

HOUSING OVERVIEW AND SCRUTINY COMMITTEE

AGENDA

7.30pm

Wednesday
7 November 2007

Havering Town Hall
Main Road, Romford

Members 6: Quorum 3

COUNCILLORS:

Barry Oddy (C)

June Alexander (VC)

Sandra Binion

Keith Wells

Len Long

Melvin Wallace

For information about the meeting please contact:
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NOTES ABOUT THE MEETING

1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of everyone who attends meetings of its Committees.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. **For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.**

2. MOBILE COMMUNICATIONS DEVICES

Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Committee, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the meeting room can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.

The Chairman of the meeting has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.

PLEASE REMEMBER THAT THE CHAIRMAN MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the meeting room.

AGENDA ITEMS

1. CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2. APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS (if any) - receive.

3. DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4. MINUTES

To approve as a correct record the minutes of the meeting of the Committee held on 11 September 2007 and to authorise the Chairman to sign them.

5. LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL LETTER

Report attached

6. HOUSING STRATEGY ACTION PLAN MONITORING

Report attached

7. MARDYKE ESTATE TRANSFER UPDATE

Report attached

8. HOUSING GREEN PAPER – HOMES FOR THE FUTURE: MORE AFFORDABLE, MORE SUSTAINABLE

Report attached.

A copy of the Green Paper is attached for Committee members however due to the size of the report anyone else wishing to see a copy should contact the Committee Clerk to obtain a copy.

9. URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Cheryl Coppel
Chief Executive**

MINUTES OF A MEETING OF THE HOUSING OVERVIEW AND SCRUTINY COMMITTEE

**Havering Town Hall, Romford
Tuesday 11 September 2007 (7:30pm – 9.20pm)**

Present:

Councillors June Alexander (in the Chair), Sandra Binion, Melvin Wallace, Len Long +Frederick Thompson and +Dennis Bull .

Apologies for absence were received from Councillors Barry Oddy and Keith Wells .

+ Substitute Member: Councillor Frederick Thompson (for Barry Oddy) and Councillor Dennis Bull (for Keith Wells).

There were no declarations of interest.

The Chairman announced the arrangements to be followed in the event of the building needing to be vacated as the result of an emergency.

32 MINUTES

It was agreed that as the minutes had been omitted from the agenda the signing of the minutes would be deferred to the next meeting.

33 PERFORMANCE INFORMATION

Committee members were advised that the necessary performance indicators information would be dealt with under item 6 of the agenda.

34 HOUSING PERFORMANCE INDICATORS 2007/08 – OUTTURNS TO DATE

The Committee considered a report that outlined both local and national performance indicators in respect of the Housing service provided. Members paid particular attention to the following indicators.

- LPI.1 The percentage of people living on the Mardyke that were paying their rents by either direct debit or standing order was still considered to be quite small. It was noted that it was in the best interest of the Council if tenants swapped to direct debit or standing order as this saved the council fees under the Allpay contract.
- LPI.26 The combined invoice performance for Housing & Health for late payments at 1.5% was one of the best in the Council.

- LPI.30 That the number of housing applications processed within the 28 working day deadline at 92.64% was one of the best figures within London.
- LPI.32 The percentage of homeless decisions taken within the 33 calendar days target at 95% was also considered to be one of the best in London.

The Chief Executive of Homes in Havering (HiH) gave an update on local performance indicators that were used to monitor the service received by its customers. Members were advised that two of the main areas of importance for residents were anti social behaviour and disabled adaptations and that in the future HiH would be monitoring these areas to use for benchmarking against other Arms Length Management Organisations (ALMOs).

It was **RESOLVED**

To note the report

35 ETHNIC ANALYSIS OF THE LETTING OF COUNCIL HOUSING

The Committee considered a report which gave a detailed breakdown of how representative the ethnic pattern of council property lettings is when compared with black and ethnic (BME) community representation in the borough. The analysis showed that people from a black and ethnic minority made up a greater population of those registered with the council for housing than their numbers in the borough.

It was **RESOLVED:**

To note the report.

36 REVIEW OF CHOICE BASED LETTINGS

Members received a report detailing the results of a recent review of the Choice Based Lettings (CBL) scheme. The review was carried out after twelve months of operation and included results from the following sources:

- Survey of service users conducted by the East London Lettings Company (ELLC) in October 2006.
- Monitoring information from the Services own ICT systems.
- A review of 193 people on the Housing Register conducted specifically for the review.
- A national review in Choice Based Lettings.

Members were advised that in a survey carried out by ELLC last year, the majority of residents said that they would prefer to bid for properties by telephone, however in Havering the majority of people bid on-line. It was noted that the figures showed a balanced distribution of properties across the bands which was in line with what was anticipated when the scheme was first introduced.

It was noted that the Housing Service was introducing many new ideas to familiarise residents with the CBL scheme - these included - Introductory phone calls by the Lettings Team, demonstrations of the website at HiH's shop front office, staff at the Havering Show, and increased advertising in the Living magazine. Officers also confirmed that Lettings Team staff would make home visits to older/vulnerable people and would be sending a letter in September to all non-bidders offering bidding advice.

It was **RESOLVED**:

To note the report.

37 URGENT BUSINESS

i) Following discussions it was agreed that the following members would serve on the Topic Groups that had previously been chosen by the Committee.

- Topic Group 1: Homes in Havering – Delivery of Service Plan
Councillors Alexander, Binion, Wallace, Long and Co-opted member Councillor Bull.
- Topic Group 2: Housing Support For The Elderly
Councillors Alexander, Binion, Wallace, Long and Co-opted member Councillor Bull.

In his Absence it was agreed to contact Councillor Oddy separately to determine which Topic Groups he wished to take part in.

Members also requested that reports on the following subjects be made available at the next meeting:

- Breakdown of rent costs and service charges
- An update on the review of sheltered accommodation.

ii) Members also agreed to jointly compile a letter of constructive questions to be sent to the Chief Executive of HiH, so that they could receive replies at a future meeting of the Committee.

iii) Members discussed several concerns that had been raised by residents these included easier access to properties for disabled people and problems with residents not being kept informed of day to day repairs.

In response the Chief Executive of HiH advised that people with disabilities were able to apply for grants to assist with the costs of installing a dropped kerb, if however their application was unsuccessful there was an appeals procedure that could be followed. It was pointed out that if HiH secured its two star rating then there would be increased budgets available and help for the disabled was an area that could be considered under Decent Homes spending.

On the subject of communication with residents with regards to repairs and maintenance the Chief Executive explained that with major works residents were consulted beforehand as to the scope of the works, and were involved in such things as choosing colours and designs of new bathrooms or kitchen units. The residents were visited during the works by a Resident Liaison Officer and then received a visit from a technical officer at the completion of the works.

In respect of more responsive repairs, including day to day maintenance, HiH's aim was to post inspect at least 10% of tenanted and 100% of void properties where works had been carried out. All residents were supposed to receive a copy of the works order which included a contact number on it for the resident to phone with any queries. Following the works inspections were carried out by Contract Monitoring Officers and HiH were also carrying out telephone satisfaction surveys.



