekly Rent at Year 30
2.5%	1.0%	44.3m	£198.48
2.5%	1.5%	50.7m	£227.15
2.5%	2.0%	57.9m	£259.80

- 6.2 Over a period of 30 years 0.5% or even less makes a big difference on rental income growth and perhaps it is important to have this flexibility rather than a set rigid increase when considering future rent setting schemes.

7. 10 Year History

- 7.1 In 2002/03 the average weekly rent was £43.89 and using a figure of 4289 for stock would give gross annual rental income of £9.8m. Currently the average weekly rent is £72.41 and the annual rental income for 2012/13 is approx £16.2m. Over this last 10 year period rents and income have increase by 65%.
- 7.2 Below, in table 2, are the figures for RPI + 0.5% compared to the actual annual percentage increase to rents.

Table 2

Year of increase	RPI +0.5%	Annual rent increase	Difference
2003/04	2.2	4.32	2.12
2004/05	3.3	5.09	1.79
2005/06	3.6	5.12	1.52
2006/07	3.2	5.75	2.55
2007/08	4.1	6.56	2.46
2008/09	4.4	5.72	1.32
2009/10	5.5	3.11	-2.39
2010/11	0.991	1.87	0.879
2011/12	5.1	6.98	1.88
2012/13	6.1	7.86	1.76
2013/14	3.1	5.07	1.97

- 7.3 For 2009/10 the figure for RPI in September 2008 was 5.0%, but come February 2009 RPI had dramatically reduced and the DCLG decided that this lower figure for RPI should be used in the formula. Rents were not actually reduced until the autumn of 2010 and this was retrospective from April 2010.
- 7.4 The figures for 2013/14 are to be confirmed through the budget setting process. The actual increase to our rents is higher than RPI + 0.5% because of the additional uplift of a max of £2 per week to move towards target rents. Taking an average, over 10 years, of the difference and adding back 0.5%, annual rent increases are averaging 1.94% above RPI. However, once convergence is reached future increases would mirror the formula of RPI + 0.5%. A future rent model of RPI + 2% could be used, but do we need to reach convergence first and could this be classed as excessive? What about payback on the subsidy?

8. What are the alternatives?

- 8.1 One suggestion would be to set a maximum percentage figure above RPI that we would not go above, but each year we could set and recommend to the Board/Council what the increase would be. This allows for many factors to be taken into account when making the decision to set the level, such as the performance of RPI over a wider period rather than September of the previous year as is used at present. The performance of private sector rents and other housing providers could also be used as a guide along with business and wider market performance.
- 8.2 For instance, the policy could state that rents are to increase by no more than RPI plus 2% per annum. Increases could

then be set at any point from RPI to RPI plus 2% and the level set could provide a business and political compromise. There is also the advantage that where RPI is in a minus mode the additional uplift could be used to neutralise the affect upon the rents and prevent a drop in income for that particular year. Where RPI is high the additional uplift could be nil or very minimal to limit rent increases. Flexibility is the key and this then allows for any reduction in rents for hard to let properties.

- 8.3 Does being flexible mean complicated? An ideal situation would be a simple, but flexible approach perhaps something like setting a level of RPI plus 1%, but having an option to go above or below this depending on market and business performance. There is also an option to link to the Consumer Price Index (CPI) rather than RPI, but having a higher percentage uplift.
- 8.4 Another alternative is reverse modelling, assessing what budget you need for the year and to then determine what the level of rent increase would need to be to achieve the required level of income. This has the advantage of achieving the required income to meet the budget, but rent increases could fluctuate widely and move away from being regular and constant within limits.
- 8.5 This method could be used as a check and be incorporated in a flexible scheme that is simple and works. With a new scheme due from 2015/16 and the possible risk of setting rents too high and exceeding the limit rent resulting in payback to the government, one option is to wait and see what the new scheme delivers and then make a decision. If the Council were to create its own future rent setting policy, there is nothing preventing the policy from being reviewed and update periodically.

Legal Implications

There are no legal implications on which to comment until the Housing Authority's policy has been drafted.

Financial Implications

Financial implications cannot be quantified until a rent setting formula has been agreed.

Consultation on Reports to the Executive

None.

Background Papers

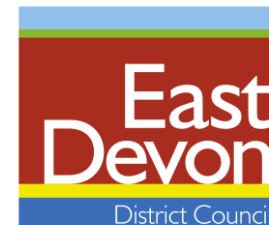
- [Housing Revenue Account Business Plan 2012.](#)

Peter Richards
Rental Manager

Housing Review Board
10 January 2013

Local Housing Allowances

Compiled by the Exeter Rent Service for East Devon District Council



For use during: Jan 2012 only

Weekly Rates						
Broad Rental Market Area	1 bedroom in shared accommodation	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms	5 bedrooms
Mid and East Devon (blue area)	63.50	92.31	121.15	150.00	183.46	
Exeter (green area)	69.23	114.23	138.46	167.31	213.46	
West Dorset (red area)	69.23	103.85	135.00	160.38	206.54	

Monthly Rates						
Broad Rental Market Area	1 bedroom in shared accommodation	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms	5 bedrooms
Mid and East Devon (blue area)	275.17	400.01	524.98	650.00	794.99	
Exeter (green area)	300.00	495.00	599.99	725.01	924.99	
West Dorset (red area)	300.00	450.02	585.00	694.98	895.01	

Notes

Your income and savings may affect how much benefit you will receive.

If you are a single person and under the age of 35 you will only be allowed the 1 bedroom in shared accommodation rate.

From the 1 April 2011 the maximum LHA rate payable for new claims is the four bedroom rate only.

Please see the following websites for further information: www.eastdevon.gov.uk <http://lha-direct.voa.gov.uk>

Agenda Item: 11

Housing Review Board

10 January 2013

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Welfare Reform and the impact of 'bedroom tax' on Council tenants

Summary

This report considers the impact of the 'bedroom tax' element of Welfare Reform on Council tenants and the measures that we have put in place to mitigate the effects on tenants and maintain our high levels of rent collection.

Under occupying tenants will see a reduction in their Housing Benefit if they are under occupying bedrooms and are of working age.

Recommendation

To note the implications of Welfare Reform and prepare for the changes to minimise the impact of 'bedroom tax' on tenants and maintain rental income.

a) Reasons for Recommendation

To raise awareness of the changes and the likely impact on tenants, and how we are attempting to manage the change.

b) Alternative Options

There are options in terms of mitigating the risk, but the Welfare Reforms will be imposed leaving little room for manoeuvre.

c) Risk Considerations

The main risks are tenants not being able to afford their rent, and income due to the Council from tenants falling. A number of measures are being put in place to mitigate the risk. The Housing Revenue Account Business Plan states the risk and contains a risk analysis in more detail.

d) Policy and Budgetary Considerations

These are set out in the report.

e) Date for Review of Decision

After implementation and during 2013.

1 Introduction of bedroom size restrictions for customers receiving Housing Benefit and living in social rented accommodation ‘bedroom tax’

- 1.1 Significant changes were introduced by the Chancellor’s Emergency Budget in June 2010 which included the Welfare Reform Act 2012. From April 2013 working age customers receiving Housing Benefit and living in the social rented sector (East Devon District Council, Housing Association/Registered Providers) may have their Housing Benefit restricted. These changes do not apply to cases where a customer, or their partner, has reached the age for State Pension Credit.
- 1.2 There has previously been little restriction on the size of property Housing Benefit will cover in the social rented sector. This change brings the restrictions for working age customers living in the social rented sector into line with those in the private rented sector, who receive Housing Benefit based on the Local Housing Allowance.
- 1.3 Customers receiving Housing Benefit for social rented sector housing will have the maximum amount they can receive in Housing Benefit restricted, as it will be based on the **number of bedrooms their household needs**, measured against the size criteria which is already used in Local Housing Allowance.
- 1.4 The size criteria allow one bedroom for each of the following:
 - A single adult or couple
 - Two children under the age of 10 of the same or opposite sex
 - Two children under the age of 16 of the same sex
 - Each other person aged 16 or over
 - Any other child
 - A non-resident carer where overnight care has been determined

It does not matter how the spare room is used, the restriction will apply even if:

- The customer and their partner need to sleep apart because of a medical condition
- The main residence of the customer’s children is another address, but they have a spare room for them when they stay.

2. People who will be exempt from the new rules

- Customers where they or their partner have reached the age for State Pension Credit.
- Customers living in shared ownership or part-rent-part-buy properties where the other owner is a Housing Association or Registered Provider.
- Customers living in supported accommodation. This is where the customer’s accommodation and care and support are both provided by their landlord.
- Temporary accommodation provided by East Devon District Council to a customer who is accepted as homeless under the Housing Act 1996.
- For the first 13 weeks of a claim where the customer has not previously been awarded Housing Benefit in the past 52 weeks, and was able to meet their rent payments themselves when they moved in.

- For 12 months from when there has been a bereavement in the household. Their claim will be based either upon the actual rent or, in the case of an existing award of Housing Benefit, their previous eligible rent.

3. How much is the reduction?

- A 14% reduction will be made for those who under-occupy their home by a single bedroom.
- A 25% reduction will be made for those who under-occupy their home by two bedrooms or more.

This change will come into effect for all existing and new customers to Housing Benefit from 1 April 2013.

Examples of customers

Mr and Mrs Smith live in a three-bedroom property with two children aged one and three receiving Jobseekers Allowance
 Their rent is £75.00 per week.
 Applying the size criteria means that the household is under-occupying by one bedroom. A 14% reduction of £10.50 is applied to the rent of £75.00, resulting in Housing Benefit entitlement of £64.50.
 Before 1 April 2013 they had no rent to pay as all of their rent was being paid in Housing Benefit. From 1 April 2013 they will have to pay £10.50 per week towards their rent.

Mr and Mrs Smith live in a two-bedroom flat, they currently receive £10.00 per week in Housing Benefit.
 Their rent is £70.00 per week.
 Applying the size criteria means that the household is under-occupying by one bedroom. A 14% reduction of £9.80 is applied to the rent of £70.00, resulting in an eligible rent of £60.20.
 From 1 April 2013 they paid £60.00 per week towards their rent. From 1 April 2013 they will not be entitled to Housing Benefit and will have to pay their rent in full.

4. What options are open to people to meet any shortfall?

While it is a customer's responsibility to ensure that their rent is paid, they will have some hard choices to make. Some options that a customer may consider are:

4.1 *Moving to a smaller property (down-sizing)*

A customer may be able to move to more appropriately sized accommodation in the social rented sector with the help of their landlord or they may choose to move to more suitably sized accommodation in the private rented sector.

4.2 *Taking in a lodger or boarder*

With the agreement of the customer's landlord the customer may be able to take in a boarder or lodger to fill any unoccupied bedrooms. This would mean that the room would not be treated as unoccupied for the purpose of applying the size criteria rule and the customer may find they are better off due to additional income. If they take in a lodger it will affect the amount of benefit they receive but the first £20 per week will be ignored. It is important to consider the interaction on any other benefit the customer receives.

4.3 *Re-classification of rooms*

If the under-occupied room is a very small room, such as a box room, the landlord may consider that this is no longer classed as a bedroom. The customer would need to speak to their landlord about this.

4.4 *Have family members contribute more*

If there are any grown up sons or daughters living with the customer they may be able to cover the extra rent through new or increased contributions.

4.5 *Move into work or increase hours worked*

If it is a possible or a realistic option, moving into work or increasing working hours would increase a customer's income and help cover any reduction in Housing Benefit.

4.6 *Discretionary Housing Payments*

Discretionary Housing Payments (DHPs) are extra payments to help pay rent. The Revenues and Benefits Service gives DHPs to people claiming benefit that need help with their housing costs, if they are more than the amount of benefit they get. East Devon District Council has a cash limited budget for DHPs which we cannot exceed in any year.

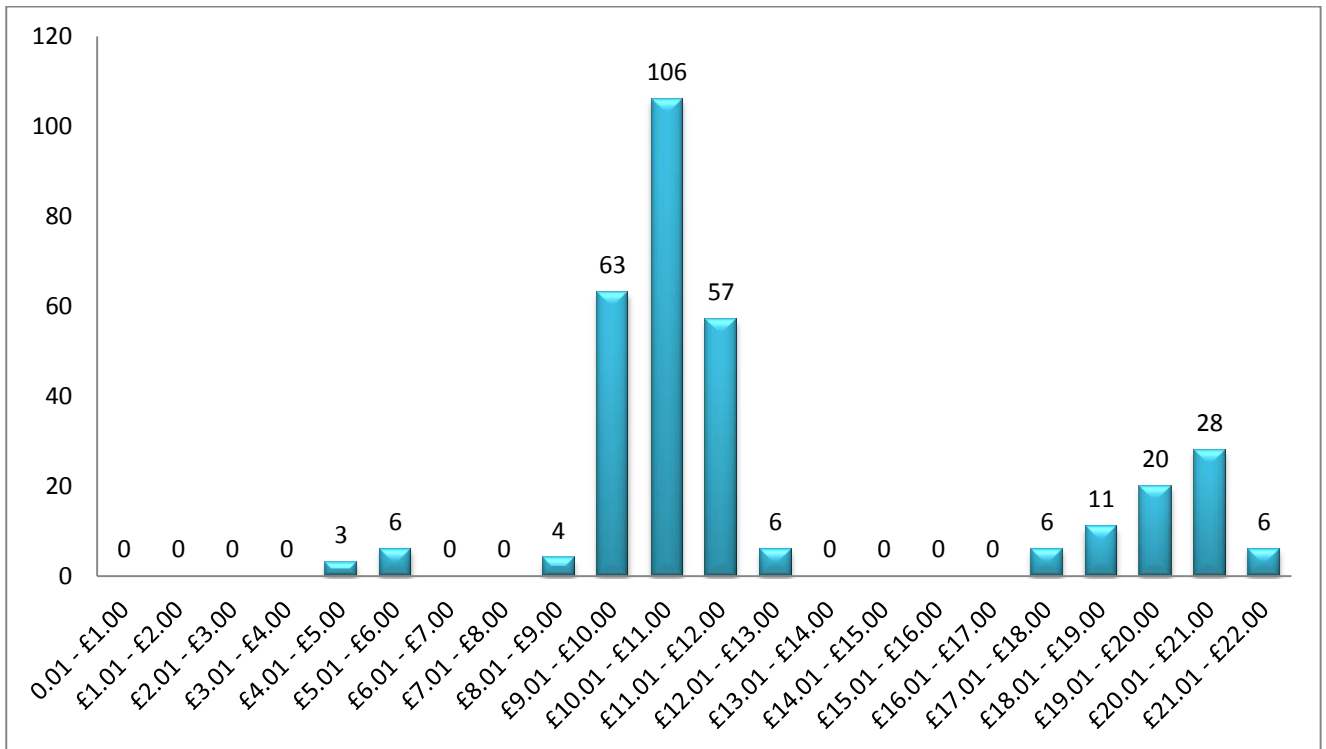
Customers can apply for DHP if they are currently entitled to Housing Benefit. As the applications are based on real-time income and outgoings customers can make applications for DHPs from February 2013 onwards.

5. **Impact for existing Housing Benefit customers**

Analysis of the East Devon District Council properties shows that 316 households will be affected.

- 243 customers (77% of the total) under-occupy their homes by one bedroom and will receive a 14% rent reduction.
- 73 customers (23% of the total) under-occupy their homes by two or more bedrooms and will receive a 25% rent reduction

The weekly reductions in maximum Housing Benefit are shown below:



Most customers (106) will have a reduction in maximum Housing Benefit of between £10.01 - £11.00 per week.

Analysis of the impact on customers living in Housing Association properties is underway.

6. Overall impact:

- Clearly the changes will have a significant impact on a number of our working-age customers.
- Many will see a sizeable reduction in their Housing Benefit payments.
- The reduction in benefit could lead to more customers going into debt, or having to move to cheaper accommodation.
- More customers could get into rent arrears, so making themselves vulnerable to eviction and homelessness.
- Potentially more work being placed on the Housing Service.
- A greater number of applications for Discretionary Housing Payments.

7. Steps we are taking to prepare customers for these changes:

- Revenues and Benefits have been working closely with Housing management and our Registered Provider partners to obtain information about sizes of accommodation.
- We have produced a leaflet “Changes to Housing Benefit from April 2013” which has been sent to all East Devon District Council tenants in August 2012 and is available on our website.
- We have sent personalised letters to all of our affected East Devon District Council tenants.
- In November 2012 Housing Benefit colleagues will be notifying Registered Social Landlords of their affected customers.

- In November 2012 Housing Benefit colleagues will be sending a personalised letter to all affected customers, with information about the restriction in their benefit. Enclosed with this letter will be a copy of the “Changes to Housing Benefit from April 2013” leaflet.
- Customers who need budgeting and money management advice, will be referred to Home Maker.
- Further letters will be sent out in the New Year, once the level of 2013/14 rents and Housing Benefits are known so customers are aware of the exact impact on their finances.
- Housing management will be visiting all customers who have not contacted us.

