

Executive Councillor Records of Decision and Housing Management Board Minutes

17:30- 19:10

PRESENT

Executive Councillors:

Executive Councillor for Housing: Catherine Smart

Scrutiny Committee:

Scrutiny Committee Members: Councillors Armstrong, Blackhurst, Blencowe (Labour Spokesperson for Housing), Pitt (Chair), Taylor, Todd-Jones, Ward (Alt) and Wright

Tenant/Leaseholder Representatives: Tony Barnes, Diane Best, Brian Haywood, John Marais and Terry Sweeney.

09/HMB/12 Minutes

The minutes of the meeting held on 20 January 2009 were signed by the Chair as a correct record.

John Marais took this opportunity to sincerely thank members of the Committee for all their support and kind words during recent weeks. It had been a great help and was very much appreciated.

The Committee was also informed of the recent death of Mr Alan Walter (Chair of 'Defend Council Housing' Group) and his commitment and hard work was acknowledged.

09/HMB/13 Apologies for Absence

Apologies were received from Councillors Levy and Shah and Tenant/Leaseholder representative Beverley Dennis

09/HMB/14 Declarations of Interest

Brian Haywood: Personal Interest – (09/HMB/21) involved with the project
Terry Sweeney: Personal Interest – (09/HMB/21) involved with the project

09/HMB/015 **Public Questions**

None

09/HMB/16 **Additional Item: Housing Rents 2009/10**

The Chair ruled that under 100B(4)(b) of the Local Government Act 1972 this item be considered despite not being made publicly available five clear working days prior to the meeting.

The reason that this information had not been available beforehand was that the Housing Minister had only made the announcement on 6 March.

The Housing Accountant introduced the item and talked Members through the briefing paper (attached as Appendix A to the minutes)

In response to Members questions the Housing Accountant confirmed that the Council were required to give 4 weeks notice to tenants of any change to housing rents and the issue of refunds for overpayment was being looking into in detail.

It was confirmed that all tenants would be informed as soon as possible and a press release would be issued. Further correspondence would also be made with tenants in May/June when the full details of the changes were clear.

In response to concerns regarding the cost of distributing this information the Housing Accountant confirmed that 7000 tenant letters would need to be distributed now and a further 7000 in May/June. This would obviously incur a cost for the Council and have a direct impact on the Housing Revenue Account and the General Fund.

On Members recommendation Officers agreed to include some general information on this issue in the next edition of 'Open Door'.

Members agreed that this issue be tackled through the Urgent Decision process at a later date.

09/HMB/17 **Repairs and Maintenance Strategy 2010-12**
(Key Decision - Agenda Item 5)

Matter for Decision: Strategy to be adopted for the delivery of repairs and maintenance activity for the period 2009-11. The strategy is designed to support the Council's Medium Term Objectives, and the Housing Service Improvement Plan.

Decision of Executive Councillor: Approve the Repairs and Maintenance Strategy for the period 2009-2011.

Reason for the Decision: As set out in the Officers report

Any alternative options considered and rejected: N/A

Scrutiny Considerations: In response to a question regarding the tracking of repairs the Technical Manager confirmed that the Audit Commission had been very complimentary on the processes in place and that appointment figures (made and kept) were being monitored closely.

The Executive Councillor thanked Officers for this report and felt that it provided a good way forward on this issue.

The Technical Manager also confirmed that because of a mid year change to monitoring methodology the 'Void Turnaround' figures did on occasion differ in the report. Figures were included from both the Audit Commission and the Councils Internal Audit Team but both sets clearly showed improvement in void turnaround times.

The Committee approved recommendations by 13 votes to 0 (unanimous).

The Executive Councillor approved the recommendations.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted)

N/A

09/HMB/18 **Housing Procurement Strategy**
(Key Decision - Agenda Item 6)

Matter for Decision: New Procurement Strategy for the maintenance and improvement of the Councils housing stock for the next three years.