MEETING	DATE	ITEM
HOUSING OVERVIEW & SCRUTINY COMMITTEE	7 NOVEMBER 2007	5

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL LETTER 2006/07

SUMMARY

Since 2003, the Local Government Ombudsman (the Ombudsman) has circulated an "Annual Letter" to inform Members' of his impression of the Council's handling of complaints that are referred to him, to provide statistical information and to enable him to draw attention to issues of particular concern.

At the request of the Adjudication & Review Committee, the Annual Letter for 2006/07, is appended. The Committee's attention is drawn to issues raised by the Ombudsman affecting the services scrutinised by the Committee.

RECOMMENDATIONS

- 1 That the content of the Annual Letter, and the officers' response, be noted.
- 2 That the Committee consider whether there are any points arising from this report which the Committee wishes to explore further or to comment upon.

Housing Overview & Scrutiny Committee, 7 November 2007

- 3 That the Committee note the need to improve the quality and level of contact with the public and the need to promote a more pro-active complaints handling process, especially when this involves Ombudsman investigations.
- 4 That the Committee's views be referred to the Adjudication & Review Committee.

REPORT DETAIL

- 1.1 The Annual Letter of the Ombudsman, received in June, is appended, together with the table of statistics referred to in it and some notes on methodology.
- 1.2 This report comments on the points raised by the Ombudsman in the Letter.

Complaints received – *Not just Housing*

- 2.1 The Ombudsman notes that the format of his Annual Letter has been varied to that of last year and asks for any comments. He confirms that the letters will be published on the web, and observes that they will be shared with the Audit Commission – a clear indication of the manner in which the Ombudsman and Audit Commission are sharing information on performance. He comments on the Audit Commission's Corporate Assessment Report where the Council was deemed to be improving, however, he observes that this does not appear to correlate with the increase in complaints he has received. It should be noted however, that Homes in Havering are still "settling-in" and that problems are being addressed and procedures changed as they arise. Furthermore, the Audit Commission has recently completed its review of Homes in Havering and the outcome of this review could enhance their customer complaints handling process.
- 2.2 During 2006/07, the Ombudsman received 109 complaints – a considerable increase on 2005/06 (85) but 13 cases concern one issue. He comments that housing remains the largest single area of complaint, but that this covers all aspects of council housing, including repairs, transfers, homelessness and neighbour nuisance. The Committee should be aware that, although housing management processes have been delegated to Homes in Havering, the Council

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remains responsible for any shortcomings of that organisation and thus any maladministration by Homes in Havering, counts as maladministration by the Council.

- 2.3 The Ombudsman records that there was an increase in his “catch-all” “Other” category (7 to 19), and observes that in both anti-social behaviour and environmental health, there are instances where two complaints have been made by a single complainant.

Decisions on complaints

- 3.1 The Ombudsman refers to having made 110 decisions this year (88 last year) and acknowledges that there was insufficient evidence to warrant his involvement in 25 cases.
- 3.2 He states that in 16 cases he exercised his discretion to discontinue his investigations and that formal reports were issued in 14 cases (Maladministrations – 13 arose from the Langtons Registry Office complaint considered by Full Council in March 2007) and “local settlements”. These form a combined total of 29. It should be noted though that the Langtons case is quite exceptional – for a number of reasons – and that in real terms, the Council was dealing with only **one** issue (and that was quickly rectified and procedures put in place to ensure that it could not happen again). However, the nett effect was to skew the overall figures and give a distorted picture of administrative capability and failings in the borough.
- 3.3 The letter then evaluates these findings in greater detail looking at “Reports”, “Local Settlements” and “Other Findings”. Under this last category he reminds the Council that it had agreed to “*review its procedures and consult with other authorities about the issue of top up fees for residential care*” and comments that he would like to know the outcome of that review. At present it would appear that this review is still outstanding.
- 3.4 Concerning Housing complaints, the statistics (which include Homes in Havering) are:
- **8** Local Settlements - with penalty: Apart from putting things right, the Council had to pay compensation. The BVPI for this category is 8. The average payment was £75, the maximum £150 and the greatest number, £50.
 - **3** Local Settlements – no penalty: The Ombudsman accepted that the Council had rectified matters and that this was sufficient.

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- **10** No Maladministrations – after investigation: The Council was obliged to respond to the Ombudsman and its case was accepted as evidencing that it had done nothing wrong.
- **3** No Maladministrations – without investigation: The Council was advised that a resident had complained, but that the Ombudsman had satisfied himself that there was “no case to answer” and informed the Council that.
- **3** Outside Jurisdiction: Usually, that there were other remedies available for the complainant to use.
- **16** Prematures: The complainant had not given the Council an adequate opportunity to address the problem and the Ombudsman was referring the matter back to the Council for it to be dealt with within the Council’s complaints procedure.

3.5 The total number of cases recorded as Housing through the year was 57. This figure includes four cases brought forward from 2005/06. Eleven cases were carried forward into 2007/08. One case commenced in February 2006 and was not resolved until September 2007. For the greater part of this 600+ days, the matter was in the hands of the Ombudsman and steps are being taken to ensure that the Ombudsman is reminded that the Council needs to be kept informed of progress.

3.6 The average time in which the Council responded to the Ombudsman during the year was 35.7 days. There were four cases in excess of 50 days and the longest was 91 days (though this was complicated – and delayed – because of the involvement of another service)

The Council’s complaints procedure and handling of complaints

4.1 The Ombudsman notes that of all referrals to the Council as “premature complaints”, (31), eight went on to investigation, though he accepts that of these only one led to a local settlement and one remained open at the time of writing.

4.2 The Ombudsman concludes that the Council might wish to consider if there is any reason why so many people appear to approach his office before seeking redress through the Council’s complaints procedure – especially in respect of council tax matters. The Council has – through Overview and Scrutiny – undertaken such an investigation which has embraced this concern of the Ombudsman. With respect to the specific reference to council tax, that service has accepted that there were short-comings (due entirely to resource based issues which have been addressed) and procedures have

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been put in place to ensure that complaints handling – both Ombudsman and direct approaches – are given higher priority irrespective of other commitments and that issues are resolved at an earlier stage if at all possible.

- 4.3 The Housing Overview & Scrutiny Committee may wish to give the Adjudication & Review Committee the benefit of its experience in Housing matters in order that the Council can become more effective at resolving problems at an early stage or, if necessary, of responding to Ombudsman enquiries with greater speed.

Training in complaint handling

- 5.1 The Ombudsman refers to the training programme and recommends the range and quality of it in the continuous changing environment of complaint management and handling.

Liaison with LGO

- 6.1. Response was asked for within 28 calendar days and he notes that, on average, the Council's response time has slipped from 26 days last year to 32. He notes that this is a retrograde step and points out the enormous discrepancies between responses in some cases to those in other service areas. He urges the Council to look at ways in which it could even out these swings. This has been addressed (see comments below).
- 6.2. The Ombudsman points out that his staff report ***“generally good working relationships with (the Council's) officers and that the Council has generally responded positively to their enquiries.”*** He hopes that this will continue in the future.