8. Feedback from our customers so far:

8.1 Of the 316 letters issued to customers affected by this change and who are tenants of East Devon District Council the following feedback has been received:

- One customer has overnight care provided by a non-resident carer. They will be entitled to an extra bedroom and will be writing in to confirm this information.
- One customer has to have a separate bedroom, due to a medical condition. This customer will be making an application for a Discretionary Housing Payment.
- Three customers have contacted us as they do not have the number of bedrooms included in their personalised letters. This information has been passed to Jonathan Burns, Senior Technical Officer to visit these customers and establish the correct number of bedrooms.
- One customer has a spare bedroom to accommodate a visiting child. This customer will be applying for a Discretionary Housing Payment.
- Two customers have asked for budgeting and money management advice and will be referred to Home Maker.

9. Next steps

9.1 Our intention is to continue to monitor the feedback from our customers and provide information in order that tenants are not taken by surprise when the new system commences. We want to assist tenants through the transition by making downsizing opportunities available, providing advice on money management and helping tenants meet their rental obligations without going into debt. In future Flexible Tenancies will be granted and these may not be extended if tenants are under occupying properties.

9.2 We have made provision in the HRA Business Plan for increasing levels of bad debt rising from 1.5% - 3% of the rent roll. The risk assessment and sensitivity analysis considers the impact of reducing rent collection and demonstrates that we can manage increasing levels of tenant debt. We have also signalled the possibility of appointing Welfare Benefit Advisors in an attempt to maintain income levels.

Legal Implications

A reduction in housing benefits may affect tenants' ability to pay their rent and consequently may increase the number of tenants who the Council may consider pursuing for the debt through the courts. There may also be increased work for the homelessness team.

Financial Implications

A reduction in housing benefits may affect tenants' ability to pay their rent and consequently may increase the arrears/bad debts. The provision for bad debts has been increased in the 2013/14 HRA draft budget.

Consultation on Reports to the Cabinet

None.

Background Papers

- [Changes to Housing Benefit from April 2013 booklet.](#)

John Golding
Head of Housing

Housing Review Board
10 January 2013

Agenda Item: 12

Housing Review Board

10 January 2013

SB



Resident Involvement Strategy update

Summary

The Tenant Involvement Strategy Autumn 2010 has been updated to reflect our present position and aspirations. The name of the strategy has been altered to encompass our work with leaseholders and to show our intention to offer access to our menu of opportunities to all customers of our services.

Effective customer involvement is seen as good practice in the housing sector and essential to co-regulation and the requirements of the Regulatory Framework governing Registered Providers. Our recommended approach is to build on the improvements in tenant involvement over recent years and consolidate what works well.

Recommendation

That the Resident Involvement Strategy (Spring 2013) be agreed.

a) Reasons for Recommendation

To make sure our Resident Involvement Strategy is agreed at the highest level and recorded for all to see.

b) Alternative Options

To have no strategy for our work in this area.

c) Risk Considerations

Failure to have an agreed involvement strategy would give a negative impression to stakeholders that customer views were not important to us and had little value to the service. This would be a risk for the authority's reputation as well as for the quality of the service delivered.

d) Policy and Budgetary Considerations

These are contained within the report.

e) Date for Review of Decision

Spring 2015.

1 Introduction

- 1.1 We have a history of positive commitment when it comes to customer involvement, of striving to improve and raising this element of the Housing Service to greater

heights. Our work in this area has achieved recognition over the years – we won a national award for our Housing Standard tenant newsletter in the 1990s; we were the first local authority in the South West to produce a tenant compact in 2000; we were one of the first local authorities to invite tenants and community representatives onto the Housing Review Board in 2006, and our work on tenant scrutiny is currently winning us praise in housing circles regionally.

- 1.2 We have been increasingly keen to involve customers to improve service delivery and have seen positive benefits by doing so which include:
 - Delivery of services that tenants want so that they reflect local priorities.
 - Targeting services to local level so that neighbourhoods and vulnerable or hard to reach groups can see the benefit.
 - This has contributed to a service that produces less waste and that represents good value for money.
 - This approach has also helped bring high levels of customer satisfaction and top quartile performance across Housing Services when benchmarked against our peers.
- 1.3 This approach has also been in line with current good practise which requires that residents should have a clear voice and have the genuine opportunity to be involved in setting priorities, determining outcomes and developing relevant performance measures to assess whether these outcomes are being met.
- 1.4 Our determination to push forward has served us well and we are in a strong position, but we believe it is now time for consolidation rather than reaching for the stars. We have a structure in place that is tried and tested, works well for us and is bringing results. There is room for improvement though in the outcomes we are achieving through our Service Review Groups. These are helping us to really get front line staff and customers together to help plan for the future and resolve service issues, which was a target from the previous involvement strategy, and these groups are key to the vision we have of a truly inclusive future for the service. We should spend time now improving on these and building capacity, both within the teams and the involved residents, so that the Service Review Groups achieve their full potential.

2 The Resident Involvement Strategy

- 2.1 This update of the Strategy at **annex 1** has been developed using information from the various impact assessments we undertook on the main 'menu options' within our current involvement structure, and with the help of tenants on our Sheltered Housing Service Review Group and our Estate Management Service Review Group. The views of the Tenant Representative Group will be delivered verbally at the Board's meeting on the 10 January 2013.
- 2.2 The Strategy is in the same format as its 2010 predecessor, setting out how we will involve residents in our business and provides a structure for resident involvement for the period Spring 2013 to Autumn 2014 inclusive. The aims and objectives are little changed, and again we are offering a wide range of opportunities for involvement that we believe are sustainable for both residents and officers alike.
- 2.3 Where this Strategy differs from its predecessor is that it now includes within its pages the agreed Tenant and Council

Partnership Statement rather than as two distinct documents, and this time the Strategy does not include an action plan, which is in line with the main strategy for Housing, the Homes and Communities Plan 2012-1016.

- 2.4 Like its predecessor, this Strategy continues to shift the emphasis and responsibility of resident involvement from the Tenant Participation team towards all housing staff, as is expected by accepted good practise, and required for effective involvement to result.

Legal Implications

There are no legal implications.

Financial Implications

Any financial implications can be met from existing budgets.

Consultation on Reports to the Cabinet

The Tenant Representative Group is being consulted on the draft Resident Involvement Strategy in mid December 2012.

Background Papers

- [Tenant Involvement Strategy Autumn 2010.](#)

Sue Bewes X2200
Housing Landlord Services Manager

Housing Review Board
10 January 2013

Resident Involvement Strategy Spring 2013

Introduction

This strategy sets out our commitment to developing the range of ways and extent to which tenants (by which we mean tenants and leaseholders) can become involved in the housing service. We constantly strive to develop and improve our services by involving our tenants. We are proud of the number of tenants who are involved, giving up a considerable amount of their time to assist us, and of the range of options available for them to have a say.

Our first 'tenant compact' was produced in 2000 and the tenant involvement structure has evolved significantly since then. It was reviewed in 2001, 2004, 2007 and again in March 2010 to widen the opportunities for involvement and encourage more people to get involved in a way that suits them. We have moved beyond the standard methods of involvement to provide greater choice, training and development opportunities, and an increased flexibility to our approach to involving tenants. We have just completed a further review of the involvement structure and this strategy arises from this review which has revealed that we need to make few changes to the structure, but we should concentrate on using and empowering the Service Review Groups to achieve more prominent outcomes for the benefit of the service.

We have used a variety of information to inform this review including information from impact assessments on the main tenant involvement activities, equality impact assessment for tenant participation, and best practice from other organisations. We have involved our tenants in the process of creating this strategy by listening to what they are telling us about tenant involvement, and by working with tenant groups in drafting the document. The strategy sets out the main areas where we will be working with tenants to improve our current services. We will be asking you as tenants to tell us how we are doing with this. We will use the Housing Matters magazine, the Annual Report to Tenants, and our website to let you know the progress we are making to involve more tenants, and the changes that have been made to services as a result of tenant involvement.

Resident involvement documents

Getting involved with the Housing Service leaflet

This leaflet gives a summary of the methods of involvement. Similar information is contained in the tenant handbook, given to all new tenants, and on our website at

Tenant and Council Partnership Statement

Our Tenant and Council Partnership Statement (below) reinforces how important we consider it to involve tenants in all levels of our service. This statement was signed by the Head of Housing, the Chair of the Housing Review Board and the Tenant Vice Chair of the Tenant Representative Group.

Tenant and Council Partnership Statement

This is a commitment between the Council, tenants, leaseholders and staff. It sets out how the Council will help tenants to get involved in influencing and shaping decisions taken to deliver a housing service which meets the needs and priorities of tenants.

These are the key commitments that we will jointly deliver to enable tenants to be involved in the decision making processes related to Council housing.

Together we will:

- *provide a housing service that actively works for continuous improvement in quality and value for money;*
- *give tenants a voice in the decisions which affect their homes;*
- *identify priorities based on tenants' requirements ;*
- *know what standards tenants want – 'local standards';*
- *give tenants an opportunity to challenge and ask questions about how the Housing Service is operated;*
- *support existing and new tenant groups and encourage engagement and participation;*
- *support tenants to carry out scrutiny of housing services;*
- *provide ongoing and joint training for tenants, staff and Councillors.*

Annual Report

In October each year we produce an Annual Report to Tenants which explains what we have done during the previous financial year, and what further developments we plan to do.

It gives information about how we let our properties, how we make sure they are well looked after, and how we tackle antisocial behaviour. It also tells tenants about how they can be involved in our services, and about improvements we have made as a result of their involvement.

It tells tenants about how well we are performing as a housing provider and how we are meeting the 'local standards'. These are agreements for a level of service that we have drawn up with tenants, in a number of ways, covering a number of aspects of our service.

Homes and Communities Plan 2012-2016

This document replaces our previous Housing Strategy. The plan sets out how we will deliver effective housing and community services taking into account recent changes in legislation and the current financial difficulties being faced by many individuals and organisations.

The plan contains ten key aims and one of these is to ‘support the improvement and regeneration of local communities by encouraging social inclusion, involving children and young people in housing issues, and enabling residents to actively participate in their communities’.

Housing Matters magazines

This year for the first time we have amalgamated the tenant newsletter, Partnership News, with the housing newsletter, Housing Standard, and have produced one joint magazine called Housing Matters. The magazine contains information about the housing service, whats on locally, information from other tenants, competitions, as well as a question and answer section. The fact that we are jointly producing one newsletter from both tenants and officers reinforces how much we are now working together. The Editorial Board is made up of 3-4 tenants and 2-3 members of staff.

All above document are on our website at www.eastdevon.gov.uk/homes_and_housing.

Aims and objectives

The main aims and objectives of this strategy are:

- to provide a wide and meaningful range of tenant involvement opportunities, making sure that tenants are at the heart of the Housing Service
- ensure that tenants can engage with us at a level and in a way that suits them
- to ensure that our staff are aware of involvement opportunities and take responsibility for encouraging tenant involvement
- to make sure that East Devon District Council provides tenant involvement opportunities that represent good value for money
- to understand the make-up of our tenant profile and respond to their needs

We will make sure that our tenants are involved in:

- the Housing Review Board
- tenant scrutiny
- developing a range of local offers or service standards
- monitoring our performance and that of our contractors
- changes to existing policies and the development of new ones
- awarding community initiative fund grants
- the organisation of the annual Tenants’ Conference
- monitoring the Tenant Participation budget
- the editing and design of the Housing Matters magazine
- the design and wording of letters and information leaflets.

Resident Involvement Structure

Our structure for tenant/resident involvement allows us to:

- give information to our tenants
- consult with tenants, listen to their views and act on them
- give tenants the opportunity to influence policies, strategy, procedures, and services
- make sure that all of our tenants are given equal access to get involved.

We have a wide range of opportunities for formal and informal involvement, including methods like the website audit and surveys by post, telephone, and email. Consultation that does not require tenants to leave their home in order to be involved is also available. There are opportunities for tenants to get involved at a level that suits them and we are always looking for new ways to involve our tenants.

Our involvement structure has been designed in consultation with our tenants to make sure that the right options are available to encourage tenants to get involved. We expect our involvement structures will continue to develop and grow and will make sure we review them on a regular basis.

The following chart shows how the groups fit within the overall structure of the Council.

Methods of resident involvement

There are many ways for tenants to get involved and different methods of involvement have been organised to fit in with tenants, many of whom have very little time to spare but want to make a difference. There are less formal methods of involvement for those who don't want to make a long term commitment or attend meetings and for tenants who would like to be more actively involved and who have time to attend meetings there are the formal methods of involvement.

The Key Players register

This is a list we have of more than 215 tenants who have registered their interest in becoming involved. Membership of this register needs to both increase and widen to include more of our younger tenants.

In our last Tenant Involvement Strategy (Autumn 2010) we made a commitment to increase the number of people, including young people, on the register to over 260 members by March 2012. Although we have not quite reached this we have increased the number of adults by 15 and also have over 25 young people (under 15 year olds) on the register.

We also made a commitment to encourage more young tenants and their families to become involved and to hold an event for young people to raise awareness of tenant involvement. We therefore took part in an event with children from local schools called the '11 Million Takeover Day' where they learned how we consult with residents to improve our services, and we have a young apprentice and another young person on work experience looking into how tenants are involved. Our Community Development Workers run regular workshops and sessions for young people and their families and have nearly 200 on their registers. These tenants have experienced the benefits of being involved on a regular basis, and see that they are listened to and that their views are important to us.

Formal ways to get involved

- Service review groups – Repairs and Maintenance, Sheltered Housing, Rental, Estate Management, and Customer Care Commitments
- East Devon Tenant Representative Group
- Recruitment of Housing Staff
- Housing Review Board
- Residents and Tenants Associations
- Tenant Scrutiny Panel

Informal ways to get involved

- Tenants Conference
- Tenant and Leaseholder Garden Competition
- Surveys – postal, telephone, email and in-person
- Customer satisfaction surveys
- Community Initiative grants
- Housing and Housing Review Board 'drop-in' sessions
- Mystery Shopping and audits
- Reading group
- Focus groups
- Estate Walkabouts

Service review groups

We have a number of service groups covering a range of areas. Existing and new review groups need to be managed and facilitated effectively by the service areas to ensure they are effective and offer tenants a real opportunity to make a difference. We outline below the work of each of our current groups and give some feedback from the recent impact assessment each group carried out.

Repairs and Maintenance One of our longer established groups which has been running for about seven years. The group is chaired by tenants and recently reviewed its terms of

reference (a commitment made in our last strategy). The work of the group covers the monitoring of performance, identifying areas for service improvements and making recommendations, and working with officers to produce the improvement plan. In 2012 representatives from the group helped appoint our new day to day repairs contractors – MD Building Services Ltd and Skinner Construction Ltd.

Sheltered Housing This group is now running into its 6th year and in 2012 decided on a change of name to reflect the wider scope of the work the group do. **The Supported Housing Review Group** captures all areas involved with the Housing Support Services and the Home Safeguard Team and monitors carefully the day to day work the teams do. The group has recently been involved with monitoring tenant satisfaction levels in sheltered housing since the introduction of cluster working and has worked alongside officers to oversee changes in the service since the model of support has changed. The group also look at Supporting People expectations and will form a key part of planning and shaping the service for the future as we ensure we continue to offer services that our tenants need and want.

Estate Management The group was set in 2009 and is now well established and experienced. It has its own terms of reference and is chaired by a tenant. The group has a wide remit and amongst other things it monitors our performance and customer satisfaction with how we manage our estates, delving into the reasons why customers are not satisfied with the service being provided. It also monitors and reviews the relevant local offers and has recently recommended two new local offers. It raises issues causing concern to tenants and works with the estate management team to resolve issues on housing estates including anti social behaviour.

Customer Care Commitments

This group, established in 2010, has recently chosen its second tenant chair. The group looks at all aspects of customer care across the housing service, but much of its focus to date has been on improving the monitoring of complaints and other service issues, and ensuring that the complaints process is more widely understood and advertised to all tenants. It has helped officers with the drafting of various housing leaflets as well as the Annual Report to tenants.

Housing Needs A relatively new service review group made up of tenants who are able to be contacted using the internet or email. The group only has one meeting a year. Members were recently consulted on the Localism Act and changes to the Devon Home Choice allocation scheme. We are always looking for new members, so if you are capable of being

contacted by email and would like to get involved in our work please contact dboobier@eastdevon.gov.uk

Rental This group is relatively new and was set up 18 months ago. It has its own terms of reference and is chaired by tenants. The group monitors rental income collection performance and levels of rent arrears. The group has recently proposed new and revised local offers, but much of its time now and for the foreseeable future will be spent on the impacts of welfare reforms. The group will be working with officers on assessing, monitoring and managing the impacts and effects of the reforms. It also considers the level of advice and support that is available to tenants in arrears with their rent.