Decision of Executive Councillor: Item brought to this Committee for information only. The item will be taken to the Community Services Scrutiny Committee for consideration and decision by the Executive Councillor for Housing.

Reason for the Decision: N/A

Any alternative options considered and rejected: N/A

Scrutiny Considerations: Members noted the report and were in agreement that it be passed onto Community Services Scrutiny Committee and the Executive Councillor for consideration and decision.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted)

N/A

09/HMB/19 **Cambridge City Council Review of Tenancy Condition**
(Key Decision - Agenda Item 7)

Matter for Decision: Review of the Councils existing Conditions of Tenancy

Decision of Executive Councillor:

- Approved the variations to the existing Tenancy Conditions (appendix 2 of the officers report)
- Approved the adoption of the proposed new Tenancy Agreement (appendix 1 of the officers report) – *subject to minor amendments noted below.
- Approves the commencement date for introduction of the new Tenancy agreement to all existing tenants from Monday 4th May 2009
- Approved re-phasing of the residual project budget as at 31st March 2009 (estimated to be in the region of £14,000), to complete the process in 2009/10.

Reason for the Decision: Changes in legislation and new Government guidance since last updates of Conditions of Tenancy.

Any alternative options considered and rejected: N/A

Scrutiny Considerations: Concern was raised regarding the wording of paragraph 31.7 of the proposed new Tenancy Agreement (ref: joint tenancies). It was felt that softer, more flexible wording could be used as to not unduly worry joint tenants who may be going through a change of circumstance.

The Project Officer confirmed that advice had been sought from a leading Housing Barrister and specific wording was recommended. Softer wording could effectively weaken the Councils position if they needed to act on this issue but further explanation and guidance could be included in the Tenants Handbook if Members felt this appropriate.

In response to Members questions regarding the request for tenants to provide photos (section 7 of the proposed new Tenancy Agreement) the Project Officer confirmed that this had been identified as best practice from across the Country and aimed to prevent fraud. Members raised concern that whilst photos may prevent sub-letting they would need regularly updating and could therefore incur time and financial cost to both the Council and its tenants.

Attention was brought to the list of repairs that tenants were responsible for in paragraph 24 of the proposed agreement. It was suggested that a note could be added to inform tenants in sheltered housing that some of these services were available through the handyman.

**On Members recommendation Officers agreed to include a note in paragraph 24 directing tenants in sheltered accommodation to their handbook for more information on the handyman services available.*

**On Members recommendation the Officers agreed to provide more clarity in Section 5 paragraph 2, regarding the specific definition of boundary walls and fencing.*

The Chair suggested that, due to the concerns raised in debate, the issue regarding tenant photographs should be voted on separately.

**The Committee voted against the inclusion of tenant photographs in the New Tenancy Agreement by 7 votes to 4.*

The Committee approved the recommendations, including the slight amendments to the New Tenancy Agreement, by 10 votes to 0.

The Executive Councillor approved the recommendations.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted)

N/A

09/HMB/20 **Cambridge Standard Funding 2009/10 Capital Budget:
Neighbourhood Environmental Improvement Projects**
(Non-Key Decision - Agenda Item 8)

Matter for Decision: Allocation of £200,000 for the 2009/10 works towards the Cambridge Standard Capital Funding in respect of Neighbourhood Improvement Projects.

Decision of Executive Councillor: Approved the following capital expenditure in 2009/10 from the Cambridge Standard Capital Budget:

1) Ekin Road -	£ 25,000
2) Headford Close -	£ 25,000
3) Shrub Replacement -	£ 28,000
4) Ashbury/Golding Road -	£ 2,000
5) Fison Road -	£ 30,000
6) Aragon/Sackville Close -	£ 50,000
7) Edgecombe flats -	£ 20,000 <i>(subject to further consultation with Ward Councillors and local residents concerning the seating element of the scheme)</i>
8) Rutland Close -	£ 20,000
Total	£200,000

Reason for the Decision: As set out in the Officers report

Any alternative options considered and rejected: N/A

Scrutiny Considerations: Clarification was sought that the Edgecombe flats project was not the same scheme as previously brought to the North Area Committee, as residents had raised concern that additional seating would contribute to anti-social behaviour.