LGO developments

- 7.1. The Ombudsman announced that he is developing an Access and Advice service to improve first contact and provide a gateway to complainers and enquirers. He adds that the Local Government Bill may have an impact on his methods of working.
- 7.2. He mentions recent special reports dealing with applications for 'phone masts and recommends that councils adopt simple approaches to resolving problems in this area and also one concerned with local partnerships and citizen redress.

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Conclusions/general observations

- 8.1 The Ombudsman expresses his hopes that his comments will be helpful to the Council and asks for any comment or suggestion for future improvement to the letter.
- 8.2 He concludes by offering the services of either himself or a senior colleague to visit the Council to present the letter or discuss its contents with Councillors or staff.

Observations on the Letter

- 9.1 Discounting the Langtons 13, there was still an increase in complaints to the Ombudsman. This is due, in part, to complainants making greater use of his service either because they are computer literate (more complaints are initiated on line than was the case over the past two years), or that his service has a higher profile than before. Some complainants approach the Ombudsman because they feel the Council is not listening to them – though a review of the CRM database indicates that many people confuse “complaint” with advising the Council of a failure; such as paving that needs replacing or repairing. When it is not dealt with within a period they feel is appropriate, they go to the Ombudsman rather than returning to the Council to complain that it has not been rectified.
- 9.2 An Overview and Scrutiny Topic Group has recently reported on the Council’s complaints procedure and made certain recommendations to Cabinet to improve the system. As and when changes are implemented, it may be possible to reduce the number of premature approaches to the Ombudsman simply by ensuring that procedures are in place to improve the advice given to people reporting a fault, at the time by asking them to come back to the Council if the problem has not been resolved within a given time-scale.
- 9.3 Although the tone of the Letter suggests that the Council is not performing as well as last year, it should be noted that in services where initial responses have been slow, action has been taken at managerial level to ensure faster turn-round. Where it has become apparent that Ombudsman requests are not receiving the appropriate level of priority, this is being vigorously challenged in order to make certain that response times are more frequently met by all of the services.

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Any points arising from this report, which the Committee wishes to explore further or comment upon may have financial implications; depending on the nature of the action required. These will be determined as appropriate.

The Council is continuing to review and improve the quality of its complaints handling systems. This is an ongoing process and resource and reprioritisation issues will be considered as part of a forthcoming report, to be presented later this year.

In the meantime adjustments made within individual services to improve processes will need to be met from within existing resources.

Environmental Implications and Risks:

There are no environmental implications or risks arising from this report.

Equalities Implications and Risks:

There are no equalities implications or risks arising from this report.

Legal Implications and Risks:

There are no legal implications or risks arising from this report.

Background papers list

Ombudsman's Decisions by Ward
The Annual Letter is appended.

Contact Officer: Grant Söderberg, Committee Officer

Telephone: 01708 433091

Email: grant.soderberg@havaering.gov.uk

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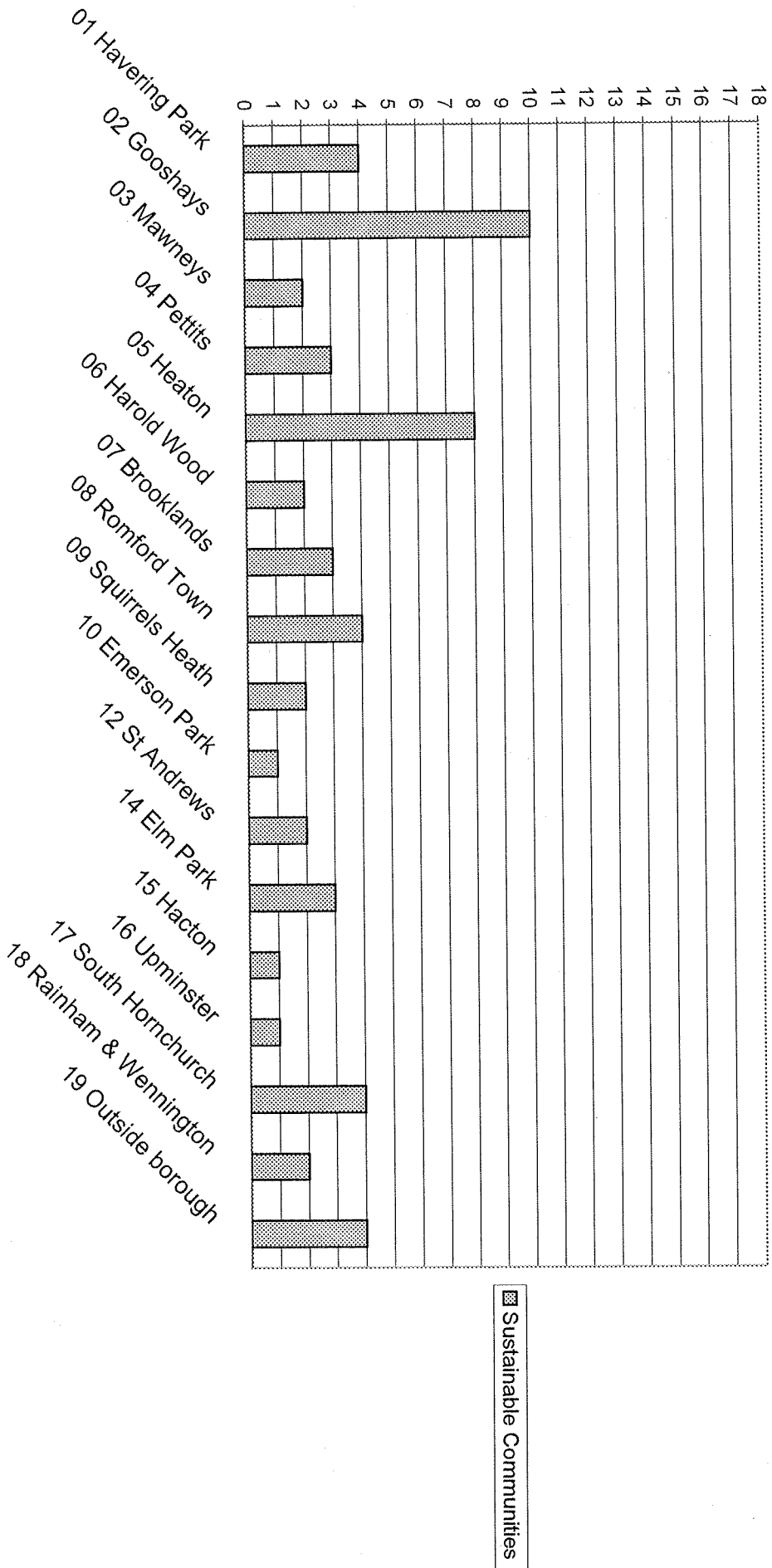
**Cheryl Coppel
Chief Executive**

Background Papers:

Ombudsman's Decisions by Ward
Ombudsman's Annual Letter 2006/07

OMBUDSMAN DECISIONS by WARD

**Cases to 31 March 2007 - Total referrals for the year concerning Housing issues : 56
(after adjustment)
including 4 brought forward from 2005/06.
4 cases are from complainants living outside the borough**



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I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the Council and post it on your website should you decide to do this.