How our Service Review Groups are performing Each group recently carried out an impact assessment. This showed broadly similar patterns across all six groups. Most groups have between 3 and 6 tenant members, and all but the Customer Care Commitments group have fewer staff members than tenants. There is a fairly equal mix of male and female tenants but all are over about 50 years of age, most are retired and several have disabilities. One of the main concerns expressed by the groups was the lack of representation from younger tenants. Most groups assessed the impact of their work as acceptable, with one (the Rental group) feeling they made a very good impact.

Other involvement groups

East Devon Tenant Representative Group

In our last Tenant Involvement Strategy we made a commitment to revisit the purpose of the Tenant and Leaseholder Customer Panel to ensure that its role was still relevant and it was representative of all our involvement methods. As a result of this review it was decided to disband the Panel and set up a new group, the Tenant Representative Group. The group, set up in October 2011, meets every two months, and is made up of representatives from each Service Review Group. It has an independent chair person and tenant vice chair person. It receives reports from all Service Review Groups, considers matters going to the Housing Review Board and a wide range of other housing related issues.

Recruitment

We have a number of tenants who have been trained in the Council's recruitment and selection policies and procedures. During 2012 tenants have helped us recruit all of the 12 new staff we have within the landlord and repairs functions, including Mobile Support Officers, Programmed Works Officers, Home Safeguard Team Leader, Repairs Assistants and Allocations Assistant.

Housing Review Board

This is a formal Council Overview and Scrutiny Committee consisting of five councillors, five tenants, and two independent community representatives. The Board's main function is to consider matters relating to the landlord and housing management activities of the Council, including budget and performance issues. Housing Review Board members are also invited to join Task and Finish Forums (TAFFS) which this year have been working on projects such as reshaping support for older people, car parking and garages.

Residents and tenants associations

The associations enable tenants to have a say on housing and neighbourhood matters, including having a choice on how services are delivered. There are currently four tenant/resident associations: Meadway and St Gregory's (Seaton), Lymebourne and Arcot (Sidmouth), Dray and Morgan Court (Exmouth) and Littleham (Exmouth).

Tenants' Conference

We hold a conference for tenants every year, with 60 to 100 tenants from across the district attending. We use this opportunity to find out what tenants think about the services provided and to inform them about service improvements. The conference is attended by the Chief Executive and Head of Housing as well as other housing officers. The conference is organised by a sub group of the Tenant Representative Group.

Garden competition

Each year we organise a garden competition which is open to all tenants and leaseholders. Prizes are awarded for the best gardens and judging takes place in July, with prize winners invited to attend a prize giving ceremony in September. This is very popular and we regularly have over 40 entrants, all of a high standard.

Postal, telephone, email, and in-person surveys

Periodically we need to contact people and ask for their views and opinions about different things we are doing or are planning to do.

Housing and Housing Review Board 'drop-in' sessions

These are open sessions that are held every couple of months across the district. They are open to all tenants in the area, but other customers can also drop in. 23 tenants dropped in to the six sessions held during 2012, and the Housing Review Board is currently reviewing their future.

Customer satisfaction surveys

We constantly ask our customers how they rate the service they receive. We currently do this:

- for Estate Management service requests (for example reports about antisocial behaviour)
- for programmed works such as new bathrooms, kitchens, and heating systems
- for all responsive repairs
- for new tenants who have recently moved into a property
- By the 'Have your say' questionnaire which goes out periodically in the Housing Matters magazine and asks for comments, compliments or complaints about our service
- By the questionnaire that goes out each year with the Annual Report.

The feedback received is used to help tackle poor performance, improve the service further, and to give positive feedback to staff and contractors. We include feedback on these areas in the Annual Report to Tenants each October.

Community Initiative Grants

The Tenant Representative Group has at its disposal a small budget which it can use to support community initiative that they judge to be of direct or indirect benefit to tenants. Grants of up to £1,000 may be applied for to help with projects in the community.

Housing Matters Newsletter

The Housing Matters newsletter replaced the Partnership News and Housing Standard newsletters. Housing Matters is produced three times a year designed and edited by a group of tenants supported by the Tenant Participation team. Tenants are invited to contribute articles and suggestions for the newsletter and are periodically asked for formal feedback on its design and layout.

Mystery Shopping and Audits

These have been running for nearly four years and have recently been re-launched with new members and refresher training. Mystery Shopping has carried out an exercise in a number of areas including, new tenancies, telephone responses, grounds maintenance, and standard letters. This year they looked at repair satisfaction reply slips and EDDC Reception/parking issues. The Mystery Shopping group present a report to the Housing Management team and the Housing Review Board with their findings and recommendations. This is an extremely valuable resource and needs to be utilised more often.

Reading Group

This group was set up a couple of years ago and was designed to be used by officers when producing new leaflets or standard letters. The idea was for tenants to read the leaflets or letters and comment on the readability. The group receives papers for reading by email or in the post. This group has recently been consulted on leaflets regarding Anti Social Behaviour; Fire Safety; Getting Involved; Night Storage Heaters and the Supporting People Subsidy. Their feedback has helped make the leaflets easier to read and understand with less jargon.

Website audit

Periodically our customers help us review the Housing pages of our website. We made a commitment in our last Tenant Involvement Strategy to carry out another review and this took place early in 2012 led by our Information and Analysis Officer.

Next steps

When we refreshed the Tenant Involvement Strategy in Autumn 2010 it was clear that some areas of the service were not involving tenants as much as was desired. Since then we have continued to work across all housing areas to ensure tenants are involved as much as possible and are pleased to report two new Service Review Groups, for Rentals and Housing Needs. However we know that we still need to set up a forum for leaseholders, a group for younger people and a 'council own build' review group will be set up when our programme of building homes for our own stock continues.

While many of the tenants who get involved with our service are older or retired, it was also clear that we are not always good at considering the needs of our disabled, older, Black Minority Ethnic (BME), and younger tenants. The needs of our older and disabled tenants are generally considered by the Sheltered Housing Service Review Group, but only if they live in sheltered housing. We need to continue to ensure that we consider the needs of, and encourage participation from, all of our tenants, especially younger, working tenants and those from ethnic minorities.

Scrutiny arrangements

East Devon District Council's Housing Service is committed to putting its tenants at the heart of the business.

The Tenant Scrutiny Panel was set up in 2011. Tenants from across the district were invited to put themselves forward to join the Panel and all those interested went through a rigorous interview and training process. Five candidates were successful and the new Panel recently completed its first project which looked at the use of our community centres. It made a number of recommendations to improve the use, management and financial viability of the centres, a report welcomed by the Housing Review Board. As a result of this report we have recently appointed an officer to lead on carrying out the recommendations in the report.

The Panel has just started on its next scrutiny project – looking at how we manage our empty ‘void’ properties.

Training

We are very proud of our commitment to build up the capacity of our involved tenants who are both new and experienced. This is done through training, coaching, mentoring, and working with officers. A programme of training is arranged every three to six months, with formal training such as committee skills, chairing meetings, and setting up a residents association.

We also work with Exeter City Council, Mid Devon District Council, and members of the Involvement Devon Group to arrange joint training.

We actively seek out funding for training and free training events for tenants to support tenant involvement. We will be using events for younger people to identify training needs. We will arrange or support reasonable training requests. For details of training events or suggestions for the future please contact the Tenant Participation team on Page XX or email tenantparticipation@eastdevon.gov.uk.

Younger tenants

Our younger tenants are particularly under represented and the need to actively encourage them to get involved is a high priority. With this in mind a social networking site has been set up on facebook and has proved to be a useful tool in advertising our events and sharing of information.

We will continue to work with the Community Development Workers to provide opportunities for younger people and to encourage them to get involved and receive training and development support.

Funding

The Tenant Participation and Community Development functions have several small budgets that total £60,360 for the financial year 2013/14. Tenants will continue to work with the Tenants and Communities Manager to monitor these budgets.

Conclusion

The Resident Involvement Strategy has been developed to show how we will involve tenants in the work of the Housing Service. The commitments in the Resident Involvement Strategy will be monitored by a group of tenants and officers and the outcomes will be reported annually in the Housing Matters magazine. We will regularly review this document every two to three years.

Agenda Item: 13

Housing Review Board

10 January 2013

SB



Grounds Maintenance

Summary

This report sets out the current position on grounds maintenance following concerns raised that the service may be in need of review. We have had an indication that some residents who receive this service would welcome an improvement from the one currently being offered. Consultation undertaken has revealed mixed views on the subject, as can be seen within the report itself.

Recommendation

To note the current position regarding grounds maintenance as set out in the report, hear from Street Scene more detail on how the contract operates in practice, and agree a way forward for the future.

a) Reasons for Recommendation

To revisit our arrangements regarding grounds maintenance which have been in place for many years and decide whether they now require a more in depth review.

b) Alternative Options

To do nothing, and continue to provide the service in its current form.

c) Risk Considerations

Failure to revisit arrangements could lead to missed opportunities in terms of service improvement and customer satisfaction.

d) Policy and Budgetary Considerations

Recommendations lie within current budget parameters.

e) Date for Review of Decision

Periodic review of the service will be reported to the Board.

1 Background

- 1.1 The grounds maintenance service that we see today has remained unchanged for many years, which in itself is good reason to revisit what the service actually is, what we pay for it, whether it achieves outcomes consistent with our contemporary ambitions and whether it represents good value for money.

- 1.2 By 'grounds maintenance' this report refers to the work undertaken on our behalf to keep external communal areas clean and tidy (grass and hedges), including the communal gardens. It does not include the Individual Garden Maintenance Scheme or work involved in pursuing tenants to maintain their individual gardens in keeping with the obligations of their tenancy agreement.
- 1.3 The contract for Housing's grounds maintenance service was last put out to tender in July 1993 as part of the wider grounds maintenance contract for the whole of the Council. The contract was won by the authority's DSO or Direct Services Organisation, now known as Street Scene, keeping it effectively in-house and reasonably responsive to our customers' needs. The specification and bills of quantities details the method of work, standards and frequencies of repetition (for cutting grass, hedges, shrubs, etc) for each site, and it is these arrangements that we still use to guide us in Housing today.
- 1.4 The gardening work Street Scene undertakes on our behalf is mainly cutting of hedges, shrubs and grass, and rarely do we stray into maintaining borders, weeding, sowing seed, etc. Any such work would not be included within the price of the contract and would be paid for separately as an individual piece of work.
- 1.5 According to the 2007 specification all formal hedges and hedge banks are cut twice a year, generally in June/July and November/February, and should be maintained in a weed free condition throughout the year. Informal hedges and shrubs are cut just in November/February and some such as Berberis will only be cut after flowering. All are kept in shape by regular cutting to the existing height and width, and any additional work needed to maintain size and shape is entirely at Street Scene's expense. The bulk of pruning of shrubs takes place between October and March.
- 1.6 Grass is cut according to a mowing schedule detailing standards for each site, according to its location, use, etc. The schedule gives a maximum height for the grass to be maintained at, a minimum height to which it may be cut, typical frequencies required to achieve these limits and any special requirements for the site. The actual number of cuts per year will vary according to weather experienced during that particular growing season, which will of course have an effect on the rate of growth. On each occasion grass cutting takes place it must be cut evenly, to the requisite height, across 100% of the surface area and include all obstacles, grass margins, weed growth and flower spikes. All grass cutting machinery used across the entire range of standards shall be appropriate and fit for the purpose of achieving the requisite standard.
- 1.7 Should grass be allowed to grow beyond the maximum height permissible, it must be brought back within permissible limits by frequent repeated mowing. In certain circumstances, for example sheltered schemes, grass cuttings will be raked up and removed. On any site clippings or other mowing arisings which land on hard surfaces, shrub borders or flower beds will be cleaned up and removed immediately on completion of mowing.
- 1.8 While Street Scene are undertaking this work they will remove litter on areas to be mown prior to mowing, and any litter subsequently shredded as a result of the mowing operation will be collected. They will rectify any damage they cause to grass, tarmac, paving, etc (for example through

using inappropriate equipment, failing to take account of weather or surface conditions) within two days, and any fuel spillages will be cleaned up immediately. It is stated within the specification that Street Scene has absolute responsibility for the safe and legal disposal of all arisings from all operations and for all costs incurred for such disposal of whatsoever nature, and this shall normally take place in a sustainable manner immediately on completion of each task, but at the very latest by the end of the same working day. Horticultural and arboricultural waste will be disposed of separately.

- 1.9 Variations to the contract have been possible at any time, and have taken place site by site over the years for example when we have removed slices of communal land to offer on license to individuals, or reclaimed similar tracts and put them back into communal usage. We do not operate a formal variation notice procedure.
- 1.10 Street Scene has updated their specification document in 2007, but the service we receive is still based upon the arrangements agreed under the 1993 documentation.

2 The cost of the service

- 2.1 Normally one would expect the cost of the grounds maintenance service to increase annually in line with the RPI of 3% less any variations (where land has been deleted from the contract) as applied corporately at this time of year. Amounts recharged to Housing by Street Scene over the past few years have been variable.
- 2.2 In 2010/11 the cost was £306,170, and in 2011/12 this decreased by 1.23% to £302,390, and in 2012/13 it increased by 3% to the price we see now.
- 2.3 The cost of the service for 2012/13 is set at £311,470 and we are currently operating within that budget.
- 2.4 The budget for next year has been set at £320,170 representing an increase of 2.79% if this draft figure remains unchanged.
- 2.5 On the down side, these variations have been put in place by Street Scene alone, without consultation with Housing, but it is recognised that this is still likely to represent good value for money. However, we have not tested the market to ensure that we are getting the best price and quality for the work. There is no clear formula to calculate the base contract price and the effect of variations.
- 2.6 The Neighbourhood and Community Standard set by the Tenant Services Authority requires that landlords 'shall keep the neighbourhood and communal areas associated with the homes that they own clean and safe', so we need to ensure we manage our estates and communal areas to standards agreed with tenants at a local level. According to the HouseMark benchmarking service to which we subscribe, our 'estate services' (including estate lighting, cleaning and grounds maintenance) are ranked in the top quartile when looking at customer feedback and costs for 2011/12, ranking us sixth out of the 37 landlords compared. We were ranked eighth the previous year.

3 Customer feedback

- 3.1 Customer feedback through our recent STAR survey commissioned earlier this year also suggests that we are

improving. Satisfaction in general needs with the overall service and the neighbourhood as a place to live has improved since 2008 such that both now sit at 89%. 58% of these respondents were very satisfied with their neighbourhood as a place to live. More than two fifths (43%) of respondents consider rubbish or litter to be a problem. To improve these scores further we are advised by HouseMark that we need to target those aged under 35, as this group of our tenants is most likely to express dissatisfaction, probably due to higher expectations.

3.2 In sheltered accommodation the picture is even brighter with 93% of all respondents satisfied with their neighbourhood as a place to live, and 68% of these very satisfied. More than a quarter (28%) of respondents consider rubbish or litter to be a problem in their neighbourhood.

3.3 In terms of complaints we rarely receive formal complaints about the grounds maintenance service (none in the five years since April 2008) although it is recognised that Street Scene deal with many of these directly and informally, we therefore do not become aware of them.

3.4 We do however receive a lot of feedback through our TP (tenant participation) network of constituted groups, as well as from individuals we talk to when working out on site on our estates, and this is generally to do with the following:

- Breakages or damage to residents' property during grass cutting
- Non removal of grass cuttings
- Frequency of cuts
- Quality of work
- Edging of grass around borders
- Weeding of borders

3.5 To give as complete a picture as possible, this report was taken to the Estate Management Service Review Group, as well as the Tenant Representative Group. Their comments were as follows:

- That clippings are never cleared away, despite the specific reference in the specification to removal of arisings (1.7 above).
- That some machinery serves to cut the grass but just flatten tough species such as plantain and couch, despite the specific reference to this in the specification (1.6 above).
- That if the long clippings were at least removed after the first cut of the season many tenants could then keep on top of removal of the shorter clippings thereafter, if regularity of cutting were achieved.
- That the problem of unsightly 'haymaking' clippings left on grassed areas is worsened by the practise of reprioritising housing areas when Britain in Bloom or other non housing priorities take priority, leaving housing areas uncared for.
- Now that more than half the Council housing stock has been subject to the Right to Buy, sole responsibility for cutting communal areas should no longer lie with the Housing Revenue Account.
- Quality of work varies according to which team is operating and therefore in which part of the district.
- It would be helpful for information to be supplied in advance as to when teams will be in which part of the district.

- Issues are always raised by tenants about grass cutting standards & removal of cuttings at the Tenants Conference and Garden Competition.
- It would be helpful and cause less damage to properties if gardeners would face away from properties when using blowers.
- Grass should be cut at the same time across a whole estate, not just housing grass one week and Devon County Council grass another, meaning that the estate never looks neat and tidy.

4 Conclusions

- 4.1 While the benchmarking and satisfaction survey evidence suggests that we are providing a good quality, well received, value for money grounds maintenance service to our customers, we are also being told that there are elements of the service that fall short of what they expect.
- 4.2 The fact that this service has not been the subject of review for nearly 20 years suggests that it is time for a better understanding of what the customer gets for their money in this respect.
- 4.3 To this end I have invited our colleague, Andrew Hancock, Street Scene Manager, to present to you their approach to grounds maintenance on Housing land, so that you can make informed judgements on the way forward for the future of this service.