The Chair proposed that the scheme be approved 'subject to further consultation with Ward Councillors and local residents concerning the seating element of the scheme'

Members and Officers agreed with this approach.

In response to further questions the Head of City Homes confirmed that a 10 year rolling programme was in place for improvements to flats in Arbury and that residents of Rutland Close would be consulted about the installation of externally accessible letterboxes.

The Committee approved the slightly amended recommendations by 11 votes to 0.

The Executive Councillor approved the recommendations.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted)

N/A

09/HMB/21 **Resident-Led Self-Regulation (RLSR)**
(Non-Key Decision - Agenda Item 9)

Matter for Decision: Agreeing a framework for putting residents at the heart of housing regulation through Resident-Led Self-Regulation (RLSR).

Decision of Executive Councillor:

- Approved the Resident-Led Self-Regulation framework model detailed within the Officers report.
- Approved the forming of a Resident-Led Self-Regulation Panel with the support of an external consultant within the timeframe of Spring 2010 as specified by the Tenant Services Authority.

Reason for the Decision: As set out in the Officers report

Any alternative options considered and rejected: N/A

Scrutiny Considerations: Members and Officers highlighted the hard work put into this project and thanked those involved for their contribution.

The Area Housing Manager confirmed that whilst residents would have power, through the RLSR, to agree standards and highlight priority areas, the decision making would remain with the Housing Management Board (HMB) and the Executive Councillor.

The Head of City Homes confirmed that it had yet to be decided whether the RLSR Panel would consist of 'selected' or 'elected' representatives. These details would be looked at as the project progressed and feedback from the rest of the County obtained, Full details would be brought back to HMB at a later date but it was confirmed that members of the HMB (including Tenant/Leaseholder representatives) would not be eligible.

Members and Officers both agreed that it was important to retain experienced representatives but also encourage new people to get involved. A Member highlighted the role that the ROAM Group and the Cambridge Federation could play in encouraging new people.

The Executive Councillor again thanked all residents over the years for their hard work and dedication to resident involvement, and stressed the importance of retaining all the good areas of work whilst continuing to improve. It was suggested that whilst HMB members could not sit on the RLSR Panel it could be useful for them to sit in and hear their discussions.

The Committee approved recommendations by 13 votes to 0 (Unanimous)

The Executive Councillor approved the recommendations.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted)

N/A

09/HMB/22 **Housing Inspection – Update on the Housing Services Improvement Programme**
(*Non - Key Decision - Agenda Item 10*)

Matter for Decision: Agreement of the way forward for the Housing Services Improvement Programme.

Decision of Executive Councillor: Noted the updated position with regard to the Housing Services Improvement Programme as reported and endorsed the proposed way forward.

Reason for the Decision: As set out in the Officers report

Any alternative options considered and rejected: N/A

Scrutiny Considerations: The Committee formally thanked all Staff, Councillors and Residents for their hard work on the Housing Inspection and congratulated them on the achieved rating.

The Committee approved recommendations by 13 votes to 0 (unanimous)

The Executive Councillor approved the recommendations.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted)

N/A

Chair

Intentionally Blank Page

Housing Management Board 10th March 2009 – Briefing Paper

Housing Rents 2009/10

1.0 Background

- 1.1 On Friday 6th March 2009, Housing Minister Margaret Beckett, made the following announcement, introducing new support to help Councils cut their planned rent increases for tenants in the current economic climate.

The average guideline rent increase for 2009/10 will be halved from 6.2 per cent to 3.1 per cent for local authority tenants, to encourage Councils to reduce the amount tenants would have to pay for the coming year.

