

**HOUSING MANAGEMENT ADVISORY BOARD
9TH NOVEMBER 2016**

PRESENT: Mrs T. Edwardes (Chair)
Mr D. Wright (Vice-chair)
Mr T. Jackson
Councillors Jukes, Parton and Sharp

I. Allwyn (Group Accountant)
C. Ansell (Head of Landlord Services)
I. Philp (Landlord Services Manager)
D. White (Repairs and Investment Manager)

L. Strong (Democratic Services Officer)

12. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Board held on 8th June 2016 were confirmed as an accurate record.

13. DECLARATIONS OF INTEREST

No declarations of interest were made.

14. WORK PROGRAMME AND APPROACH TO MEETINGS

The Board received a report of Head of Landlord Services to enable the Board to agree its Work Programme (item 4 on the agenda). The Work Programme attached to the report was as it stood following discussion with the Chair prior to the 14th September 2016 meeting (which did not go ahead due to being inquorate).

The Chair also wished to discuss as part of this item the general approach to meetings of the Board and whether matters should be included on agendas for formal consideration moving forward or provided to the Board outside of meetings for its information. As part of this discussion, members of the Board could identify matters that they considered required looking at over the next few meetings of the Board, including any already listed on the Work Programme but not yet scheduled. Officers present could provide advice as to whether items might be appropriately considered at the time proposed.

RESOLVED

1. that the following ongoing performance reports no longer be included as items on agendas for meetings of the Board:

Decent Homes Contractor Performance;
Landlord Services Performance;
Compliance Performance (Fire Safety, etc.);

2. that the performance information previously included in the above reports continues to be made available to members of the Board in an information pack, to accompany the agenda for each meeting of the Board;
3. that an item be listed at the end of the agenda for each meeting of the Board to enable members to ask questions of officers regarding the performance information provided in the above pack, should they need to do so;
4. that performance reports listed in resolution 1. above that were prepared by officers for this meeting but not included on the agenda be emailed to members of the Board following this meeting;
5. that a report providing a general update on the position with the new Decent Homes contract (currently in the process of being procured) be submitted to the Board's meeting on 22nd March 2017;
6. that it be noted that the HRA Business Plan cannot be reviewed until Regulations that will affect it have been received from the Department for Communities and Local Government, therefore it is not yet possible to submit a report to the Board on this matter;
7. that a report setting out the recommendations of the Customer Engagement review be submitted to the Board's meeting on 22nd March 2017;
8. that a further report on the delivery of the Planned Maintenance Programme be scheduled for the Board's meeting on 18th January 2017, to include both the position with the Charnwood Standard at that point and information on proposals for maintaining the Standard moving forward, and that in the future such a report be considered by the Board annually in November each year;
9. that a summary of the current position with the Charnwood Standard be emailed to members of the Board following this meeting;
10. that a report on the position with proposals for Refurbishment of Sheltered Schemes be scheduled for the Board's meeting on 18th January 2017;
11. that a report on the position with proposals for Redevelopment of Garage Sites be scheduled for the Board's meeting on 18th January 2017;
12. that a report on the position with Mobility Scooter Policy be scheduled for the Board's meeting on 18th January 2017;

13. that the information pack referred to in resolution 2. above be added to, to include information on anti-social behaviour relating to the Council's housing stock (frequency, locations (where appropriate to identify), time taken to resolve, re-offending rates, direct costs to the Council);
14. that, further to resolution 13. above, the issue of Anti-social Behaviour relating to the Council's housing stock be discussed by the Board at its meeting on 10th May 2017;
15. that the Board's Work Programme be updated to reflect the decisions made above and later in the meeting (if any).

Reasons

1. To allow more time for the Board to consider issues relating to the Council's housing stock other than the areas of performance listed, the latter of which has taken up a disproportionate amount of time at the Board's meetings.
2. To ensure that the Board continues to be kept informed of performance on these important matters.
3. To provide a scheduled and regular opportunity for the Board to understand and make comment on the performance information, once other matters scheduled for that meeting have been given due consideration.
4. At the last meeting, the Board had given delegated authority to the Democratic Services Manager to make further changes to the Work Programme following the Board's meeting, in consultation with the Chair. Therefore, in agreeing the agenda for this meeting, the Chair had decided not to include these reports, to allow the Board more time at the meeting to consider the issues that were listed, asking instead that the information be circulated outside of the meeting. Resolution 4. above accords with this request and will ensure that the Board is kept up to date, pending the new arrangements for providing the performance information to the Board, set out in resolutions 1. – 3. above.
5. To ensure that the Board is kept informed of the position with the contract.
6. To record the reason for the Board not yet having considered this matter and to ensure that only matters which officers are in position to report on are programmed.
7. To ensure that the Board is informed of the recommendations made. A report setting out the proposed approach to the review had been submitted for the Board's 14th September 2016 meeting (which had not

gone ahead due to being inquorate). The Board was advised at this meeting that the procurement process for undertaking the review had now progressed.