Yours sincerely



Handwritten signature of Tony Redmond in black ink, featuring a stylized 'T' and 'R'.

Tony Redmond



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
London Borough of Havering
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

In 2006/2007 I received 109 complaints against your Council. This was about a quarter more than in the previous two years. As before, housing complaints were by far the most numerous. They increased by 50% to 42 and were 38% of the total number against the Council. Nationally, housing complaints are 21% of the total, so this is noticeably higher than the norm. Thirteen of the housing complaints were about repairs and another 13 concerned allocations. Other complaints related to managing tenancies and homelessness.

Our 'other' category covers a range of services. Complaints here have gone from 7 in 2004/05 to 19 last year. Six of these concerned the well publicised problem connected to weddings at the registry office at Langtons House, to which I refer below. A further five complaints related to anti-social behaviour and five more concerned environmental health issues. (In each of these areas, the numbers include two complaints made by a single complainant.) The other main areas of complaint were planning and transport and highways.

I note that the Audit Commission's most recent Corporate Assessment Report commented on a significant improvement in previously poorly performing areas such as planning, housing and social services. These improvements do not seem to correlate, however, with the level of complaints to me, particularly in relation to housing matters.

Decisions on complaints

General

I made 110 decisions on complaints against your Council last year. In 25 cases I found no or insufficient evidence of fault to warrant my involvement, and in another 16 cases I exercised my discretion not to pursue matters further. This was mostly because the level of injustice caused to the complainants did not justify further investigation. I was unable to consider a further nine complaints because they fell outside of my jurisdiction.

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. I issued formal reports in respect of 14 complaints against your Council in 2006/2007, and I concluded local settlements in 15 other cases.

/...

Reports

I issued a report finding maladministration causing injustice in respect of 13 complaints I received about the Council's registry service at Langtons House. The Council failed to renew a premises licence for wedding rooms. This cast doubt on the validity of 193 marriages conducted in 2004 and 2005. I found the failure to renew the licence was wholly avoidable. The Council eventually agreed to fund a test case in the High Court which established that the marriages were lawful. But I recommended it should pay £150 compensation, not just to the 13 complainants who had come to me, but to each of the 193 couples because they had been caused unnecessary distress and had been uncertain about their legal status for some time. The Council also agreed to make procedural changes to ensure that premises licences are renewed on time in future.

The other report I issued in 2006/2007 concerned a complaint about the Council's decision to grant planning permission for a block of flats. The complainant was a neighbouring resident who said the development had adversely affected her amenity. Planning consent was given after the Committee Chair used his casting vote. But I concluded that the Chair should not have taken part in the decision making in view of his prior involvement with the developer, and he should have stood down before the vote was taken. This breach of the Council's Protocol meant the decision was flawed. I could not say that the application would not have been approved in any case, but I considered the complainant had suffered some distress from what happened and had to take time and trouble in pursuing the matter. I recommended that the Council should pay the complainant £200 compensation and should consider periodically reminding councillors dealing with planning applications about their responsibilities.

Local settlements

I concluded 15 local settlements in 2006/2007. 12 of these were in housing cases, including six relating to allocations issues. The other three settlements involved adult care services, planning, and transport and highways complaints.

In a case involving a housing sales issue, I endorsed the Council's finding under its own complaints procedure that it had given wrong advice to the complainants about their Right to Buy. I agreed that the Council's offer of £1,000 compensation was not unreasonable in light of the distress caused by this. The other housing settlements involved a range of faults such as delays and failures in communications or record keeping.

The adult care case involved a complaint about the Council's decision that top up fees should be paid towards the residential care of an elderly man. They did this without proper consultation. The Council agreed to pay the full cost of the placement and refund the £2,870 fees already paid. It also agreed to review its practices in the light of the case.

Other findings

I am grateful to the Council for agreeing to review various aspects of its policies and procedures in response to my findings in 2006/2007. I am aware that the Council has already amended its procedures regarding the renewal of premises licences for marriages. The Council also said it would review its procedures and consult with other authorities about the issue of top up fees for residential care. So I should be grateful to know the outcome of that review. Eleven of the settlements involved the payment of compensation. Importantly, in addition to procedural changes and refunds, the Council gave its apologies.

/...

Your Council's complaints procedure and handling of complaints

I referred 31 complaints back to the Council in 2006/2007 as it had not had a reasonable opportunity to deal with them before I became involved. I note that in eight cases the complainant remained dissatisfied and resubmitted the complaint after the Council had considered matters. I found there was no maladministration in six of these cases but I concluded a local settlement in one case. The other re-submitted complaint is still under investigation.

The overall proportion of premature complaint decisions for your Council is close to the average for all authorities. But I note that 6 out of 10 public finance (council tax) complaints we received were considered as premature. So the Council may wish to consider if there is any reason for the number of people coming to me before the Council has dealt with their complaints about council tax matters.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses we provide is expanding in response to demand and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open courses for groups of staff from smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

Liaison with the Local Government Ombudsman

I ask for responses to my initial requests for information to be provided within 28 calendar days. On average, the Council's responses in 2006/2007 took over 32 days, which is longer than the average for the previous two years. I am aware that the Council has generally replied to me in a reasonable timescale. But there have been some wide fluctuations in performance. For instance, three housing responses took over 50 days, and three out of four transport responses took more than 40 days. It would help us in providing a prompt service to complainants if the Council could endeavour to meet our target response time more consistently.

I am pleased that my staff report generally good working relationships with your officers. I note that the Council has usually responded positively to our enquiries and has been willing to agree suitable settlements as appropriate. I hope that we can continue to work together to secure further improvements in complaint handling in future.

As you know, I seek to visit all councils in my jurisdiction periodically and I was pleased to meet with the Council's Management Board earlier this year to discuss issues raised by complaints. I found this meeting to be helpful and hope that Board members shared this sentiment.

/...

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

Tony Redmond
Local Government Ombudsman
10th Floor
Millbank Tower
Millbank
LONDON SW1P 4QP

June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	6	6	2	2	42	19	12	10	0	10	109
2005 / 2006	3	6	1	7	28	13	7	9	1	10	85
2004 / 2005	4	0	4	10	25	7	16	7	2	9	84

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	14	15	0	0	25	16	9	31	79	110
2005 / 2006	0	12	0	0	20	7	20	29	59	88
2004 / 2005	2	10	0	0	25	11	9	18	57	75

See attached notes for an explanation of the headings in this table.

Average local authority response times 01/04/2006 to 31/03/2007

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	40	32.7
2005 / 2006	30	26.0
2004 / 2005	32	28.1

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0



MEETING	DATE	ITEM
Housing Overview and Scrutiny Committee	7 November 2007	6

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: Housing Strategy Action Plan Monitoring

WARD: ALL

SUMMARY

- 1.1 This report gives an update on progress against the action plan in the Council's Interim Housing Strategy 2007 – 2008.

RECOMMENDATION

- 2.1 That the Committee notes the progress of the Housing Service in meeting its strategic priorities.
- 2.2 That the Committee notes the Housing Service's arrangements to work towards those actions yet to be completed or at risk of not be completed this year.