Legal Implications

There are no legal implications contained within the report however should the Board decide to go to tender in the future there will be EU Procurement implications.

Financial Implications

The financial implications are stated in the report.

Consultation on Reports to the Cabinet

This report has been taken to the Estate Management Service Review Group on 29 November and 2012 and the Tenant Representative Group on 18 December 2012. The views of both groups are contained within the report.

Background Papers

None.

Sue Bewes X2200
Housing Landlord Services Manager

Housing Review Board
10 January 2013



Agenda Item: 14

Housing Review Board

10 January 2013

JR/EC



Antisocial behaviour service and the Respect Charter for Housing

Summary

The report outlines the current work being undertaken to tackle antisocial behaviour (ASB). It explains the new Respect ASB Charter for Housing and recommends that EDDC now signs up to this approach.

The seven commitments under the Respect Charter have been self-assessed/reviewed to consider what is recommended, what we currently do and what we need to do, and an improvement plan developed. The report highlights the further work required to improve the service we provide to tenants.

Recommendation

- a) To note the current work being done regarding Antisocial behaviour;
- b) To recommend that EDDC signs up to the Respect Charter;
- c) To note the suggested further work required.

a) Reasons for Recommendation

The core Respect Charter commitments represent good practice in the Housing sector.

b) Alternative Options

Not to sign up to the Charter and continue with our current practices.

c) Risk Considerations

Damage to our reputation if we fail to meet the requirements of legislation or good practice.

d) Policy and Budgetary Considerations

This is explained in the report, there are no significant budgetary considerations.

e) Date for Review of Decision

Annual review through the Annual Report to Tenants.

1 Background

- 1.1 Antisocial behaviour (ASB) can cover a wide range of activities and includes such things as nuisance neighbours, vandalism, loud music and harassment. The definition used by East Devon District Council is “Antisocial behaviour is anything that causes fear, alarm or distress to one or more persons not of the same household”.
- 1.2 In 2006 the government introduced the respect standard (Respect Agenda) as a way to drive up performance in both preventing and tackling antisocial behaviour (ASB).
- 1.3 Although we did some work towards the Respect Agenda, as a social landlord we never formally ‘signed up’ to it.
- 1.4 In January 2011 ownership of this standard passed to the housing sector. As a result the Chartered Institute of Housing (CIH), the Social Landlords Crime and Nuisance Group (SLCNG) and HouseMark have now jointly introduced the Respect – ASB Charter for Housing.
- 1.5 The Charter has been developed through wide consultation. It continues to be voluntary, and is a key part of the new, co-regulatory approach within housing. It is primarily about landlord services, but the importance of partnership working in improving outcomes for service users is acknowledged.
- 1.6 We are recommending that EDDC now signs up to the new Respect Charter and in doing so will commit to providing a high quality ASB service that is accountable to our tenants. We will need to work towards fully embracing the principles of the Charter.
- 1.7. It is important that we involve tenants and consult widely about what it means to them and the services tenants can expect from us.

2 Overview of our current ASB service

- 2.1 We do not have any officers whose work is solely dealing with antisocial behaviour issues. Our Estate Management Officers deal with ASB issues alongside their other work of helping tenants manage their tenancies and live in their communities.
- 2.2 There are four full time Estate Management Officers, working within the Tenant and Communities Team alongside community development workers and tenant participation staff.
- 2.3 There is a corporate Antisocial Behaviour Strategy and an ASB statement and summary for housing. The Housing Landlord Services Manager is updating these policies.
- 2.4 We have updated our estate management procedures. These cover the protocol to be followed in each type of case, including cases of ASB.
- 2.5 We use Introductory Tenancies for the first 12 months of new tenancies, which allows us to pick up on potential issues regarding ASB early on in a tenancy, and so work with the tenant to prevent escalation. We can demote the tenancy from a

secure tenancy to a demoted tenancy where appropriate, this will give the tenant a lesser degree of security to their tenancy.

- 2.6 During 2011/12 we had 223 reports of ASB, the majority of which (124) related to noise. All reports were investigated. As a consequence one person had their introductory tenancy extended, one person was served with a notice to quit, two people were served notice of intention of seeking possession and five cases were referred to the Devon Mediation Service.
- 2.7 One of our local standards states that we will *'work with other local agencies to tackle antisocial behaviour issues. Incidents reported by EDDC tenants will be monitored by Housing Officers who will feedback regularly to the person reporting the problem.'*
- 2.8 We work closely with Gerry Moore, Antisocial Behaviour and Community Safety Coordinator, other colleagues and partner agencies, such as the Police, to deal effectively with all reports of ASB. We attend Local Area Group meetings (LAGs) and take part in community safety days.
- 2.9 We also make use of the services of the Devon Mediation Service for which we pay £3,000 per year. A service level agreement has been put in place. On average we refer six cases to this service every year.
- 2.10 There is information about dealing with neighbour nuisance and ASB on our [website](#) and our leaflet '[Dealing with Antisocial Behaviour](#)' explains the steps tenants can take and the help that we can give. The leaflet is available online and is also supplied to anyone reporting concerns about ASB.
- 2.11 We tell our tenants about the work we do to tackle ASB in our Annual Report each October, and in 2011 the theme for the Residents Conference was Antisocial Behaviour.
- 2.12 When an estate management case is closed we send out satisfaction surveys to the tenants concerned to gauge how well we have dealt with the issue. For a breakdown of the results please see **Annex 1**. Unfortunately we do not get a large number returned (only 49 for 2011/12). However, those that have come back show us that there are areas where we could make improvements to our service. It is important to remember that due to the nature of the issues with which we are dealing there is likely always to be some dissatisfaction with some of the outcomes.
- 2.13 There is no dedicated budget for ASB work. Funding comes from estate management allocations in general.
- 2.14 Issues of ASB are considered by the Estate Management Service Review Group.
- 2.15 Our tenants are largely satisfied with the service provided. The recent STAR survey showed 89% of respondents satisfied with the neighbourhood they live in, 13% have experienced ASB during the last 12 months, 66% satisfied with the way their complaint was dealt with and 61% satisfied with the final outcome. This leaves us with considerable room for improvement.

3 **About the Respect ASB Charter for Housing**

3.1 A copy of Respect ASB Charter for housing can be viewed at <http://www.cih.org/resources/PDF/Marketing%20PDFs/respect-asb-charter-for-housing.pdf>

3.2 The Charter's aim is to improve antisocial behaviour services and it consists of seven core commitments:

1. Demonstrating leadership and strategic commitment.
2. Providing an accessible and accountable service.
3. Taking swift action to protect communities.
4. Adopting a supportive approach to working with victims and witnesses.
5. Encouraging individual and community responsibility.
6. Having a clear focus on prevention and early intervention.
7. Ensuring a value for money approach is embedded in the service.

3.3 We have carried out a review of each of these commitments (see **Annex 2**). For each one we have looked at the key recommendations, what we are currently doing, and what we could consider doing in the future. Where appropriate we also highlight areas of good practice that we can learn from.

4 **Further work required**

The review of each commitment within the Respect Charter has highlighted areas where potential improvements could be made to the service. These are covered in detail in **Annex 2** and the key issues are highlighted below:

4.1 **Leadership and strategic commitment**

The corporate ASB strategy and the Housing statement and summary should be updated.

It may be beneficial to have an independent assessment of our service this will provide us with a view on the service we provide and on our performance by one of the recognised support organisations such as CIH, SLCNH and HouseMark. An external assessment is costly HouseMark would charge £6,995 (plus VAT and expenses). This would include registration; desktop assessment of key documents; interviews with staff, service users and partners; case management reviews; draft and final reports; overview of improvement action plan; telephone and email support during assessment.

Alternatives to this are

- a peer assessment from another housing provider or
- a review group of tenants and staff carrying out a robust challenge of the self assessment referred to earlier in this report.

The HRB may wish to appoint an ASB 'champion' to support our work (or this could be the chair of the Service Review Group). The champion would to keep a focus on their area of responsibility by:

- Raising the profile of the issue and showing the communities of East Devon the Council's commitment to the issue.
- Fostering the engagement of a wider range of Members in the review and development of the issue.
- Promoting effective communication and positive working relationships both within the Council and amongst partners, stakeholders and community groups.
- Promoting the positive work that is being undertaken within the District, both at a regional and national level.
- Providing positive support, and on occasions constructive challenge, to officers in driving forward the Council's agenda on the issue.

4.2 Accessible and accountable service

We should consider extending the reporting tools available to residents to include a free phone number for reporting ASB. This has cost implications, involving:

£20 one off charge to select the 0800 number.

£10 one off charge to set up.

£6.99 rental per month.

£10.00 one off charge to activate voicemail.

£4.99 rental per month for the voicemail.

This gives a cost for the first year of approximately £184 (which includes set up costs).

Call costs are: Peak 3.25p per minute when routing to a landline. Off peak and weekend rate 2.5p per minute when routing to a landline. These costs are the same whether someone is ringing from a landline or a mobile. However, it needs to be borne in mind, and made clear to tenants, that although it is a free phone number when calling from a landline, mobile operators usually still make a charge to call these numbers, and charges will vary depending on provider.

The down sides of this dedicated free phone number are that it may not actually be free to people ringing from a mobile and that tenants may use it to report issues that are not ASB related. Also it would allow residents to leave a report of ASB issues out of hours, but any required action would have to be taken on the next working day.

A cheaper and simpler, and therefore preferable, alternative is to make use of the software available on any new housing computer system which will allow tenants' access to the service is more up to date and modern forms of communication such as tenants' portal, messaging, chat rooms and text.

We will consider asking tenants (possibly members of the Estate Management Service Review Group) to carry out telephone surveys, or focus groups, to capture the views of service users. A telephone survey links closely with some of the work this group already carries out with reviewing the tenant satisfaction results for the estate management service.

We will include a regular (annual) feature on our work to tackle ASB in the new Housing Matters newsletter.

4.3 Taking swift action to protect communities

We will review the guidance on managing ASB cases given in the Respect Charter to see if our processes and procedures can be improved.

We will investigate the use of Risk Assessment Matrices (RAMs) to assess the vulnerability of both victims and perpetrators.

4.4 Adopting a supportive approach to working with victims and witnesses

The review has highlighted that this is an area where we are currently particularly weak and further development is required.

We will review the checklist given in the Charter regarding supporting complainants and witnesses and put appropriate steps and processes in place. We will report back to the HRB on an action plan and progress made in twelve months.

4.5 Encouraging individual and community responsibility

We will continue to support the SWITCH project and other community projects, and consider extending this work to other parts of the district. The SWITCH project runs on the Millwey estate in Axminster and the Littleham estate in Exmouth. The project provides positive free time activities for young people between the age of 13 and 25.

Our Tenancy Sustainment Officers need to explain what is meant by a 'good neighbour' at tenancy sign up.

We will investigate the feasibility and costs of producing a DVD which sets out the rights and responsibilities of our tenants, and which can be given out at the sign up interview. There are tenants who may find it easier to take in information in this format rather than from the written word or face to face interview.

4.6 Having a clear focus on prevention and early intervention

We will continue to use measures such as introductory tenancies and Devon Mediation Services and will continue to use the Housing Matters newsletter to encourage tenants to use mediation more widely.

We will consider using RAMs, and extending SWITCH from Exmouth and Axminster to other areas of the district.

4.7 Ensuring a value for money approach

We have started to benchmark our ASB performance using HouseMark (see 3.3 above) and will use the results to improve our services.

There is no dedicated budget for antisocial behaviour work. Any monies spent on this area come from various estate management 'pots', such as rubbish removal. A dedicated budget would strengthen the commitment to dealing with ASB and the resources available to tackle issues. It would also enable us to make better assessments of which interventions and support measures are best value for money. We need to identify how much we are spending on tackling and dealing with ASB, this will be undertaken over the next 12 months.

A meeting to review the service provided by Devon Mediation Service was held on 23 April 2012. It was generally agreed that the service was of value to us and had dealt with some very complex cases. In some cases a satisfactory outcome had been achieved for all parties. A further service level agreement has now been signed at a cost of £3000.

There is no dedicated ASB officer. It may be beneficial to have a lead officer to oversee all ASB cases. Further consideration needs to be given to this as all Estate Management Officers have a responsibility to manage reports of ASB and the Tenants and Communities Manager has overall responsibility for ensuring all cases are managed correctly.

5 Conclusion

- 5.1 ASB is managed effectively with a high percentage of our tenants satisfied with the service. However, some small changes will enhance the service already provided.
- 5.2 An exercise over the next financial year to establish the cost of dealing with ASB will enable us to benchmark fully in future. We plan to adopt much of the good practice identified in this report over a period of time.
- 5.3 There is clearly more we can do to improve this aspect of our housing management service, although we do need a proportionate response to the problem, which thankfully is limited as the majority of our tenants adhere to the terms of their tenancy agreement and enjoy their homes and neighbourhood.

Legal Implications

Legal Services will continue to provide support on ASB prevention in the use of Housing Act 1996 Anti social Behaviour Injunctions (ASBI) and the Anti Social Behaviour Order (ASBO).

Legal Services will also provide support in advising on the proposed changes to the Governments legislative changes to dealing with anti social behaviour.

Financial Implications

A cost centre has been set up specifically for ASB in order to determine exactly how much it costs the service. A budget of £2,000 has been included in the draft HRA estimates for 2013/14.

Consultation on Reports to the Executive

Consultation with the Estate Management Service Review Group and the Tenant Representative Group.

Background Papers

- None.

Jane Reading

Housing Review Board

Tenants and Communities Manager

10 January 2013

Estate Management Satisfaction surveys 20011/12

April 2011 to December 2012
(Qtrs 1, 2, 3 & 4) 49 survey
returns

Question		April 2011 to December 2012 (Qtrs 1, 2, 3 & 4) 49 survey returns	
Q1	How easy to report complaint	86% positive rating	
Q2	How quickly were you interviewed	96% positive rating	
Q3a	Was staff member helpful	93% positive rating	
Q3b	Was staff member courteous	97% positive rating	
Q3c	Was staff member sensitive	91% positive rating	
Q3d	Was staff member responsive	95% positive rating	
Q3e	Was staff member knowledgeable	94% positive rating	
Q4	Kept up to date	80% positive rating	
Q5	Support given	76% positive rating	
Q6	Information easy to understand	98% - yes	
Q7	Explain what to do if problem continues	93% - yes	
Q8	Overall satisfaction with way complaint was dealt with	80% positive rating	
Q9	Overall satisfaction with outcome of complaint	73% positive rating	
Q10	How willing to report further incidents to us in future	87% positive rating	
Ethnicity		100% - White British	
Age of respondents		25-34 – 5.26%	35-44 –23.68%
		45-54 – 23.68%	55-64 –7.89%
		65 plus – 36.84%	Under 25 –2.63%

THE RESPECT ASB CHARTER FOR HOUSING – a review of the seven commitments

1. Demonstrating leadership and strategic commitment

There should be strong leadership, corporate commitment and accountability about preventing and tackling ASB. This should be embedded throughout the business and across key partners.

	What the Charter recommends	What we currently do	What we need to do
1.1	The commitment to dealing with ASB is widely publicised.	<p>We have an item on our website under 'Homes and Housing' http://www.eastdevon.gov.uk/neighbour_nuisance.htm</p> <p>We have a dedicated ASB leaflet which is given to all people who report ASB or enquire about the measures we can take. http://www.eastdevon.gov.uk/antisocial_behaviour_leaflet.pdf</p> <p>We have run articles in our newsletters and will make this a regular feature in future newsletters.</p> <p>Once we have signed up to the Respect Charter, we will highlight this fact in tenant magazines etc.</p>	<p>Consider a link from the front page of the EDDC website</p> <p>Make a regular feature of ASB issues in the newsletters</p>
1.2	There should be strong corporate leadership, sufficient resources and a 'champion'.	<p>The Housing Service takes tackling ASB very seriously. We have 4 Estate Management Officers whose role includes this work. The service comes within our Landlord Services section, overseen by the Tenants and Communities Manager. HRB is regularly briefed about ASB. We do not currently have a 'champion' from the HRB but this could be considered in future.</p>	<p>Consider selecting a member champion for ASB</p>

	What the Charter recommends	What we currently do	What we need to do
1.3	Having an ASB Strategy in place.	We have a corporate Anti Social Behaviour strategy, which requires updating. We also have an ASB statement and summary for housing, which also require updating.	The Landlord Services Manager will coordinate these updates.
1.4	Appropriate training to be given to staff, tenants and members.	Staff and tenants have received training but there is no formal training schedule. Staff attend relevant training when funding permits. The Residents Conference on 15 June 2011 focused on ASB and was attended by more than 60 tenants.	Specific ASB training will be provided.
1.5	There should be wide consultation with tenants as to their priorities. Working with tenants to agree timescales for responding to ASB.	We worked with tenants to set the local standards for Neighbourhood and Communities. This included one around ASB.	We will work with tenants to set further local standards, and consult on the timescales for responding to and dealing with ASB.
1.6	Current performance should be assessed against the Respect Charter. An Action Plan needs to be developed.	Not currently actioned.	The Tenant and Communities Manager will work with the Estate Management Service Review Group (EMSRG) to assess our current performance, using the CIH Service Improvement Plan.
1.7	Well developed partnership working.	We work with a range of partner agencies including the police, Social Services, the Youth Service and the Probation Service.	We could consider holding a community safety conference involving staff, tenants & members with workshops focussing on a number of key issues (Good Practice Example - Radian Housing Association). This could form part of the consultation recommended in the report.