Mrs Beckett announced that the Government would make funding available to support local authorities to make the changes, and revise their rents for 2009/10 accordingly.

The changes to the guideline rent increase means tenants should see a marked drop in their proposed average rent increase for the coming year from around £4 per week to approximately just under £2.

Mrs Beckett said:

"We are facing challenging economic times and it is right that this Government offers real help now to council tenants. We have listened to what councils and their tenants have said to us about the planned rent increases, and we are determined to help tenants get a fair and affordable deal.

"Ultimately, it is for each council to take up this offer of support, but I would expect them to ensure their tenants receive the full benefits."

The Minister has already indicated that she will look again at the guideline rents for 2010-11 to ensure that council tenants continue to pay rents that are affordable and fair.

2.0 Timescales

- 2.1 It is Communities and Local Government's (CLG)'s intention to write to all Local Authorities later this week, following the above announcement. We believe that implementation of the proposed changes is likely to be at some point in May / June 2009, based upon estimated timescales.
- 2.2 It is officers understanding that in order to change the guideline rent, currently set as part of the Housing Revenue Account Subsidy Determination 2009-2010, there will be a statutory requirement to re-issue the 2009-2010 Subsidy Determination.

- 2.3 Under Section 87(2) of the Local Government and Housing Act 1989, the Secretary of State is required to consult representatives of Local Government and relevant professional bodies before making new directions and determinations, or before **varying** existing determinations.
- 2.4 To comply with this, it will be necessary for CLG to re-issue the Draft Housing Revenue Account Subsidy Determination 2009-2010, detailing the proposed amendments, allowing the statutory 6 week consultation period.
- 2.5 Cambridge City Council will need to review the detail of the new determination carefully and model the local implications. The aim of this financial modelling will be to maximise the support receivable from the CLG, in order to reduce the rent increase payable by our tenants, whilst ensuring that the change does not have a longer-term detrimental impact on the Housing Revenue Account.
- 2.6 At the end of the consultation, CLG will be in a position to re-issue the Final Housing Revenue Account Subsidy Determination 2009-2010, allowing authorities to secure the relevant constitutional approvals prior to implementing the proposed revised rent levels for 2009/10.

3.0 Issues for Consideration

- 3.1 The timescales above will result in the need to change rent levels part way through the year.
- 3.2 From April 2009, tenants will be required to pay rent at the new higher levels as currently notified, in order to comply with their tenancy agreement, but may be entitled to a refund once the changes have been agreed and implemented, if backdated to 6th April 2009. If backdating does apply, Housing Benefit over-paid during this period will need to be clawed back.
- 3.3 The detail surrounding the mechanism for this support is not yet clear.
- 3.4 Our local tenancy agreement requires 4 weeks written notice of any **change** in rent levels. This would apply to a decrease as well as any increase. We need to evaluate options such as charging an even lower rent from June onwards to avoid issues around backdating.
- 3.5 Where tenancies commence or terminate during the first part of 2009/10, there may be a need to manually adjust rent accounts to ensure that the financial benefit is passed on accurately to those entitled to it.
- 3.6 A change in rents part way through the year may have implications in respect of both rent and housing benefit IT system capabilities, both of which will require investigation once the proposal is clearer.

3.7 There will be significant implications relating to the administration of this change, both in officer time and costs (printing / postage, etc), for both the HRA and General Fund.

4.0 Communication

4.1 Although welcomed, this change will undoubtedly cause concern and confusion for some tenants, and an effective communication strategy will be key to ensuring that all those affected are clear of the implications for them.

4.2 Officers would recommend, following previous experience in relation to a change in Council Tax, that a communication is sent to all tenants prior to 6th April 2009, confirming the current position and ensuring that all tenants are clear what they are required to pay from April 2009.

4.3 Further information will be circulated to the members of Housing Management Board once received and evaluated by officers.

Julia Hovells
Business and Finance Manager

9th March 2009