REPORT DETAIL

- 3.1 The Council's Interim Housing Strategy 2007 – 2008 includes a SMART – specific, measurable, achievable, realistic and timed – action plan. The

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Housing Service monitors progress on a regular basis. This report updates the Committee on the Housing Service's estimated position by year end.

The table below gives a summary of the year end position as estimated on 12 October 2007. The full action plan is included in Appendix 1.

	Estimated year end position	
	number	% of targets
Target will be achieved	48	84%
Danger that target will not be achieved	6	11%
Target not achieved	3	5%

Targets that will be achieved

3.3 It can be seen that the vast majority of targets are on track to be met, with a number already achieved. Notably:

- the target to 'identify potential to develop a zero carbon affordable housing scheme' has been met by supporting Swan Housing Association in its bid to English Partnerships for funding to develop part of the Oldchurch Hospital site in the this way
- the Housing Service gave full and essential support to Homes in Havering during its recent Audit Commission inspection
- the ballot of the Mardyke estate gave a resounding 'yes' result – 87% in favour
- all front line Housing staff have received training in children protection issues from Children's Services
- in partnership with the Community Safety Partnership, the Housing Service is funding the 'safe-as-houses' scheme to ensure the victims of repeat burglary can feel more secure at home
- to August, 94% of housing register applications were processed within the target time of 28 working days, against a target of 83%
- to August, 95% of homeless decisions were made in 33 days – the Government best practice guideline – against a target of 85%.

Targets at risk

3.4 The table below lists the targets at risk of not being achieved, along with the reasons for this and actions being taken.

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Target at risk	Reasons	Action being taken
Bring 258 private sector empty properties back into use	This target may not be met because of lower private sector leased, PSL, accommodation procurement	Publicity drive in the Recorder and local radio to increase procurement rates Production of an empty property strategy. This is currently being consulted on
Introduce a finders fee scheme to facilitate greater access to the private sector	Posts previously covered by agency staff are being held vacant because of budgetary pressures	The Housing Needs and Strategy service is seeking to re-engineer its working process and maximise income from government grants to maintain services wherever possible
Introduce a rent deposit / rent in advance scheme for those not qualifying for housing benefit		
Introduce a cash incentive scheme to enable council tenants to buy properties in the open market		
Bring all housing performance indicators into the top quartile	Some PIs, notably relating to empty properties and preventing homelessness, will need to register major improvements to ensure this target is met	PIs are closely monitored to ensure maximum outcomes
Pilot a document management scheme	The Housing Service's original timetable is now having to fall into line with the timetable for the possible corporate introduction of a document management system.	Preparatory work in readiness for corporate introduction is being prioritised

Target that have not been / will not be met

3.5 The following targets have not been met:

Target not met	Reason
Review private sector grants policy by September 2007	This has been rescheduled to tie in with the production of the Empty Properties Strategy which is currently out to consultation
Formally apply to the Secretary of State by summer 2007 to transfer the Mardyke estate	It has been agreed with the Communities and Local Government department that the application should be made in late 2007. This will not delay the actual transfer
Commence conversion of PSL non-secure tenancies into assured short-hold tenancies	The Council has amended its priorities such that the total number of PSL properties will

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by September 2007

be increased, rather than reduced, this year

4. Financial Implications and risks

4.1 None arising directly from this report.

5. Legal Implications and risks

5.1 None arising directly from this report.

6. Human Resources Implications and risks

6.1 None arising directly from this report.

7. ICT Implications and risks

7.1 None arising directly from this report.

8. Reasons for the decision

8.1 The reasons for actions needed to meet the targets set are discussed in detail in the body of the report.

9. Alternative options considered

9.1 A range of options for each of the actions have been considered by the Housing Service and brought to members' and Cabinet's attention as required. It is arguably unhelpful to provide this level of detail within this report.

10. Equalities and Social Inclusion implications and risks

10.1 All the actions referred to in this report will assist those residents in Havering who experience difficulty remedying their housing needs in the private market.

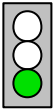
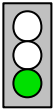
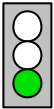
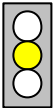
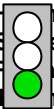
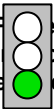
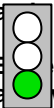
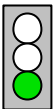
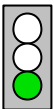
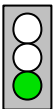
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CHERYL COPPELL
Chief Executive

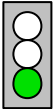
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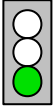
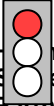
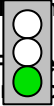
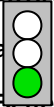
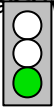
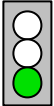
Appendix 1: Progress against 2007-8 action plan

Strategic Housing Objective: Service Investment		
	Objective 1 – more new affordable housing 'increase the supply of affordable housing and housing-related support in line with the full range of housing needs in the borough'	
	Action areas	2007/08
	Enable the letting or sale of 169 affordable homes by March 2008	
	Establish guidance on affordable housing development design and build standards for Havering linked and in line with the Code for Sustainable Homes and local planning policy	
	Identify potential to develop a zero carbon affordable housing scheme	
	Bring 258 private sector properties back into use in 2007/08, 2008/09 and 2009/10	
	Complete feasibility of a second Extra Care scheme at Snowdon Court	
	Research demand and define affordability criteria for intermediate housing	
	Secure revenue funding for the development of 8 self-contained units for people with learning difficulties at Harold Wood Hall	
	Seek Cabinet approval for the sale of Concorde House to Circle Anglia for the development of supported housing	
	Explore the feasibility, formulate bid to the Housing Corporation for capital funding and identify revenue funding for the development of 15 units for young people at risk including floating support	
	Explore the feasibility, formulate bid to the Housing Corporation for capital funding and identify revenue funding for the development of 8 units for people with physical or sensory disabilities	






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	Commission a Generic Floating Support Service by end March 2008 incorporating the existing young people floating support and tenancy sustainment services, resettlement support service, hostel support and substance misuse service	
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Objective 2 – better existing housing	
‘improve, through direct investment and enabling activity, the quality of existing homes across all tenures’	
Action areas	2007/08
	Act as a critical friend to Homes in Havering on the Paths to Excellence Project ready for Audit Commission Inspection in September 2007
	Review grants policy by September 2007 to bring empty property back into use for private rent
	Achieve at least 95% of capital spend on private sector renewal by the end of March 2008
	Investigate potential to expand grants system to promote sustainability and energy efficiency by July 2007
	Achieve at least 90% of capital spend on Disabled Facility Grants, DFGs, by the end of March 2008
	Achieve average SAP rating of 70 for local authority owned dwellings by March 2008

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 Housing Strategic Partnership Theme =  Neighbourhood Partnership Communities and  Improved Housing Living  	Objective 3 – regenerate the borough ‘contribute to the regeneration and betterment of the borough’s communities and neighbourhoods’	
	Action areas	2007/08
	Support RSL investment in the Romford and Hornchurch renewal strategies	
	Support and contribute to the commissioning and undertaking of widespread and in-depth consultation with communities in Harold Hill as part of Harold Hill Ambitions – community consultation and development regeneration proposals	
	Subject to a ‘Yes’ vote by tenants and leaseholders to Stock Transfer, formally apply to the Secretary of State for consent to transfer the Mardyke Estate to Old Ford Housing Association by Summer 2007	
	Subject to consent being granted, transfer the Mardyke Estate from the Council to Old Ford Housing Association by early 2008	
	Reduce the average time to re-let local authority housing to 25 days in 2007/08, 24 days in 2008/09 and 23 days in 2009/10	