8. To ensure that the Board continues to be kept up to date on the Programme (and the position with the Standard) having received previous reports on this and to ensure that the Board considers the Programme at an appropriate time in future years in terms of the budget setting process.
 9. Although the Board were briefly advised of the position at this meeting, it wished for that information to be sent to it.
 - 10-12. The matters had been considered previously by the Board and/or had been listed on the Work Programme for future consideration and the Board considers an update on these matters would now be appropriate and useful.
 13. The Board considers that this information will be useful to its role.
 14. To enable the Board to look at an issue on which it will have been receiving information for six months, with a view to deciding whether it wishes to put forward any views on this and whether it wishes to continue to receive the information.
 15. To ensure that the information in the Work Programme is up to date.
15. DRAFT BUDGET 2017/18 (AND OPTIONS FOR DE-POOLING RENTS)

C. Ansell left the meeting at 6.10pm, prior to the consideration of this item being completed.

The Board received a report of the Head of Landlord Services to consider the draft capital and revenue budgets for 2017/18 and including options for de-pooling rents (item 5 on the agenda).

Following explanation of de-pooling rents by the Head of Landlord Services and the pros and cons of that, summary of issues discussed:

Rents De-pooling

- (i) The Council's sheltered scheme properties already had de-pooled rents, as did Housing Associations.
- (ii) Whether or not to de-pool Council rents would be a decision for the Council's Cabinet. The recommendation would be to de-pool with effect from April 2017. Appropriate consultation with tenants would be undertaken.
- (iii) Grounds maintenance services would not be part of de-pooling, it would be difficult to share out those costs fairly.

- (iv) The proposal would affect tenants living in accommodation with communal facilities for which rents were not yet de-pooled, approximately a third of Council tenants.
- (v) Whether the service charges once separated from the rent would be eligible for Housing Benefit was currently being established. The Board considered this to be an important issue in relation to de-pooling of rents as it could affect tenants considerably.
- (vi) De-pooled rents were fairer in that tenants who did not have communal facilities would not have to pay for them.
- (vii) There was no intention to add service charges on top of the existing rent, rather to separate out the rent element and the service charge element.
- (viii) It was of concern that service charges would increase in future years, for example if electricity costs increased or as new services were provided, such as door entry systems. The principle of paying for services received was recognised, but affordability needed to be taken into account.
- (ix) It was important that tenants were charged for any compulsory service charges consistently and fairly. If general tenants with communal facilities were to be asked to pay towards door entry system maintenance, it should be ensured that sheltered scheme tenants also did so.
- (x) Options for apportioning service charges were explained, these were set out in the report. Overall, the Board considered a pro-rata approach might be most suitable.
- (xi) It would be appropriate to consult tenants on the general proposal. The importance of clear explanation of the matter was stated. Information from the Institute of Housing and from other local authorities on de-pooling rents consultations was available.
- (xii) Capping the service charges for a period of time could be considered.

Draft Budget 2017/18

- (xiii) The information on revenue budget pressures for 2017/18 set out on pages 1/2 of the report did not provide sufficient context or explanation to enable those to be understood or commented on by the Board.
- (xiv) Draft budgets for 2017/18 had not yet been prepared. The report was indicative at this stage.
- (xv) It was difficult to comment on what should be proposed for capital budgets when the overall financial position was not known.
- (xvi) Reference was made to the issue of capitalising salaries and whether that was permissible.
- (xv) Tenants should be asked about their priorities in a way that enabled those to be considered as part of the budget process.
- (xvi) The Council's draft General Fund and HRA budgets 2017/18 would be considered by the Cabinet in mid-December. The Cabinet report could be circulated to members of the Board as soon as it was published.