	What the Charter recommends	What we currently do	What we need to do
1.8	Good performance management – performance indicators should focus on outcomes and reflect tenants priorities.	We collect performance information to match the HouseMark data and we also collect satisfaction data (see table at end of report).	Feed results into service design and report outcomes and impacts back to tenants
1.9	Undergoing an external assessment	Not currently actioned.	<p>This may be considered in the future. However there is a significant cost involved. HouseMark charge £6,995 plus VAT plus expenses and for this offer.??</p> <p>We will also investigate the possibility of working with the ASB Action Team of the Chartered Institute of Housing and/or joining the Social Landlords Crime and Nuisance Group (at a cost of approximately £650 plus VAT).</p> <p>A further option would be to consider peer assessment, but this has time and staffing implications.</p>

2. Providing an accessible and accountable service

The aim is that all tenants can easily report ASB and access the service. Tenants should be provided with useful and timely information and actively encouraged to influence how we deliver the service.

	What the Charter recommends	What we currently do	What we need to do
2.1	All tenants should have easy access to the ASB service and a full range of reporting methods should be offered. This should include exploring with tenants the costs and benefits of offering a free phone ASB reporting line.	Information about the service is given in the ASB leaflet, on our website and in newsletters. Tenants can report incidents by phone, email, letter or online.	We need to consider extending the reporting tools available to include a freephone number (see below). We may wish to consider a non 'paper' based form of communication such as DVD.
2.2	Tenants and residents should be able to report ASB outside office hours	An out of hours emergency number is available 24/7 by the operators at Home Safeguard. Any issues currently reported in this way are passed on to Estate Management the next working day. Prior arrangement with Environmental Health Noise Team will ensure our live cases can be witnessed by them on our behalf.	Already can.
2.3	Non tenants should also be made aware of the ways in which ASB can be reported.	Not currently actioned except via newsletter that is also available on our website.	The Tenant and Communities Manager will work with the Community Safety Partnership and the EDDC Publicity Officer to consider ways of achieving wider coverage. A link from the front page of the EDDC website to the housing page about ASB should also be considered.

	What the Charter recommends	What we currently do	What we need to do
2.4	Working with tenants to agree clear, challenging but achievable service standards.	We have worked with tenants to set up local standards but only one of these directly covers ASB.	We will work with tenants to set further local standards, if required.
2.5	Consider mystery shopping the ASB service	We have a mystery shopping group made up of tenants which selects its own areas to mystery shop.	This has been discussed with the mystery shopping group and the Scrutiny Panel.
2.6	Know your tenants and understand their needs. Use this to see who is most likely to experience and/or report ASB.	We have a growing database of information about our tenant profile. STAR survey has some questions on ASB. These will be analysed to give us information as to which groups have experienced ASB.	The introduction of a new computer system for all of housing will help improve our tenant profiling information and its use by all staff.
2.7	Offer help in completing diary record sheets or provide other means, such as small recording devices.	Help available via Housing staff plus Mobile Support Officers	Introducing recording devices (such as dictaphones) to be considered within the budget.
2.8	Involve tenants in the service and capture the views of those who have used it.	Satisfaction surveys are sent out once a case has been completed Few are returned – see HRB report	Consider involving tenants in a telephone survey (EMSRG to review) or do the survey ourselves
2.9	Have mechanisms in place that allow tenants to assess how we are performing and hold us to account.	Information on estate management, including ASB given in the Annual Report. Estate Management SRG are given performance figures each quarter	A report on ASB will go to the HRB on a yearly basis
2.10	Hold at least one focus group with people who've used the service per year	Not currently actioned.	We will arrange this for 2013 (Tenant and Communities Manager)
2.11	Have a service review group in place to monitor ASB	This is covered by the Estate Management SRG	Ongoing

	What the Charter recommends	What we current do	What we need to do
2.12	Consider training tenants to act as advocates or mediators	We do not consider this appropriate at the current time. We currently use Devon Mediation Service.	No action required
2.13	Publish what we do, and our successes	Occasional articles or successes in Court in newsletter	We will be introducing a regular yearly feature on ASB in the new Housing Matters newsletter
2.14	Ensure tenants and residents know how to complain and can do so easily	Information on website, in newsletters and in community centres. Customer Care Commitments SRG (CCCSRG) reviews complaints on a regular basis. Recent article on making a comment, compliment or complaint in Housing Matters, April Edition	Ongoing
2.15	Track complaints to identify any trends	We have acknowledged that this is an area that needs improving and the managers and CCCSRG continue to review and improve.	Ongoing

3. Taking swift action to protect communities

We need to take prompt, appropriate and decisive action to deal with ASB before it escalates. We should adopt a problem-solving approach and have regard to the full range of tools and legal powers available.

	What the Charter recommends	What we currently do	What we need to do
3.1	Staff should be aware of the range of tools and powers available and how to use them appropriately.	We use introductory and demoted tenancies, antisocial behaviour contracts (ASBCs) and antisocial behaviour orders (ASBOs), notice seeking possession, notice to quit and premises closure orders.	Continue to work closely with Legal to ensure use of the most appropriate tools

	What the Charter recommends	What we currently do	What we need to do
3.2	All procedures should be carefully adhered to and actions taken are proportionate to the effects of behaviour on individuals	There is an Estate Management Procedure in place, weekly case reviews are held between Estate Management officers and Tenants and Communities Manager and Housing Legal Matters meetings continue to involve all relevant Housing sections and in house legal representative	Ongoing
3.3	All ASB cases must be managed consistently , according to timescales set out in the procedure	All Estate Management Officers follow the agreed procedure	We will review the guidance on managing ASB cases given in the Respect ASB Charter to see if any of our processes or procedures can be improved
3.4.	The use of a Risk Assessment Matrix should be considered. Remember that perpetrators, as well as victims, may be vulnerable.	We are in the process of developing a risk assessment matrix.	Use of Risk Assessment Matrices for assessing potentially vulnerable victims and perpetrators will be considered.
3.5	Evidence gathering is very important	We use diary sheets and noise monitoring equipment when appropriate. We also make use of community impact assessments and Police statements. When preparing cases for court we are trialling the use of community harm statements	Ongoing
3.6	Strong working relations with local and strategic partners	We work with a range of partner agencies including the police, Social Services, the Youth Service and the Probation Service.	Continue to maintain and identify appropriate new partners
3.7	Swift action when a perpetrator fails to engage with support provision and their behaviour does not improve	We follow the recommendations in the Estate Management procedures.	Continue to do so.
3.8	Close cases appropriately, in a timely manner, and if possible in consultation with	We speak to the complainant and explain that the case will be closed. This is followed up by a letter and satisfaction survey.	Continue to do so.

	the complainant		
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4. Adopting a supportive approach to working with victims and witnesses

Our approach to case working needs to demonstrate a strong focus on identifying and minimising risk.

	What the Charter recommends	What we currently do	What we need to do
4.1	Ensure that complainants and witnesses are safe and well supported	Contact in accordance with our procedures to gain information or update as to progress.	We will look at good practice from other areas and consider what would work for EDDC
4.2	Have appropriate measures in place to identify and respond to both the risk to and vulnerability of victims and witnesses	We ask the police to refer to victim support if appropriate.	We will look at good practice from other areas and consider what would work for EDDC
4.3	Staff are encouraged to put themselves in the position of the complainant and witnesses, and are aware of and know how to assess the support available to assess need	We encourage an empathetic approach at each case review.	Review the checklist for supporting complainants and witnesses and put appropriate steps and processes in place to support their needs. Monitor and gain feedback to ensure they feel supported.
4.4	Agree action plans with complainants, update them regularly on progress and inform them of key developments	How the case will be managed is agreed verbally and recorded.	An action plan should be drawn up and sent to the complainant. Review to ensure being adhered to and stays relevant for both parties.
4.5	Support individuals attending court	Complainants and witnesses meet with our Estate Management team, our legal team, and the Police (if appropriate) prior to attending court although not all cases are attended by a Housing officer or Legal representative.	We will look at good practice from other areas and consider what would work for EDDC. Always attend court in these cases.

5. Encouraging individual and community responsibility

We should work with community groups and partners to promote tolerance and responsibility amongst our tenants and the wider community.

	What the Charter recommends	What we currently do	What we need to do
5.1	Have evidence of work with tenants and tenants' groups to promote tolerance, assess impact on communities etc	Residents Conference June 2011 on ASB. Raise awareness through the Estate Management Service Review Group.	Continue to promote tolerance and assess impact eg through newsletters, publicity, events, etc.
5.2	Work with communities to build confidence, involvement and sense of ownership	Good community development work in Exmouth and Axminster through the SWITCH project MSOs working with residents on the Get Digital and other initiatives The Tenants & Communities team has been created so that Estate Management Officers can work alongside community development workers and tenant participation staff to develop connections and joint working focus.	Further develop our community development work
5.3	Respond quickly to complaints	See Estate Management procedure.96% of complainants are satisfied with the response times	Continue to monitor response times and improve when possible.
5.4	Take steps to meet our tenants' expectations of the ASB service but be honest about what we can do and the need to resolve certain issues themselves	See Estate Management procedure	Find out what tenants expectations are and then take action according to the gap between what we do and what we are expected to do. This may include making sure tenants know what is realistic.
5.5	Explain what being a thoughtful neighbour involves. Consider 'good neighbour agreements' for	If the perpetrator is a tenant we talk to them and explain the behaviour expected of them.	Ensure this is covered at sign up. Exploring the possibility of producing a DVD explaining tenants rights and responsibilities, including good

	some areas		neighbour behaviour.
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	What the Charter recommends	What we currently do	What we need to do
5.6	Use appropriate mediation, monitor its success rate and compare costs of different services	We have a service level agreement with Devon Mediation Service	We will consider putting a positive newsletter article into future Housing Matters to show how local people have benefitted from using this service.
5.7	Improve homes and environment to encourage more positive outlook for tenants	Ongoing plan and cyclical maintenance programmes in place	Continue to gain satisfaction feedback to ensure our provision is relevant and working for our customers.
5.8	Consider the use of community justice panels and community harm statements	Community harm statements are being trialled	Community justice panels will be discussed with the local police, Local Action Groups. If Community harm statements prove beneficial we will continue to use them.

6. Having a clear focus on prevention and early intervention

We need to tailor the preventative measures we use towards the needs of our tenants and their families. We should provide effective support (directly or via our partners) to enable perpetrators of ASB to change their behaviour

	What the Charter recommends	What we currently do	What we need to do
6.1	Have policies for allocations and lettings that contribute to preventing ASB and nuisance and promote neighbourhood sustainability	We use Introductory Tenancies for the first 12 months, which allows us to pick up on potential issues regarding ASB early on in a tenancy and so work with the tenant to prevent escalation. We can use demoted tenancy agreements were	Monitor the effectiveness of the use of introductory tenancies.

		appropriate.	
	What the Charter recommends	What we currently do	What we need to do
6.2	Tenancy agreements should set out clearly what is meant by ASB, and this should be reinforced at sign up. Tenancy terms should be regularly reviewed	Introductory Tenancy Agreement – Clause 4.10 Secure Tenancy Agreement – Clause 4.5 Demoted Tenancy Agreement – Clause 4.9 Some review will take place as a result of drafting our tenancy strategy and tenancy policy	We need to consider whether all tenants fully understand their rights and responsibilities and the type of tenancy agreement they have been given (see 6.4).
6.3	Use effective ASB prevention methods early in a complaint	Visiting, discussing, warning, working with partners so tenants can see the whole affect on them of their continued ASB	We will investigate the use of a Risk Assessment Matrix.
6.4	Ensure tenants understand their tenancy terms, type of tenancy etc	Carry out visit to all new tenants 4-8 weeks after they've moved in	We will explore the effectiveness and cost of a DVD for all new tenants explaining how to manage their tenancy, living in the neighbourhood etc.
6.5	Track 'hot spots' for ASB and share this information with partner agencies	This is currently done informally via the Local Area Groups (LAGs) ? From full survey some years ago do they plan to update data? – waiting for Gerry	Continue to track hot spots with police.
6.6	Provide positive activities for young people	Currently have our SWITCH projects in Exmouth and Axminster as well as one off events and Homework Club run from a community flat we have in Honiton	Consider extending SWITCH from Exmouth and Axminster to other areas across the district including Honiton.
6.7	Link with family intervention projects if appropriate, and access other support services where appropriate	We are working with Devon County Council to develop a 'targeted families support' project and continue the multi agency approach to services on Heathpark estate in Honiton	Ongoing
6.8	Compare the amount spent on prevention work with that spent on intervention and enforcement	Not currently actioned.	Calculate using current cost centres and analyse results to inform decisions on directing resources appropriately.

Ensuring a value for money approach is embedded in the service.

We need to have a strong focus on securing value for money and balancing cost and quality.

	What the Charter recommends	What we currently do	What we need to do
7.1	Understand the costs of all aspects of the service	Costs of all aspects of the service are not currently fully broken down or understood.	As above. Separating out the budget will make it easier to identify costs in future.
7.2	Benchmark the costs of, performance and satisfaction with the ASB service	Compared our figures using HouseMark 2010/11 comparisons show that - we are in the top quartile (higher than average) for number of ASB cases per 1000 properties - 65.74% of ASB cases were successfully resolved (top quartile – higher than average) - 79% of people satisfied with the way the case was handled (second quartile)	Ongoing
7.3	Use an evidence based approach towards budgeting setting, link this to the Service Improvement Plan	Costs of all aspects of the service are not currently fully broken down or understood.	Review staff time compared to type of complaint and other activities, also costs of various aspects of the service. Consider alongside tenant satisfaction and performance data, including complaints, and set budget accordingly to achieve the service plan for the coming year.
7.4	Ensure we are getting value for money from our procured services	A recent review of the Devon Mediation Service felt that it provided very good value for money	
7.5	'Invest to save' – for example if we have a lot of noise complaints then consider purchasing more noise recording equipment		Would need to review the use of noise recording equipment in the last 12 months to see if purchasing further equipment would have helped reduce waiting times.

	What the Charter recommends	What we currently do	What we need to do
7.6	Involve tenants in service improvements, using value for money evidence	We have a Service Review group for Estate Management– need to ensure vfm evidence is put before them so they can assess priorities etc	We could consider using the Estate Management SRG to review the budgets once set
7.7	Have a good IT system in place to deliver an effective ASB service	Currently working towards a new housing management system	Corporate system target date April 2013.

Performance Indicator	2011/12						Progress against last quarter
	April- Jun	Jul-Sep	Oct- Dec	Jan - March	Cumulative Total	Cumulative Total %	
No. of new ASB cases							
Alcohol related (H)	0	1	0	1	2	1%	
Criminal Behaviour (O)	0	0	1	0	1	0%	
Domestic Abuse (I)	0	2	0	0	2	1%	
Drugs, substance misuse, dealing (G)	0	0	0	0	0	0%	
Garden Nuisance (L)	2	0	0	0	2	1%	
Hate Related (C)	1	0	0	0	1	0%	
Litter, Rubbish, Fly Tipping (K)	1	2	4	7	14	6%	
Misuse of Communal Areas (M)	0	1	0	0	1	0%	
Noise (A)	31	40	26	27	124	56%	
Nuisance from Vehicles (F)	0	2	0	0	2	1%	
Pets & Animal Nuisance (E)	15	8	8	11	42	19%	
Physical Violence (J)	1	1	0	3	5	2%	
Prostitution, Sex Acts (N)	0	0	0	0	0	0%	
Vandalism & Damage to Property (D)	3	3	2	3	11	5%	
Verbal Abuse (B)	3	6	4	3	16	7%	
Total New ASB Cases	57	66	45	55	223	100%	
Live Cases at End of Quarter	30	35	21	27	113		
Resolved	34	54	59	48	195		*
Unresolved	10	9	2	2	23		*
% of closed cases that are resolved	77%	86%	97%	96%	89%		
Resolved by Early Intervention	44	63	61	50	218		*
Actions Taken by Early Intervention	57	66	44	55	222		*
Number of surveys received	17	15	13	4	49		*
How easy to report complaint - % positive rating	94%	73%	85%	100%	86%		
How quickly were you interviewed - % positive rating	94%	100%	92%	100%	96%		
Was staff member helpful - % positive rating	87%	100%	91%	100%	93%		
Overall satisfaction with way complaint was dealt with - % positive rating	81%	100%	67%	100%	80%		
Overall satisfaction with outcome of complaint - % positive rating	67%	100%	58%	100%	73%		

Agenda Item: 15

Housing Review Board

10 January 2013

jg



Flexible tenancy agreement

Summary

This report presents the draft flexible tenancy agreement for consideration. The Board approved a Tenancy Strategy and Tenancy Policy as required under the Localism Act at your meeting in June 2012. We agreed to commence the use of flexible tenancies from April 2013 for general needs tenants.