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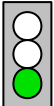
Strategic Housing Objective: Service Innovation		
	Objective 1 – provide high quality housing information, advice and support 'support residents making housing choices and promote independent living'	
	Action areas	2007/08
	Prevent homelessness – at least 1 case in every 1000 households	
	Audit, update and expand Housing Advice Service practice and procedure by March 2008	
	Introduce Finders Fee Scheme to increase access to private sector and prevent homelessness by March 2008	
	Set up Homelessness Prevention Fund by March 2008	
	Introduce two rent deposit/guarantee schemes aimed at low income households not qualifying for housing benefit by March 2008	
	Introduce cash incentives through Home Purchase grant scheme to facilitate moves from council properties	
	Reduce the length of stay in temporary hostel accommodation to nine weeks by the end of March 2008 and maintain	
	Make 85% of homelessness decisions within 33 days in 2007/08, 87% in 2008/09 and 90% in 2009/10	
	Maximise the role of private sector leasing by reviewing the effectiveness of the use of PSL for non-priority homeless applicants	
	Process 83% of housing applications within 28 days in 2007/08, 85% in 2008/09 and 90% in 2009/10	
	Commence action to convert PSL non-secure tenancies into Assured Short-hold tenancies between the tenant and the landlord by September 2007	

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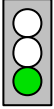
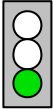
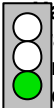
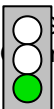
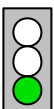
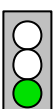
	Produce final self-assessment by March 2008 as part of preparing for Charter Mark accreditation	
	Carry out review including mystery shopping of services provided by the Housing Advice and Homelessness Service against Quality Mark standards and amend practices and or procedures if and as required by March 2008	
	Achieve Crystal Mark accreditation by drafting all standard documentation in plain English, testing against Crystal Mark criteria and re-drafting	

 	<p>Objective 2 – partnership working ‘encourage and develop joined up working by basing housing activity on the views and opinions of the community, partners and others’</p>	
	Action areas	2007/08
	Implement recommendations from the report on the Private Sector Leasing, PSL, tenant and landlord satisfaction survey by end March 2008	
	Continue to host the established BME Standing Conference with representatives of community and faith groups from across the borough to consult and debate key housing issues	
	Complete the Homelessness Research project the end of September 2007	
	Contribute to the work of the East London Housing Partnership including representation on sub-groups	
	Participate in the ELHP sub-regional Tenancy Sustainment Project	
	Contribute to the regional Gypsy and Traveller Accommodation Needs Assessment and respond to the recommendations arising from the report	
	Participate in the London-wide Housing Market Assessment when an approach is agreed	
	Evaluate the pilot provision of peripatetic support services a three sheltered housing schemes by February 2008 to inform borough-wide roll-out	

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	Increase local awareness of the Home Improvement Agency, HIA, by updating Publicity Plan to be agreed by the HIA Board	
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Objective 3 – safe and sustainable communities ‘contribute to multi-agency working to promote safe and sustainable communities’		
	Action areas	2007/08
	Support Homes in Havering to resolve 93% of anti-social behaviour cases through prevention and early action by March 2008	
	In partnership with Community Safety Partnership, CSP, fund the ‘Safe-as-Houses’ scheme	
 Having strategic partnership scheme =	Train all front-line officers on Child Protection matters	
 Safer communities	Subject to a ‘yes’ vote, commence master-planning of the regeneration of the Mardyke Estate incorporating ‘secure-by-design’ principles	
	Run Telecare pilot to enable older residents to remain safe and secure in their homes	
	Assess options for mainstreaming the Telecare service for 2008/09 onwards	

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Over-arching objective: provide value-for-money		
	Action areas	2007/08
<p>Having Strategic Partnership =</p> <p>Financial Efficiency</p>	Bring and maintain all housing performance within the top quartile of similar authorities	
	Pilot document management system on an invest-to-save basis	
	Use the Council's scrutiny structures to monitor, review and share best practice on the performance on our ALMO and housing association partners	
	Review fee structure to PSL landlords	
	Introduce PSL Maintenance Officer to save up to £164,000 in the first year from the repairs budget	
	Develop proposals for the remodelling of the Council's Communication Centre based at Royal Jubilee Court, including the possible out-sourcing of the service	



MEETING	DATE	ITEM
Housing Overview and Scrutiny Committee	7 November 2007	7

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: MARDYKE ESTATE TRANSFER UPDATE

WARD: ALL

SUMMARY

- 1.1 This report updates the Committee on the Housing Service's progress towards the transfer of the Mardyke estate.
- 1.2.1 The results of the ballot are presented along with a potential timetable for the transfer itself.

RECOMMENDATION

- 2.1 That the Committee notes progress on the Mardyke estate transfer.

REPORT DETAIL

- 3.1 The Council commenced its work towards the transfer of the Mardyke estate in late 2004.

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- 3.2 Members have been kept informed throughout this process. At the meeting of 22 March 2005, Cabinet resolved to pursue the possible transfer of all tenanted and leasehold properties on the Mardyke estate to a registered social landlord, or RSL, following a test of opinion on the estate which found that more tenants favoured the transfer option compared with the Arm's Length Management Organisation, or ALMO, approach. Subsequently, this was included in the Council's Options Appraisal submitted to the Government Office for London, GOL, in June 2005. GOL signed off the Options Appraisal in September 2005.
- 3.3 At its meeting of 14 December 2005, Cabinet delegated to the Lead Member for Housing, acting in conjunction with the Sustainable Communities Group Director, the authority to agree the Council's transfer and gap funding application to the then Office of the Deputy Prime Minister. This application was made on 31 July 2006.
- 3.4 Concurrent with this approach, the Council entered into a management contract with the Circle Anglia group to manage the Mardyke estate in advance of transfer. This contract came into force on 10 July 2006.
- 3.5 On 18 October 2006, the Department for Communities and Local Government, or CLG, announced that a place on the Government's transfer programme had been made available for the Mardyke estate, pending negotiation on the gap funding requirement.
- 3.6 On 17 January 2007, Cabinet approved commencement of stage one of the formal consultation with tenants, that is, the issuing of the Tenants' Transfer Offer and a Leaseholder Consultation Document.
- 3.7 On 5 July 2007, Cabinet, having considered the representations made by local residents during stage one of the formal consultation, approved commencement of stage two of the formal consultation, including the ballot of all tenants eligible to vote, and a concurrent consultation exercise with leaseholders.
- 3.8 The tenant ballot and leaseholder consultation exercise then took place between Friday 6 July and Friday 3 August 2007. This constituted the statutory 28 day stage two period.

Outcome of the tenant ballot

- 3.9 The ballot of tenant opinion was run independently by Electoral Reform Services. The question presented to tenants was that agreed by Cabinet on 5 July 2007:

Are you in favour of the Council's proposal to transfer the ownership and management of your home to Old Ford Housing Association, part of the Circle Anglia group?

- 3.10 Tenants were invited to tick one of two boxes presented – 'yes' or 'no'.

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3.11 In total, 455 tenants with secure or introductory tenancies were eligible to vote. A total of 364 voted, representing 80% of the electorate. There were no spoilt or blank ballot papers returned. Of those voting, the votes cast were as follows:

Number voting YES	315	87% of the valid vote
Number voting NO	49	13% of the valid vote
TOTAL	364	100% of the valid vote

3.12 It is worth noting that the Mardyke turnout is higher than that recorded by all successful partial stock transfer ballots in London held since 2001, excluding those relating to sheltered housing or very small estates with fewer than 200 properties. In officers' opinion, this demonstrates the very high level of community engagement forged by the consultation process and underlines the certainty with which members can consider the 87% 'yes' vote to reflect tenants' true opinion.

3.13 It is also worth bearing in mind that the 315 tenants voting 'yes' to transfer represent some 69% of all 455 tenants eligible to vote. Therefore, it is true to say that an absolute majority of all tenants favour transfer by a margin or more than two-to-one.

Outcome of the leaseholder consultation

3.14 Though not a statutory requirement, on 5 July 2007, Cabinet approved a consultation exercise to elicit leaseholders' views on the transfer. This leaseholder consultation was also conducted by Electoral Reform Services during stage two of the formal consultation. Leaseholders were asked:

The Council is proposing to transfer the ownership of the Freehold of your home to Old Ford Housing Association, part of the Circle Anglia group. Are you:

very supportive

supportive

not very supportive

not at all supportive

3.15 Of the 60 leaseholders, 35 returned a questionnaire; a response rate of 58%. One questionnaire was spoilt / blank, leaving 34 valid responses. Of these, the results were:

VERY SUPPORTIVE.....	20	59% of the valid vote
SUPPORTIVE	8	24% of the valid vote
NOT VERY SUPPORTIVE ..	3	9% of the valid vote

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NOT SUPPORTIVE.....	3	9% of the valid vote
TOTAL	34	100% of the valid vote

- 3.16 Taking the 'very supportive' and 'supportive' results together, it can be seen that 82% of leaseholders taking part in the consultation are in favour of the transfer.

Timing of the transfer application

- 3.17 At its meeting of 19 September 2007, Cabinet approved that, given the strength of support for transfer evidenced by the tenant ballot, an application should be made to the Secretary of State for Communities and Local Government to transfer the Mardyke estate to Old Ford Housing Association.
- 3.18 The DCLG's transfer guidance prescribes the process for doing this along with the necessary documentation. The key documentation consists of:
- the transfer contract, often referred to as the 'transfer agreement', between the Council and receiving RSL.
 - the tenancy agreement onto which tenants will transfer
 - details of the value of the estate and the public expenditure implications of the transfer stemming from the Single Transfer Model.
- 3.19 The DCLG requires the transfer application to be made at least six weeks prior to the date consent is required. Given the imperative to complete the transfer within 2007/08, see the Finance section below, the following timetable has been set:
- 14 December 2007 – initial transfer application made to DCLG
 - 22 February 2008 – transfer application and all related issues / application, such as the gap funding application, agreed by the DCLG
 - 17 March 2008 – actual transfer.

The impact of the Inspector's report on the Local Development Framework

- 3.20 Members will be aware that the Council's draft Local Development Framework, LDF, included a proposal that the boundary of the green belt land immediately to the north of the Mardyke estate, known as Mardyke Farm, be amended to enable a wider regeneration of the area to take place. The Government's Inspector, however, is not satisfied that there are exceptional circumstances for allowing building on the Mardyke Farm. Therefore, the redevelopment of the Mardyke estate will proceed within the boundaries of the existing estate.

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- 4.1 The costs associated with preparing the transfer documentation and associated consultancy advice can be met within the Housing Revenue Account (HRA) resources in 2007/08. The transfer budget is monitored on a monthly basis as part of the robust HRA monitoring process conducted by Housing and Environmental Health Services and Financial Services.

Revenue implications of the date of transfer

- 4.2 The HRA budget approved by Cabinet at its meeting of 14 February 2007 was based on an assumed transfer date of 2 October 2007. Transfer is now anticipated at the end of March 2008 at the earliest. This amended date will have a positive impact on the HRA in 2007/08.
- 4.3 The timing of the transfer is important to the remaining HRA. The government, in its subsidy calculations, pre-set stock numbers at a certain period in time; Mardyke was in stock at 1st April 2007, and so the HRA will have an assumed rent deduction in respect of Mardyke for the whole of 2007/08 and 2008/09. The longer Mardyke remains with the Council during 2008/2008, the more this subsidy loss can be partially made good with actual rent, with an optimum transfer date of 31st March 2008.

However, should transfer be delayed beyond 31st March 2008, then the HRA will suffer another year of subsidy loss for assumed rental income; in this case the optimum transfer date would be 31st March 2009.

Capital implications

- 4.3 For purposes of housing transfer, the Mardyke estate has a negative value. Simply put, the costs to regenerate the estate cannot be met from the receiving housing association's borrowings and rental income. This has been tested and accepted by the DCLG which, as a result, made a commitment on 30 March 2007 to provide gap funding to Old Ford Housing Association of an amount commensurate with the £12.01m gap in the Single Transfer Model submitted by the Council.
- 4.4 The Council will work with Old Ford Housing Association to finalise the gap funding application based on the Single Transfer Model data already submitted to and accepted by the CLG.

5. Legal Implications and risks

- 5.1 The ballot reported on in this report has been conducted in line with the requirements of the formal consultation process on proposed stock transfers

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detailed in section 106 of and Schedule 3A to the Housing Act 1985 (as inserted by section 6 of and Schedule 1 to the Housing and Planning Act 1986) and relevant guidance issued by the DCLG.

- 5.2 To effect the transfer of the Mardyke estate and its properties, the Council is now required to formally apply to the Secretary of State for Communities and Local Government for consent pursuant to sections 32-34 and section 43 of the Housing Act 1985 which deal with the disposal of land and tenanted properties, outside of the right-to-buy provisions, respectively.
- 5.3 The Council is required to draw up a transfer contract, otherwise known as a transfer agreement, with Old Ford Housing Association, the stock-receiving body. The content of and format for this agreement are prescribed in the CLG's Housing Transfer Manual 2005, as amended by its 2006 Supplement to the Housing Transfer Manual.

6. Human Resources Implications and risks

- 6.1 There are no London Borough of Havering or Homes in Havering staff who work the necessary hours on the Mardyke estate to incur TUPE implications
- 6.2 There is potentially a TUPE implication falling to Old Ford Housing Association from the possible transfer of cleaning staff from a third party contractor, Hamton's, to Old Ford Housing Association. There is no TUPE liability falling to the Council from this.

7. ICT Implications

- 7.1 An ICT project will be required to scope the requirements of data migration and implementation related to transferring the tenancy data from the Council's Anite Housing Management System to Old Ford Housing Association's system. Any additional costs for this will be met from Housing's budgets for stock transfer.