Recommendation

That the draft flexible tenancy agreement is approved for use in accordance with the adopted Tenancy Policy.

a) Reasons for Recommendation

For the Housing Review Board to approve the new style flexible tenancy.

b) Alternative Options

To adopt alternative clauses in the draft tenancy agreement.

c) Risk Considerations

That the draft tenancy agreement is not suitably drafted and becomes difficult to enforce.

d) Policy and Budgetary Considerations

These are as set out in the report.

e) Date for Review of Decision

An annual review is suggested.

1 Background

1.1 In June 2012 we agreed a Tenancy Policy and Strategy for our and partners lettings as required by the Localism Act 2011.

1.2 The Tenancy Policy sets out how we will ensure the right type of tenancy is allocated to each tenant (Systems Thinking purpose – to match the right people with the right home), how we will address issues of under occupation of properties and how we will provide family or adapted properties where these are required. It also sets out the circumstances in which we will charge affordable rents.

- 1.3 The Tenancy Policy includes sections on the following areas: tenancy types and conditions; tenancy agreements; sustaining our tenancies; tackling tenancy fraud; ending the tenancy; succeeding to a tenancy; tackling under occupation; adapted properties; transfers; and mutual exchanges:

Tenancy types and conditions:

- The Policy outlines the four types of tenancy agreement which we already use – introductory tenancy; secure tenancy; demoted tenancy and non secure tenancy.
- The Housing Review Board is now asked to agree to the introduction of flexible tenancies (see below).

Flexible tenancies:

Who will be given flexible tenancies?

From an agreed date, in most circumstances tenants going into general needs properties will be given flexible tenancies (after the initial introductory tenancy) as it is felt possible that their circumstances may change during the course of the tenancy (for exceptions see clause 3.3.5 of the draft policy).

Tenants going into sheltered accommodation (accommodation which we deem suitable for persons over 60 yrs of age or with a disability) will still be given a secure tenancy as it is felt less likely that their circumstances will change over time.

How long will these be for?

The length and terms of the flexible tenancy will be explained to all tenants before they take on the introductory tenancy. In almost all cases they will be for five years. If a tenant's (or their family's) circumstances have not changed during the fixed term, the tenancy can be reissued for another fixed term.

What happens at the end of the flexible tenancy period?

We will renew the flexible term tenancy unless:

- The property has become larger than the tenant and their current family require.
- The property has become overcrowded.
- The income of the household has risen to above the income limit as set out in the Devon Home Choice Policy.
- The property has adaptations which are no longer required by the current tenant or a member of their family.
- The rent account is in arrears at the time of the review or has been in arrears for at least six out of the last twelve months. Exceptions can be made for tenants getting assistance with their rent from Housing Benefits, those who we consider to have only minor rent arrears, or those who have made an agreement to pay by instalments and have kept to this agreement.
- There has been a breach of tenancy conditions and a notice seeking possession has been served.

- We intend to demolish, redevelop or dispose of the property within the next five years. In these situations we will consider offering a short term tenancy of the property or suitable alternative accommodation.

What about the rights of a flexible tenant?

Tenants still have the Right to Buy their property, but they do not have the right to make, or be compensated for, any improvements. They have the same rights of succession as secure tenants, and are subject to the same grounds for possession.

1.4 It is proposed that the use of flexible tenancies commencing 1st April 2013.

2. Draft flexible tenancy agreement

2.1 Officers have drafted a new style agreement (**annex 1**) that incorporates the new features of a flexible tenancy as distinct from the secure tenancy in common use.

2.2 Many of the features of the tenancy agreement are familiar with normal tenant and landlord obligations. The main changes are concerned with the length of the tenancy and the review arrangements when the fixed term has come to an end. There are a final few legal checks to complete and the draft tenancy agreement will be ready to use.

2.3 We have notified relevant new tenants who have recently gone onto an Introductory Tenancy that after successfully completing the probationary period that they will be offered a Flexible Tenancy.

2.4 The Board is invited to consider the terms of the draft Flexible Tenancy Agreement and approve it for use.

Legal Implications

Section 154 of the Localism Act 2011 amends the Housing Act 1985 section 107 A-E and sets out the Flexible Tenancy regime in context. The powers and duties of the Housing Authority are set out in this statutory regime and include:

- the definition of a flexible tenancy (s107 A)
- the procedure for a tenant to seek a review of the HA to offer a flexible tenancy (s107)
- the procedure for the tenant to terminate a flexible tenancy (s107C)
- the recovery of possession of a flexible tenancy at the end of the fixed term (s107 D)
- the review of the LA's decision to seek possession (s107E)

The Housing Authority will have to ensure that there are strict procedures in place so that the flexible tenancy regime is procedurally correct and not challenged legally either when seeking possession at court or by way of Judicial Review.

Financial Implications

The financial implications cannot be quantified but flexible tenancies should contribute to maximising rental income.

Consultation on Reports to the Cabinet

None.

Background Papers

- [Tenancy Strategy and Policy.](#)
- [Housing Review Board report of June 2012 on the Tenancy Policy.](#)

John Golding
Head of Housing

Housing Review Board
10 January 2013

Flexible Tenancy Agreement



Effective from 1 April 2013

Introduction

Please read this agreement carefully before accepting the tenancy. When the agreement has been signed, the conditions become binding on you as tenant(s) and us (the Council) as landlord.

You are entering into a legal contract with us. If you do not understand anything in the agreement, you should contact a member of the Housing Needs team at the Council Offices, Knowle, Sidmouth on **01395 517469** or get advice from a solicitor or the Citizens Advice Bureau.

If you wish to serve a notice on East Devon District Council relating to your tenancy, please deliver it or send it to:

East Devon District Council
Housing Service
Knowle
Sidmouth
EX10 8HL



**Available in other languages
and formats upon request.**

Telephone 01395 516551.

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1

Jargon Explained

We have tried to write this tenancy agreement using plain language. However, there are some terms which need explanation, and they are listed here:

Antisocial behaviour is behaviour which impacts negatively on a resident's or visitor's quality of life in and around their home.

Assignment – passing the rights in full of your flexible tenancy to somebody else where allowed by the Housing Act 1985.

Break date – needs definition

Break notice – needs definition

Cohabitee – needs definition

Communal areas mean any part of the building and communal land which all tenants share or can use.

Council, or we, us, our means East Devon District Council as landlord and/or our agents.

Court Order – given by a court to order a tenant to either do a particular action or cease doing an action.

Exchange means to swap your tenancy with another person by mutual agreement where allowed by the Housing Act 1985.

Fixed term – the period for which the tenancy applies.

Flexible tenancy – a tenancy given for a specific period of time known as the fixed term.

Home means the property let to you under this agreement.

Household means all the people living at the property. This includes any lodgers, visitors or anyone staying for only a short time.

Improvement means any addition or alteration to the property.

Injunction – a court order commanding you not to do an act or requiring a positive step.

Joint tenancy is a tenancy granted to two or more (up to a maximum of four) people. Each tenant is jointly and separately liable for the tenants' obligations in the tenancy agreement. The Council can enforce tenancy obligations against all or one of the joint tenants in the agreement.

Landlord's fixtures and fittings means all appliances in the property supplied by the Council including installations for supplying or using gas, electricity and water.

Lodger means a person who pays you money to share the property.

Neighbours include everyone living in the local area, including people who own their own homes and other tenants.

Notice means a formal written document, given either by you or us, saying that you, or we, intend to end the tenancy agreement.

Partner means a husband, wife, common law partner, same sex partner or any other person with whom you cohabit in an established relationship.

Possession Order is a formal instruction from a court that gives us permission to take action to seek a warrant from the Court Bailiff to make you leave the property.

Property means the dwelling together with any yard, garden, garage and outhouse.

Relatives are parents, children, adopted children, grandparents, brothers, sisters, uncles, aunts, nephews, nieces, and step relatives.

Rent – the contractual sum payable by the tenant to the landlord as compensation for the tenant’s right to possession of the property for the term of the tenancy.

Subletting – creating a sub tenancy out of the flexible tenancy which gives up possession of all or part of the property.

Succession is when a tenant dies and the tenancy can sometimes be taken over by the spouse or civil partner. Only certain people have the right to do this and only in certain circumstances.

Tenant – the person responsible for paying rent to the Council under this agreement.

Termination date is the day on which the tenancy ends.

Transfer means when you move to another property owned by us or you move with our agreement to a property owned by another social landlord.

Violence includes harassment, physical, mental, emotional and sexual abuse.

Written consent means a letter from the Council giving you permission to do certain things. If you need to seek our consent to do something, this needs to be done in writing by a letter.

You, your means you as the tenant of the landlord and in the case of joint tenants, any one or all of the joint tenants.

2

About Your Flexible Tenancy Agreement

- 2.1 This is a flexible tenancy under Section 154 of the Localism Act 2011. Your, and our, rights and obligations under the agreement are set out in Sections 2, 3, 4, 5 and 6. If there are joint tenants, each tenant is responsible for meeting all the conditions of the agreement.
- 2.2 The property has been inspected before it was let to you and we have done all necessary repairs to our fixtures and fittings. The property is let free of furniture and possessions.
- 2.3 The agreement gives you the right to live in the property for a fixed term from the tenancy start date. The length of the fixed term is stated on the signature sheet ‘grant of flexible tenancy’. This

means you have the right to remain in your home during the fixed term. We cannot evict you during this fixed term without first obtaining a possession order in the courts.

We will not interfere with this right unless any of the following apply:

- a. You break any conditions of the agreement. If you do, we can take legal action to, either make you meet the conditions (an order for specific performance, or an injunction) or, pursue a court order to evict you.
- b. You are living in a property which is one of a group let to people with special needs, or which we built or adapted for a person with a disability, and:
 - i you no longer need that type of home, and
 - ii we need the property for someone else with special needs.
- c. You find another home or you stop using the property as your only or main home.
- d. You have given false and misleading information to get the tenancy.
- e. We need to carry out redevelopment or major repairs to the property or surrounding area, which we cannot do unless you move out.
- f. We have a legal duty to undertake a safety inspection of the Council's gas appliances and you fail to give access for this work to be carried out.
- g. There is any other reason under the Housing Act 1985, the Housing Act 1996 or any law which allows us to get involved.

DOES THIS CLAUSE AGREE WITH THE FOREFEITURE CLAUSE – 5.1??

- 2.4 The tenancy includes the use of the communal areas for all proper purposes in connection with the use and enjoyment of the property.

3

Your Rights

3.1 Right to succession

We will consider all issues about tenancy succession taking into account Section 87 of the Housing Act 1985 and Section XX of the Localism Act 2011.

A person can succeed to the tenancy if they are living in the property as their only or principal home at the time of the tenant's death, and they are the tenant's spouse, civil partner or cohabitee, unless you have already succeeded to the tenancy.

Where a joint tenant becomes a sole tenant this counts as the one succession allowed by the Housing Act 1985 (for example husband and wife to surviving husband or wife).

If the property is not suitable for the needs of your relative (for example the property becomes under occupied) we will require them to move to a more suitable property. We can only use this reason between 6 and 12 months after the previous tenant's death and only by court order. – **STILL APPLICABLE WITH THE NEW RULES ON SUCCESSION?**

3.2 Assignment of tenancy

Assignment is when you pass on the rights of your flexible tenancy, in full, to somebody else, where allowed by the Housing Act 1985. Assignment of a flexible tenancy is not allowed in law except in these cases:

- a. an assignment by way of exchange (see Clause 3.5)
- b. an assignment made under a court order
- c. an assignment to a person who would be qualified to succeed the tenant if the tenant died immediately before the assignment.

GILES CHECKING SECTION 3.2

3.3 Lodgers and subletting

You may sublet part of the property with our written consent but you must not sublet the whole property as this invalidates your tenancy.

3.4 Right to request a transfer

As a flexible tenant you can ask to transfer to alternative accommodation. You will need to register on Devon Home Choice at www.devonhomechoice.com and bid for properties suitable for your needs.

We will not normally allow you to transfer to another property owned by us, or any other social landlord, if:

- a. you owe us rent
- b. your property is in poor condition
- c. you have made improvements or alterations to the property without our written consent
- d. there is evidence of antisocial behaviour linked with your tenancy.

3.5 Right to exchange

You can exchange your home with another Council or housing association tenant. You will need to register with Homeswapper at www.homeswapper.co.uk and seek a suitable property to exchange with. We may refuse consent in certain circumstances. You may not exchange your property if you have rent arrears or if the property is not suitable for your needs.

3.6 Right to information

You have the right to see:

- a. all our policies relating to housing issues including allocations, exchanges and any other housing related issue
- b. certain personal information we hold to do with your tenancy or housing application.

We may charge you for copies of these details. You should make a formal request in writing to see any information we have in relation to your tenancy.

3.7 Right to be consulted and involved

There is a tenant and council partnership statement which sets out how tenants can be involved in decisions about housing services and the areas where they live. We will always consult you over any substantial proposed changes in housing management and consider your views before putting the changes into effect. We will consult tenants individually or through the Tenant Representative Group or tenants associations or groups.

3.8 Changes to the tenancy agreement

It is rare that we make any changes to the tenancy agreement. However, we do review it to make sure that it is clear and that it complies with the law. Before making **any (SHOULD THIS SAY MAJOR/Significant?)** amendments or changes to the agreement we will tell you of the proposed changes, and consider your views, before putting the changes into effect. We will give you at least four weeks' notice in writing, together with any information needed to let you know the nature and effect of the changes. We will give you an opportunity to end the tenancy before the changes take place, should you wish to do so.

3.9 Right to make improvements to your home

Tenants on a flexible tenancy do not have a statutory right to make improvements to their property. However we may allow you to carry out certain alterations or improvements to your home but you must first get our written consent. We will not unreasonably refuse your request but you may also need other permissions (for example planning permission and/or building regulations approval). All these improvements must be done to our satisfaction. Any such alterations or improvements will normally become our property when the tenancy is ended. Alternatively, at the end of your tenancy we may ask you to remove, at your own expense, any structures you have added, and make good to the fabric of the building.

This includes, but is not limited to, arials, outbuildings, sheds, greenhouses, fencing and clothes lines that you have put up, as well as any other internal (for example laminate flooring) or external alterations (including decorating the outside of your home). You must not artex the internal walls of the property or fix polystyrene tiles to ceilings.

3.10 Right to compensation for improvements

Tenants on a flexible tenancy do not have the right to compensation for improvements.

3.11 Right to repair

In certain circumstances you have the right to require us to get a second contractor to do certain small urgent repairs which might affect your health, safety or security. This only applies to repairs that are our responsibility and which we have not completed within a prescribed time. Please contact us for further details.

3.12 Buying your home

If you have become a (social housing ?) tenant since 18 January 2005 you have the right to buy your home after five years. However certain properties, such as sheltered homes for the elderly, are excluded from the right to buy.

The government's leaflet "Your right to buy your home" gives more information and is available from our Right to Buy Administrator.

3.13 Keeping pets

You may keep domestic pet or pets in your home provided they are well cared for and kept under proper control. If any animal you keep in the property causes nuisance, annoyance, damage or a public health risk to anyone in the local area, including our employees or representatives, we can ask you to remove it or take legal action for breaching the nuisance clause of this agreement (see Clause 4.4).

4 Your Obligations

We expect our tenants to act in a responsible manner at all times and to have respect for the property, the surroundings and the neighbours. These responsibilities and obligations apply to you, members of your household and any other person living or visiting your home including children.

You may not be given another Council home in the future, or this agreement may not be extended, if:

- a. you are evicted for a breach of this agreement
- b. you have abandoned your home
- c. you still owe rent

- d. you left the home in poor condition and have not paid for repair or replacement of damaged items.

4.1 Paying your rent

- a. You must pay the weekly rent, and any other charges made for your home, two weeks in advance. Payment is due on the first Monday of each fortnight. Any other charges may include, but are not limited to, water, sewage, heating, and charges for support services.
- b. Rent payments can also be made monthly or four weekly by prior arrangement with the Council. Please contact the Housing Rental Section (the telephone number and address can be found in your rent payment voucher book). Please note that when paying rent, all payments must be paid in advance.
- c. With certain tenancies a charge may be made for services we provide. We will tell you about any that apply in the tenancy offer letter.
- d. We may vary the rent, and any other charges, but before doing so will give you at least four weeks' written notice. A variation in rent will normally occur every year at the start of each financial year (April). We will tell you in writing about the details of the variation and give you an opportunity to end the tenancy before the variation takes place.
- e. If you claim housing benefit, council tax benefit or universal credit you must immediately notify the Council of any changes of circumstances that may affect your benefit entitlement. For further advice, please contact the Council Housing Benefit section at the Council Offices, or refer to benefit leaflets or any decision letters sent by us.

4.2 Occupying your home

You must occupy the property as your only or principal home. You must not leave the property unoccupied for more than 28 days without providing us with reasonable notice of your future intention to return.

4.3 Use of your home

You must use the property only as a private dwelling house with the exception of any consent given under **Section 3 'Your rights'**. **(IS THIS THE CORRECT SECTION – WHAT ABOUT REST OF THIS SECTION ESPECIALLY 4.5?)**

You must not use your home for any improper, illegal, immoral or antisocial purpose. You must not commit an offence in your home, or in the local area, which could lead to a conviction.

We will take immediate steps to recover possession of the property from any tenant who is concerned in:

- a. the supply, storage or manufacture of controlled drugs or other illegal substances from their home
- b. domestic violence
- c. storing stolen property
- d. prostitution
- e. any other serious arrestable offence.

4.4 Conduct of tenancy and antisocial behaviour

You and any joint tenants are responsible for the behaviour of your children and people living in or visiting your home. We will take legal action to evict you if we can prove that you, your relatives, your children or visitors behave antisocially, which includes damage to property or behaviour that is likely to injure, intimidate, cause alarm or distress.

You or any person living in or visiting your home, and communal areas, must not:

- a. do anything that causes or is likely to cause nuisance or annoyance to a person residing, working in or visiting the local area. This includes people living in the locality of your

home, street or estate regardless of whether they are Council or private tenants or owner occupiers

- b. do anything that interferes with the peace, comfort, or quiet enjoyment of other people living in the locality
- c. harass, or threaten to harass, or use, or threaten to use violence or intimidate a person in the local area because of their race, colour, ethnic origin, nationality, age, sexuality, religion or disability
- d. use the property for any criminal, immoral or illegal purpose, which includes being involved in the supply of any illegal or controlled drugs or storing or handling stolen goods
- e. harass, or threaten to harass, or intimidate, or use, or threaten, verbal or physical violence towards our employees or representatives
- f. use, or threaten to use, violence towards any person living in the property, or the property itself
- g. write threatening, abusive or insulting letters or graffiti
- h. allow any pet to cause a nuisance, annoyance, damage or public health risk to anyone in the local area.

4.5 Running a business

If you wish to run a business from your home you will need our prior written consent. We will not refuse consent unreasonably or unless we feel the business is likely to cause a nuisance or annoyance to your neighbours or damage to the property. If we give consent and the business causes a nuisance we will withdraw our consent, giving you 28 days notice. You may need planning permission for some businesses.

4.6 Condition of your home or garden

- a. You must keep the inside and outside of your home, including internal decoration, garage and any outbuildings, in a neat and tidy condition.
- b. Gardens and verges must be regularly trimmed, well maintained and free from rubbish.
- c. Boundary hedges should be trimmed at least once a year and kept below two metres in height.
- d. Any ditches or water courses should be kept free flowing and not obstructed in any way.
- e. You must not remove any trees or boundary hedges without our written consent.
- f. You must not plant any trees, hedges or large shrubs which are likely to become dangerous, cause nuisance to your neighbours or damage to property. If you are in doubt please seek our advice.
- g. You may be asked to repay the Council the cost of cleaning your home if you allow it to become dirty or infested with vermin.
- h. You must ensure that chimneys and flues are kept free from obstruction and that chimneys, where in use, are swept at least once a year, or more frequently if necessary.

4.7 Parking your car or other vehicles

- a. You may park a vehicle within the boundaries of your property if you have a properly constructed hard standing with a pavement-kerb crossing.
- b. You may not park a vehicle which is not taxed or which is un-roadworthy on the property or on any council housing land.
- c. You must obtain written permission from us to park boats, caravans, trailers or small trade vehicles on the property or on any council housing land. Any vehicles larger than a transit size (3.5 tonnes or over) will not be allowed under any circumstances.
- d. You must not do large scale car repairs on the land around the property, on car parking areas or on the road.

4.8 Communal areas

If you occupy a property that has communal areas associated with it, for example with some flats or maisonettes, you must not litter, dirty, obstruct or allow any pets you have to foul such areas. You are responsible for keeping clean any communal stairs and landings. You must not interfere with fire safety measures or store belongings in communal areas where this presents a fire risk.

4.9 Access to your home

You must allow our employees or representatives reasonable access to your home to inspect its condition, do repairs or improvements to the property or an adjoining property, or to deal with any health and safety issue including the annual safety inspection and servicing of the Council's gas appliances. We will give you reasonable notice if we require such access. In an emergency we may have no alternative but to enter your home without notice by any necessary means. Emergency means a situation that could cause personal injury or damage to your home or a neighbouring home.

4.10 Insurance

We are responsible for insuring the building against fire, lightning, explosion, storm and flood. Our policy does not cover accidental damage. We will not accept responsibility for any damage caused by you or members of your family, or any person visiting the property. You, members of your family, or any person visiting the property, shall not do or permit to be done in or about the property any act which may render void or invalidate the insurance of the property or the building against fire or otherwise increase the ordinary premium for the insurance.

We do not insure any of the contents. We strongly advise that you take out Home Contents Insurance with the standard perils of fire, theft, vandalism and water damage, and accidental damage on a 'new for old' basis.

4.11 Repairs

You must inform us promptly of any defects to the property that are our responsibility (see Section 5.4).

You are responsible for the cost of repairs that are the result of neglect or misuse, or deliberate, malicious, criminal or accidental damage by you, people living in your home or people visiting your home.

We reserve the right to repair any damage that compromises the security or safety of the property that would otherwise be your responsibility, if it is not put right within an agreed period of time. We will recover our costs from you.

Where a mutual exchange has taken place, you take on responsibility for any fixtures and fittings put in by the previous tenant unless we have agreed otherwise.

4.12 Harmful or other dangerous materials

You must not keep in or around the property any dangerous, offensive, harmful or inflammable materials except those that can reasonably be put to domestic use.

You may not put up any material that may cause injury on the property (for example barbed wire or broken glass).

4.13 Refuse disposal and recycling

You will be responsible for your own household refuse and items to be recycled. You must make sure that these do not cause problems to neighbours or that the bins used for these do not cause obstructions on roads, communal areas or pathways.

You must make sure that all refuse and recycling is contained in a bin and placed at the designated area on the collection day. If you have a recycling box, you will be responsible for making sure that items which can be recycled are separated from your dustbin.

You must dispose safely of your unwanted bulky household items, for example fridge, furniture, as soon as possible and not later than 28 days after placing outside of the dwelling. Please contact us for further details.

5

Our Rights and Obligations

5.1 Re-entry and forfeiture – John would like this explained regarding purpose and intentions

- 5.1.1 We may re-enter the property (or any part of the property) at any time after any of the following:
- any rent is unpaid for twenty-one days after becoming payable whether it has been formally demanded or not [but see 6.3.2 – seem to contradict](#)
 - any breach of any condition of this tenancy agreement has occurred
 - an act of insolvency on the part of the tenant.

CROSS CHECK WITH CLAUSE 2.3

- 5.1.2 If we re-enter the property (or any part of it) in line with this clause, the tenancy agreement will end immediately without prejudice to any right or remedy of the Council in respect of any breach of the tenancy agreement by the tenant.

5.2 Service of legal documents

Where it is necessary to serve legal documents on you this will be done by one of the following:

- handing it to you in person or to any adult at the property
- delivering it through the letter box of the property
- sending it by first class post to the property or to your last known home address or work address.

5.3 Giving our consent

Where the agreement says that you need to get our consent to do something, we will not unreasonably withhold it. We may withhold consent if we believe nuisance, annoyance, or damage will occur. We may give our consent subject to certain conditions. If you do not keep to these extra conditions, we will withdraw our consent. We will give you a written explanation if we cannot give consent. Consent means our consent in writing. Please address any letters to the relevant department or to the Head of Housing.

5.4 Doing repairs

We will keep in good repair:

- and proper working order our installations for supplying water, gas, electricity and sanitation including basins, sinks, baths, and toilet fittings
- and proper working order our installations for room and water heating
- the structure and exterior of the property including drains, gutters and external pipes
- the lift service, where provided
- the communal entrances, halls and stairways in flats, as well as any other areas for use by all tenants and their families and visitors
- and decorate the outside of your home and communal areas of flats and maisonettes.

The exceptions to this are repairs that arise as a result of deliberate, malicious, criminal or accidental damage caused by you, people living in your home or people visiting your home.

We will do repairs which are our responsibility within a reasonable period and will tell you of the timescale for completion of your repair.

5.5 Customer Service

We will make sure that you receive the highest possible standards of customer service at all times within the resources we have available. If you would like more information about the standards you can expect when dealing with us, we can let you have our customer service strategies and standards. You can also see these on our website www.eastdevon.gov.uk.

5.6 Complaints

If you feel that we have not met our obligations under this agreement, we would urge you to use the Council's complaints procedure, details of which can be obtained from our offices. We take all complaints very seriously.

6

ENDING YOUR TENANCY

6.1 At the end of the fixed term – your obligations

- a. All keys to the property must be handed in to the Council offices before 12 noon on the day after the tenancy ends. If you do not do this we will charge you further rent and any other reasonable costs.
- b. The property must be left in a clean condition, clear of all rubbish, and free of your furniture and possessions. You must leave all fixtures and fittings intact and in the condition they were in at the start of the tenancy, except for fair wear and tear.
- c. If you do not comply with a, or b above and you are 'transferring' to another social rented property, we will not allow your transfer to take place.
- d. We will take steps to recover from you any reasonable costs we incur in:
 - i replacing or repairing any missing or damaged items
 - ii replacing or repairing any alterations which do not comply with relevant regulations
 - iii replacing or repairing any alterations for which we did not give our written consent under Section 3 'Your rights: Right to make improvements to your home'
 - iv meeting all reasonable removal and/or storage charges when items are left in the premises after the termination date
 - v cleaning the property.
- e. We will remove and store any items left in the premises after the termination date for a **maximum of three months** (John asks why we should do this – also is this the right length of time). We will notify you of this at your last known address. If the items are not collected within three months we will dispose of them and you will be liable for our reasonable costs of disposal.
- f. In the event of your death, your next of kin or executor must notify us in writing of your death and terminate the tenancy. The tenancy will continue until we receive notice and failure to terminate the tenancy may incur further costs against your estate including unpaid rent.

- g. If you go to court because of a divorce, a domestic dispute or a relationship breakdown, the court will decide whether to order the transfer of the tenancy to one or other of the partners. The tenancy rights will end for the other person who must leave the property.

6.2 Ending your tenancy during the course of the fixed term – your rights and obligations (Break Clause)

- a. You may terminate this tenancy agreement during the fixed term by serving a break notice on us at least four weeks before the break date.
- b. The break notice shall be of no effect if, at the break date stated in the break notice
 - (i) you have not paid any part of the rent which was due to have been paid in respect of the tenancy
 - (ii) vacant possession of the whole of the property is not given
 - (iii) you are in breach of any of the terms of the tenancy agreement relating to the state of repair and condition of the property.
- c. Subject to **clause 6.2.b above**, following the service of a break notice this tenancy agreement shall terminate on the relevant break date.
- d. Termination of this tenancy agreement on the break date shall not affect any other right or remedy that either party may have in relation to any earlier breach of this tenancy agreement.
- e. If this tenancy terminates in accordance with **clause ??** then, within fourteen days after the break date, we will refund to you the proportion of the rent paid in respect of the period from and excluding the relevant break date up to and excluding the next rent payment date. This will be calculated on a daily basis.

6.3 Ending your tenancy during the course of the fixed term – our rights and obligations

We will not interfere with your rights to occupy your home within the fixed term of the flexible tenancy agreement, unless you contravene any of your obligations within this agreement, or if any of the matters set out in Clause 2.3 and Clause 5.1 of this agreement apply. We will give you an opportunity to explain your actions, and any mitigating circumstances, and put right any breach of the tenancy conditions, where possible, before we commence possession proceedings.

During the fixed term of the tenancy agreement, we cannot bring your tenancy to an end without first serving a notice of seeking possession, telling you why we are seeking to possess your home. The tenancy can only be ended if:

- a. we prove one of the grounds of possession set out in the Housing Act 1985 and Housing Act 1996 and
- b. the court considers our action reasonable and gives a possession order.

If you are joint tenants, you are both (all) responsible, individually and together, for keeping to all the conditions of your agreement. This includes paying rent.

6.4 Ending your tenancy at the end of the fixed term – our rights and obligations

- 6.4.1 We will begin to review your flexible tenancy at least 12 months prior to the end of the fixed term. We will write to you to tell you the outcome of the review. Where your circumstances, or those of your household, have not changed significantly over the course of the fixed term we will renew the flexible tenancy for a further fixed term, other than in exceptional circumstances.
- 6.4.2 We will renew the flexible term tenancy unless:
 - a. the property has become larger than you or your current family require or the property has become overcrowded
 - b. your household income has risen to above the income limit as set out in the Devon Home Choice Policy

- c. the property has adaptations which are no longer required by yourself or a member of your family.
- d. Your rent account is in arrears at the time of the review or has been in arrears for at least six out of the last twelve months. (Exceptions can be made for tenants getting assistance with their rent from Housing Benefits, those who we consider to have only minor rent arrears, or those who have made an agreement to pay by instalments and have kept to this agreement.)
- e. There has been a breach of tenancy conditions and you have been served with a notice seeking possession
- f. We intend to demolish, redevelop or dispose of your property within the next five years. (In these situations we will consider offering a flexible tenancy of between 2 and 5 years for the property or suitable alternative accommodation.)

6.4.3 When considering whether to renew a flexible tenancy we will take into account:

- a. Circumstances where there is a clear need for the household to remain in the same location and other suitable accommodation is not available locally. This will usually only apply in our rural areas.
- b. Circumstances where the property has had to be adapted to meet the needs of a particular tenant or member of their household and this work would have to be duplicated in a new property.

6.4.4 If we are not going to renew your flexible tenancy agreement, we will give you at least six months notice that the fixed term is coming to an end. A further notice will be sent to you at least two months prior to the end date. We will make it clear that we do not propose to grant another tenancy and the reason for that decision.

6.4.5 You have a right to request a review of our decision not to renew a flexible tenancy within 21 days but only where this does not accord with our published tenancy policy. Such a request should be made to the Housing Needs and Strategy Manager.

You can request an oral hearing and the review will be conducted by someone senior to the maker of the original decision, who was not involved in that decision.

The review must be carried out prior to possession proceedings being issued.

6.5 To end your flexible tenancy we need to obtain a possession order from the courts.

7

Data Protection Act 1998 & National Fraud Initiative

7.1 On signing the tenancy agreement you agree that we are able to release personal information where there is a legal obligation to do so. This will include:

- **Utility companies**, as there is a legitimate interest to make sure that service charges are passed on to those responsible for their collection,

- **Rental payments**, where you leave without paying rent, and no arrangements are in place to do so, we may pass on details to a tracing agency or debt collection company to seek recovery,
- **Repairs**, whether emergency, urgent or repairs at our discretion, we may provide tenant's contact details to the agents, contractors or repairers,
- **Right to Buy** enquiries when we have to provide tenant contact details to the valuers.

7.2 A copy of our Data Protection Policy is available on request.

7.3 Information will be retained for six years after the termination of your tenancy.

7.4 We are required under section 6 of the Audit Commission Act 1998 to participate in the National Fraud Initiative (NFI) data matching exercise. We advise you that the data held by us in respect of your tenancy will be used for cross-system and cross-authority comparison purposes for the prevention and detection of fraud, where requested.

8

Contract Rights for Third Parties

8.1 A person who is not a party to this agreement is not intended to have any right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this agreement.

9

Future Acts of Parliament

9.1 This agreement takes into account the following legislation:

- Housing Act 1985
- Housing Act 1996
- Data Protection Act 1998
- Contracts (Right of Third Parties) Act 1999
- Freedom of Information Act 2000
- Anti-social Behaviour Act 2003
- Civil Partnership Act 2005
- Unfair Terms in Consumer Contract Regulations 1999
- Localism Act 2011

9.2 Unless expressly stated to the contrary any reference to a specific piece of legislation includes any legislative extension, modification, amendment or re-enactment of that legislation and any regulations or orders made under it and any general reference to a piece of legislation including any regulations or orders made under that legislation.

10

Useful Contact Points for Information/ Practical Help within the Council

Estate Management	01395 516551
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Home Safeguard	01395 578237
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Housing and Council Tax Benefit	01395 517446
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Housing Needs	01395 517469
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Landlord Services	01395 516551
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Rental	01395 517444
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Repairs and Maintenance	
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During office hours	01395 517458
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Out of office hours (emergencies)	01395 516854
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Right to Buy	01395 517533
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Tenant Participation	01395 517453
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11.

EAST DEVON DISTRICT COUNCIL

GRANT OF FLEXIBLE TENANCY

Localism Act 2011 s154 and Housing Act 1985 s105 A-E

The address of the property rented in this agreement is:

.....
.....