8. Reasons for the decision

- 8.1 Transfer of the Mardyke estate to Old Ford Housing Association is dependent upon application to, and approval from, the Secretary of State in the Communities and Local Government department. This report has laid out the actions required for this, along with the implications of this course of action. The report recommends the appropriate approvals and delegations to achieve transfer.

9. Alternative options considered

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9.1 None applicable.

10. Equalities and Social Inclusion implications

- 10.1 Members of Havering's more socially excluded communities, notably residents with low incomes and those from black and minority ethnic communities, are over-represented on the Mardyke estate. Thus, the ultimate redevelopment and improvement of properties will have a positive impact of these communities' quality of life.

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MEETING	DATE	ITEM
HOUSING OVERVIEW & SCRUTINY COMMITTEE	7 TH NOVEMBER 2007	8

REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: HOUSING GREEN PAPER – HOMES FOR THE FUTURE:
MORE AFFORDABLE, MORE SUSTAINABLE**

WARD: ALL

SUMMARY

- 1.1 The purpose of this report is to inform the Housing Overview & Scrutiny Committee of the content of the Housing Green Paper entitled, "Homes for the Future: More Affordable, More Sustainable and the response to the Green Paper from Havering Council.

RECOMMENDATION

- 2.1 Members are asked to comment upon and note the report and consider a Topic Group based on monitoring the Housing issues within the Housing Green Paper.

REPORT DETAIL

- 3.1 On 23rd July 2007 the Government, through the Department for Communities and Local Government, or DCLG, published a Housing Green Paper or consultation paper on future plans for both Housing and Planning policy areas. This report will highlight the key proposals contained within the Housing Green Paper utilising the Paper's Executive Summary.
- 3.2 Although the Green Paper is called a Housing Green Paper it does have a number of proposals affecting Strategic Planning and Development Control which are not included within this Committee's Terms of Reference.
- 3.3 Members of this Committee are asked to comment on the Section entitled, "Making Housing More Affordable" which covers the Government plans that specifically affect social housing and the financing of social housing.
- 3.4 All the proposals within the Green Paper are summarised at Appendix 1 of this report.

4. MAKING HOUSING MORE AFFORDABLE

- 4.1 The Government proposes to increase the financial resources into new housing development from the current proposed £5 billion to £8 billion. An increase of more than 35%.
- 4.2 The Government propose to gradually ramp up the number of affordable homes per annum with an overall objective to build more than 180,000 new affordable homes over the three years starting 1st April 2008. 70,000 will be delivered in the year starting 1st April 2010.
- 4.3 Of the 70,000 to be delivered in 2010-2011 that will be affordable the Government plan that 45,000 of these will be social homes. That means they will be owned by the Council or registered Social Landlords (RSLs). There is also a proposal that our Private Sector Leased stock maybe converted into intermediate or social housing.
- 4.4 The Housing Corporation will help key workers and other who need to move to keep or obtain work by building 25,000 shared ownership homes and equity shared homes per annum from 1st April 2008. Also will increase the supply of shared ownership supply through local housing companies and the utilisation of redundant Government and other public sector land.
- 4.5 The Government want to see an improvement in the range of products offered by the Financial Services sector. They are appointing an expert in the field to advise the Secretary of State on how to develop the shared equity market.

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- 4.6 One product being explored is a 17.5% government equity loan product. The Government also want mortgage providers to provide more affordable longer-term fixed rate mortgages.
- 4.7 Finally, and possibly of most interest to local authority Councillors is the proposal to allow Arms Length Management Organisations (ALMOs) to build on Council owned land. The next section will go into these ideas in more depth.

5. LOCAL AUTHORITY HOUSING

- 5.1 The Government propose that 2* ALMOs will be able to pre-qualify with the Housing Corporation which means they'll be able to bid for Social Housing Grant (SHG) to develop affordable, social housing on Council-owned land as long as the Council can demonstrate to the Housing Corporation that such an approach is better value for money compared to developing through a private building company or an RSL.
- 5.2 The Government suggest that if, for example, Havering developed through a company we formed or, through Homes in Havering, the new properties would be held outside the HRA. This would the Council to use the income from rent to finance the mortgage and, if the tenant exercised the Right to Buy the Council would get its capital investment back.
- 5.3 Another idea being explored is that Havering could move all its stock outside the HRA after what the Government euphemistically call a one-off adjustment. Officers believe this will involve compensation to the central exchequer and it maybe substantial which, would make it unattractive.
- 5.4 On Decent Homes the Government say that the present programme will continue however, there is only £2 billion nationally available for Decent Homes for the three years from 1st April 2008 whereas the Round VI ALMO bids total £1.8 billion. This does present a worry that there will be insufficient capital resources to finance the Decent Homes Programme.

6. RESPONSONSE BY LEAD MEMBER

- 6.1 Attached to this report is the letter sent by Councillor Michael Armstrong, Lead Member for Housing & Regeneration to the DCLG on the housing aspects of the Green Paper.

7. Financial Implications and risks:

- 7.1 Members are being asked to consider the DCLG's Housing Green Paper, which is a consultative document concerning future housing policy.

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There is much to be welcomed in the report, in terms of wider housing initiatives. As regards the council as a landlord, there are 2 specific comments:-

Possible Reform of the Housing Subsidy System

There is a favourable proposal with the current disincentives to new build - so that HRAs could keep rental income generated (as opposed to having that rent clawed back), and could keep 100% of the receipt in the event of Right to Buy (as opposed to paying 75% to the pool).

There is also a proposal to exploring self financing options, so HRAs could operate outside of the housing subsidy system. This would make medium term financial planning much more robust, as currently HRA's are vulnerable to yearly subsidy announcements.

Funding for Decent Homes

Funding is becoming tighter, both in terms of quantum, and timing, and this makes managing a Decent Homes programme more difficult, both in terms of service delivery itself, and in managing tenants expectations.

8. Legal Implications and risks:

- 8.1 The changes announced by the Green Paper could have significant legal implications in the future. These will be spelt out to Members as the detail becomes clearer and the Council agreed its approach.

9. Human Resources Implications and risks:

- 9.1 None.

10. Equalities and Social Inclusion Implications and risks:

- 10.1 The proposals in the Housing Green Paper are aimed at improving housing opportunities for anyone in the community who does not have the financial means

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Background Papers List

DCLG Consultation Document entitled “Homes for the Future: More affordable, more sustainable.

APPENDIX 1

A SUMMARY OF THE GREEN PAPER PROPOSALS

More Homes to Meet Growing Demand

- 240,000 new homes per annum by 31st March 2016.
- 2,000,000 new homes by 2016.
- Another 1,000,000 from 2016-2020
- Planning Delivery Grant to be replaced by a Housing & Planning Delivery Grant.
- 200,000 new homes to be delivered on surplus public sector land.

Better Homes : How we create places and homes that People Want to Live In

- Infrastructure Funding – Vague proposals about new communities must have good local infrastructure.
- Section 106 Planning Gain to be replaced by Planning Gain Supplement.
- New Building Regulations to reduce carbon emissions in new-build by 25% in 2010 by 44% in 2013 and by zero by 2016.
- Plans to improve the quality and design of all publicly funded housing.

Making Housing More Affordable

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See the report above + improved mortgage products and improving the way the mortgage market works.