The full name of the tenant(s) is/are:

First name(s).....Surname.....

First name(s).....Surname.....

This tenancy starts on (Commencement Date):

The tenancy ends on (Termination Date):

The initial weekly rental and other charges are:-

Rent
Support charges
Other charges

Any increases or changes in these amounts will be notified to you as set out in Paragraphs 4.1c and 4.1d of the Flexible Tenancy Agreement.

At the start of your tenancy you will be asked for the names of all the occupants of the property, and a contact person or next of kin in case of emergencies. We ask that you update this information on an annual basis. Reminders to let us have up to date information will be printed in our newsletters.

All tenants should sign this page after reading this agreement.

'The information I/we gave in the housing application form was and still is true. I/we understand and agree to the conditions in this tenancy agreement which is a legal contract. I/we are the tenant(s) to whom the tenancy is granted. I/we understand that if I/we made a false statement or misled the Council to obtain the property, I/we may lose our home.'

Tenant's signature.....Date.....

Tenant's signature.....Date.....

Housing Officer signature.....Date.....

[On behalf of East Devon District Council]

The signed copy of this form must be returned, by the tenancy commencement date, to:

The Housing Needs and Strategy Manager
East Devon District Council
Knowle, Sidmouth EX10 8HL

Agenda Item: 16

Housing Review Board

10 January 2013

VR/PA



Housing Community Development (Youth) report

Summary

This report is designed to update the Housing Review Board on the Community Development work undertaken to date and discuss plans for future work.

This work means that Housing is looking beyond its core landlord and housing management activities and taking seriously its corporate and social responsibility.

Recommendation

To note the report and continue to fund the community development work for youth within East Devon District Council.

a) Reasons for Recommendation

To support the work of the Community Development Workers (Youth) within the Housing Service.

b) Alternative Options

To not support this work or to extend our role in community development.

c) Risk Considerations

A lack of community engagement by young people on East Devon's housing estates.
A lack of positive free time activities for children, young people and their families in our district.

Working in isolation from other community groups and organisations, leaving gaps in provision for children, young people and their families.

Communities feeling they do not have a voice, satisfaction levels go down and tenants feel marginalised.

Repeated cycle of anti-social behaviour, teenage pregnancy, offending, lack of social mobility resulting in continued housing need.

d) Policy and Budgetary Considerations

Community Development Budget £6000 plus funding sourced from elsewhere.

Positive Impact Overall

Improved Corporate Social Responsibility.

Safe Environment.

Voice for communities.

Excellent Customer Service.
Inspirational Council.
Meeting our crime and disorder duties.
Meeting our Diversity and Equality duties.
Thriving Economy
Strengthening communities in our district

e) Date for Review of Decision

On going, with a full annual review.

1 Background

1.1 There are two part time Community Development Officers, working three and four days per week respectively. A further full time officer has recently been recruited and is currently working one day a week on Community Development and the remainder on the community centre recommendations from the Tenant Scrutiny Panel.

1.2 The officers are currently engaging with communities in five main ways:

- The SWITCH project in Littleham, Exmouth and Millwey Rise, Axminster.
- Community Festivals and Fun days across the district.
- Supporting and adding value to other departments, local groups and organisations.
- Recruiting and supporting community volunteers.
- Doing work over and above the ways mentioned above.

1.5 Further details on these projects are given in Sections 2, 3 and 4 of this report for more information on the projects please refer to last year's report.

2. The SWITCH project

2.1 Millwey Rise – Axminster:

- (a) The Switch project runs two sessions at the community centre on the estate on Tuesday evenings during term time. The sessions are a junior session for key stage 2 children (7-11 years) and a senior session for Key stage 3 children (12-15 years). The sessions are very popular attracting between 10 and 20 children each night.
- (b) Devon Youth Service have identified that there is a lack of provision on Millwey, which needs to be addressed, but which they do not have the manpower to rectify at this time. The young people who attend the SWITCH group tend to be the least affluent and least “cool” kids – i.e. the ones most in need to positive stimulation and support.
- (c) Police.uk shows that two thirds of reported crimes in the Axminster area in September 2012 happened on Millwey, and over half of the incidents of reported anti-social behaviour.¹ The work we are doing on the estate with the

clubs and improving community relations will help to alleviate some of these crimes.

- (d) We have begun to have positive relationships with the parents of a number of the children who attend the clubs, some of whom are known to the Police and Social Services and would fit the Troubled Families criteria. We have made valuable connections to the young people and their families allowing us to communicate information to them from the Council and for them to pass on any information or problems they have.
 - (e) It would be of great benefit for Housing and the Council to continue to support this project, to provide activities for young people. It will also improve communication and links with their families who come to see the activities the children have been engaged in, and their view of the Council. It will provide the young people with experiences that will improve their aspirations. It will fulfil a role as a Council, for example working toward a 'Thriving economy'; 'Children and young people'; an 'Excellent service for our customers' and being an 'Inspiration council'. It also fulfils the Council's corporate social responsibility duty.
1. Source - [www.police.uk/crime/?q=Axminster, Devon EX13 5HH, UK#crimetypes/2012-09](http://www.police.uk/crime/?q=Axminster,DevonEX135HH,UK#crimetypes/2012-09)

2.2 Littleham estate, Exmouth:

- (a) The SWITCH project runs two weekly sessions at Clayton House in Littleham on Thursdays; one for 12 - 15 year olds and one for 18 - 25 year olds. These are very well attended with over 20 at the younger group and around 5 at the more focused older group. SWITCH also supports the Children's Centre run the Littlehams parent and toddler group on Mondays.
- (b) All these groups play a meaningful role within the community. The Children's Centre and Youth Service have identified Littleham as an area of need. This is backed up by the recent Targeted Families initiative where a high percentage of the young people put forward as being in need of support, live in Littleham.
- (c) We have invited professionals to the clubs to explain issues around training, debt and changes to benefits. We also help the people who attend our clubs to access the help they need from other services.
- (d) The relationships that we have built up with these 40+ families on the Littleham estate enable tenants to communicate freely with us and tell us how we can help them to help themselves. We have valuable insight in to the background of the young people we help and their families enabling us to work with other agencies to improve their life outcomes.
- (e) As Part of the Council's Homes and Community Plan it is vital that you continue to support the work of SWITCH as this is Corporate and Social Responsibility in action and allows the Council to meet its aims 'to improve satisfaction scores and target the under 35's'.

3. Community festivals and Fun days.

3.1 Part of the Community Development role is to work with young people and “encourage their integration with the wider community”. We have aimed to do this through organising Community festivals and Fun days.

3.2 Using our access to Council parks, playing fields and community centres we have invited other community groups and organisations to join us in putting on events for larger groups of people. Community festivals have been organised in Axminster, Exmouth and Honiton.

3.3 Fun days have been organised as smaller events often supporting the work of community organisations and at the request of those groups. We put on 6 small events during the summer holidays in rural areas where families might not have access to sessions for young people due to time or financial constraints; four of these were a “thank you” to the children who took part in the 11 Million Takeover Day 2011.

4. Supporting local groups and organisations

4.1 Another important area of work is to develop links with other local organisations working with young people.

This has included:

- attending Troubled Families meetings (Targeted Family Services);
- attending Local Action Groups in partnership with the police and local stakeholders;
- working with the Youth Service to deliver play activities;
- working with the Community Engagement team within the Council at the 11 Million Takeover Day informing young people about housing and the community and getting their feedback on issues relevant to them;
- working with the St John’s ambulance to provide tenants with information on emergency first aid;
- working with the Police to help combat antisocial behaviour;
- supporting local volunteer events;
- requesting residents to fill out housing questionnaires, the contents of which are then fed back in to improve services;
- supporting The Exmouth Children’s Centres spring and summer outreach programme;
- adding value to local youth club activities;
- supporting and liaising with resident’s groups;
- supporting Devon and Cornwall Housing Trust’s work in Axminster;
- advising Democratic Services;
- responding to requests for help with families from the Estate Management Officers;
- supporting the Council’s Community Engagement Officer;
- liaising with Revenue and Benefits to help young people.

5. Recruiting community volunteers

- 5.1 SWITCH involves members of the community to help run our events and clubs. At present we have 5 community volunteers who are a valuable source of support. We offer them training to build their confidence and help them gain qualifications improve their chances of gaining employment.

6. Work over and above the role

- 6.1 In the past 12 months Community Development has supported communities in the district over and above our plans for the year by:
- Supporting Seaton's Voice with their Party in the Park.
 - Providing first aid cover at the Skate Park event in Exmouth and supported Jamie Buckley, Community Engagement Officer as she informed the young people about the consultation process.
 - Providing Branscombe with play equipment to run their own activities for children.
 - Providing advertising and a fun day at the request of the Estate Management team at Lower Brook Meadow, Sidford
 - Supporting the Littleham SWITCH group as they performed as part of the Season of Sundays in Manor Gardens Exmouth.
 - Supporting East Devon District Council Tenants Conference by providing games and activities for the young people and children.
 - Providing games and circus skills at the Littleham School Fete.
 - Presentation of Community Development work for EDDC at East and Mid Devon Community Safety Partnership AGM.
 - Being an advocate for young people applying for Housing
 - Taking a young homeless person to the Citizens' Advice Bureau twice to help him access the help he needed.
 - Helping several tenants with unresolved issues concerning neighbour complaints and housing repairs.
 - Taking a young person to the youth service and to Exmouth Town hall to help him access the services that can help him.
 - Supporting the Estate Management team in dealing with a tenant complaint.
 - Responding to a request from a Councillor to resolve ongoing community issues on an estate.
 - Attending Devon Welfare Rights Unit sessions on changes to benefits.

7. Future work

- 7.1 We aim to expand the Community festivals to include more community organisations and activities – encouraging young people to integrate with their communities.
- 7.2 We want to extend the SWITCH project continuing to work with outside professionals and drawing in more young people and their families – providing positive free time activities for young people.

7.3 We will continue to maintain and develop links with other agencies – ensuring joined up provision for young people of all ages and their families.

Legal Implications

There are no legal implications on which to comment.

Financial Implications

Budgets of £6,000 for 2012/13 and £9,750 for 2013/14 have been allocated to fund this work.

Consultation on Reports to the Executive

None.

Background Papers

- [Housing Review Board Housing Community Development \(Youth\) report 9th September 2010.](#)
- [Housing Review Board Housing Community Development Workers \(youth\) report 1st November 2011.](#)

Victoria Robinson and Polly Anderson
Community Development Workers (Youth)

Housing Review Board
10 January 2013

Agenda Item: 17

Housing Review Board

10 January 2013

JR



Housing and Housing Review Board Drop In sessions

Summary

The report outlines the current arrangements for Housing and Housing Review Board Drop In Sessions. It explains the background to these sessions highlights our concerns and recommends that these in the current format are discontinued. The report then proposes an alternative for consideration.

Recommendation

- a) To note the current arrangements for Drop In sessions.
- b) To recommend that these are discontinued.
- c) To agree a proposal for an alternative arrangement.

a) Reasons for Recommendation

Existing arrangements have reduced in popularity and usefulness.

b) Alternative Options

Do nothing.

c) Risk Considerations

If we continue to run sessions, the Councils reputation may be compromised.

d) Policy and Budgetary Considerations

There are no significant policy or budget implications.

e) Date for Review of Decision

In six months time.

1 Background

- 1.1 In 2007 the Tenant Participation team introduced informal drop in sessions. These were to address our desire to offer tenants an alternative way of contacting housing officers apart from telephone or calling at the office. The sessions gave tenants the opportunity to meet officers in person to raise their concerns and report issues about any housing related matter.
- 1.2 The sessions were held every two to three months and arranged and facilitated by the Tenant Participation Officer who was supported by two or three officers representing different housing services and a tenant representative from the then

Tenant and Leaseholder Customer Panel. The sessions were a good way of raising our profile in the communities we serve.

- 1.3 The sessions were initially very well attended with more than 15 tenants at the first few sessions held in Exmouth. The number of tenants attending varied and in towns such as Exmouth and Axminster the number of tenants taking up this opportunity to meet staff have been high, whereas in villages such as Newton Poppleford the numbers have been consistently low. The nature of the queries received have generally related to repairs or estate management issues.
- 1.4 During 2008, the Housing Review Board arranged their own Coffee Mornings to enable tenants to meet Councillors and raise issues. They were arranged and facilitated by the then Housing Strategy Manager and were usually attended by HRB members and the Head of Housing.
- 1.5 In 2010, as the number of tenants attending at both sessions had decreased and with the agreement of the Housing Review Board the two were amalgamated. The sessions have been run as a joint Housing and Housing Review Board Drop In event.

2. Present arrangements

- 2.1 The joint Housing and Housing Review Board Drop Ins are arranged and facilitated by the Tenant Participation Assistant. A Technical Officer and when possible an Estate Management Officer attend to respond to queries related to their area of work. Queries for other service areas are either noted and a response given to the reporting tenant within a few days or when possible the tenant can talk directly by phone to an officer from the appropriate team during the session.
- 2.2 The Housing Review Board, District and Town Councillors are informed of all sessions in advance and are invited to attend. The Tenant Representative Group is advised and invited to send a representative.
- 2.3 In the last 12 months the number of tenants attending the sessions has significantly decreased. The table attached as **annex 1** gives a breakdown of attendees including staff and Councillors and an example of the types of queries raised.

3. Recommendations and proposal for the future.

- 3.1 As so few tenants are taking this opportunity to speak to Housing Officers, we are recommending that these sessions are discontinued in the present format.
- 3.2 It has always been our intention to continue to give tenants as many different ways of contacting us as possible and this includes telephone, in person either in the office or in the home, presence at a tenant's coffee mornings held in community centres, during an estate inspection, by email and via the website. In some areas we hold **Housing Surgeries** as and when needed, most notably on the Heath Park estate in Honiton.
- 3.3 We intend to continue with the surgeries and expand these to cover other areas as and when the need arises. It is important that we maintain a profile throughout the district. Our written communication has improved in recent years and tenant satisfaction remains high. Rather than continue with an arrangement that appears to

have reducing appeal to tenants we should try something new, whilst ensuring that we remain accountable and available to our customers.

Legal Implications

There are no legal implications.

Financial Implications

There are no financial implications.

Consultation on Reports to the Executive

Consultation with Estate Management Service Review Group and Tenant Representative Group.

Background Papers

None.

Jane Reading
Tenants and Communities Manager

Housing Review Board
10 January 2013

Annex 1.

Housing / Housing Review Board Drop in sessions July 2011 to May 2012

Date	Venue	Attended by	Examples of queries
9 November 2012	Yonder close Community Centre, Ottery St Mary	3 tenants HRB tenant member Tenant Participation Assistant (TPA) Technical Officer (TO)	New tenant outstanding repairs Empty property Abusive neighbour
12 September 2012	Beer Primary School, Beer	3 tenants TRG representative Housing Manager TO	New kitchen Damp Estate issue
20 July 2012	Talaton Parish Hall, Talaton	Estate Management Officer (EMO) TO Community Development Worker (CDW) HRB tenant member No tenants	
25 May 2012	Millwey Community Centre Axminster	6 tenants TPA EMO	Rent and Council Tax Downsizing Benefits Move out of area Repairs, housing needs, estate management and police Parking, rubbish and allotment
14 March 2012	Palmer House Community Centre Exmouth	6 tenants 2 Councillors EMO	Community Initiative Fund and front door Front door Back door Heating and window seals Front door Ill fitting doors and heating
24 January 2012	Dunning Court Community Centre Honiton	5 tenants Rentals officer (RO) TO TPA Housing Manager 1 Councillor	Refuse advise Residents association and improvements to home Downsize Repairs Rents and repairs
3 November 2011	Colaton Raleigh Village Hall	TPA 2 tenants	Repairs and insulation Just to say hello

	Colaton Raleigh		
1 September 2011	Seaton Primary School, Seaton	8 tenants 2 Councillors TO	Parking and doors Parking and doors Trees Electricity, water and guttering Repairs and rents Individual garden maintenance Repairs
28 July 2011	Millwey Community Centre, Axminster	8 tenants EMO TO Mobile Support Officer (MSO)	Housing needs Loft insulation Downsizing and ASB Voucher scheme Benefits Hedge and seagulls Play area
28 June 2011	Broadview Community Centre, Broadclyst	4 tenants TPA	Overcrowding Suggestion for community centre facility Benefits
11 May 2011	Lymebourne Community Centre, Sidmouth	8 tenants TPA TO	Move out of the area Community centre door Overcrowding
28 April 2011	Park Close Community Centre, Woodbury	6 tenants TPA HRB tenant member TO MSO	Door repairs Pension credit Tenants conference
25 March 2011	Churchill Court Community Centre, Lympstone	15 tenants TPA	Parking Door repair Pension credit query Individual Garden Maintenance Bin collection
25 January 2011	Bidmead Community Centre Exmouth	7 tenants 3 Councillors TPA Community Development Worker (CDW)	Heating Mutual exchange Leak in property Debt advice Kitchen upgrade