RESOLVED

1. that the position as to whether or not compulsory service charges would be eligible for Housing Benefit be emailed to members of the Board once the Council's benefits service has provided that information to the Head of Landlord Services;
2. that it be noted that the Board's main concerns in relation to de-pooling rents at the current stage are that compulsory service charges may not be eligible for Housing Benefit and that those service charges may increase in future years and not be affordable for tenants;
3. that notwithstanding resolution 2. above, proceeding with appropriate consultation with tenants on the general proposal of de-pooled rents, as suggested by the Head of Landlord Services, be supported;
4. that the information on consulting tenants on rents de-pooling referred to in (xi) above be sent to members of the Board following the meeting;
5. that a report providing more detailed explanation of the 2017/18 revenue budget pressures (a) – (m) listed on pages 1/2 of the report be submitted to the Board's meeting on 18th January 2017;
6. that the Cabinet report setting out the Council's draft General Fund and HRA budgets 2017/18 be emailed to members of the Board as soon as it is available and that the Board considers those draft budgets relevant to its role at its meeting on 18th January 2017.

Reasons

1. The Board considered this to be an important issue in relation to de-pooling of rents and wished to know the position with it.
2. The Board was concerned that these issues could have a significant effect on tenants and wished to record this.
3. It was important to obtain tenants' views on de-pooling of rents to inform the proposal.
4. The Board considered that this information would be useful.
5. So that the Board has available to it sufficient information to enable it to understand and comment on the pressures listed, for example information on existing costs, proposed changes and reasons for the proposals, together with the implications if the proposed expenditure was not made. Although some explanation was provided verbally at this meeting, the Board wished to have such explanation set out in full.
6. To ensure that the Board receives this information as soon as possible and so that it has the opportunity to comment on the draft budgets

which apply to the Council's housing stock at its next meeting and in accordance with its Work Programme.

16. PAY TO STAY AND FLEXIBLE TENANCIES

The Board received a report of the Head of Landlord Services to provide an update on the latest proposals and implementation of the Pay to Stay and Flexible Tenancy provisions in the Housing and Planning Act 2016 and including a draft Flexible Tenancy Agreement (item 6 on the agenda).

Summary of issues discussed:

- (i) The required Regulations had not yet been issued by the Department for Communities and Local Government. It was not known whether those Regulations would still come into force in April 2017 as had been originally intended.
- (ii) The Housing and Planning Act 2016 was available in full online.
- (iii) In respect of Pay to Stay, tenants would need to supply the required information on income. Higher rents would automatically be applied if they did not do so.
- (iv) It was not possible to answer some questions on how both Pay to Stay and Flexible Tenancies would be applied until the Regulations were available.
- (v) Many Housing Associations already operated assured shorthold tenancies (fixed term) alongside assured tenancies. The changes required by the 2016 Act were more significant for local authorities.
- (vi) It was hoped that the Regulations would define the term "market rent".
- (vii) It was not known how many of the Council's tenants would be affected by Pay to Stay as incomes were not known.
- (viii) Additional rental income from Pay to Stay would not be retained by the Council. In year one, all additional rental income collected would need to be paid over to the Government. In year two, all additional rental income collected and any amounts due which the Council had been unable to collect would need to be paid over.
- (ix) Tenants receiving Housing Benefit would not be affected by Pay to Stay (approximately 50% of the Council's tenants).
- (x) Pay to Stay might increase Right to Buy applications.

RESOLVED that the report be noted.

Reason

To acknowledge the Board's consideration of the current position with Pay to Stay and Flexible Tenancies.

Notes:

1. An updated work programme for the Board following this meeting is appended to these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Board on 18th January 2017.

HOUSING MANAGEMENT ADVISORY BOARD - WORK PROGRAMME

MEETING DATE/ FREQUENCY	ISSUE	INFORMATION REQUIRED/ INVITEES/ OFFICERS	NOTES
SCHEDULED:			
Every Meeting	Work Programme		To review the Board's Work Programme.
Every Meeting	Performance Information – Questions		See HMAB minute 14.4. To enable the Board to ask questions, if any, on the performance information pack* sent out with the agenda for the meeting. To be last item on agenda.
18th January 2017	Refurbishment of Sheltered Schemes – Position	Head of Landlord Services	See HMAB minute 14.10, 9th November 2016. Originally added to Work Programme 26th January 2016.
18th January 2017	Redevelopment of Garage Sites - Position	Head of Landlord Services	See HMAB minute 14.11, 9th November 2016. Originally added to Work Programme 26th January 2016.
18th January 2017	Mobility Scooter Policy - Position	Head of Landlord Services	See HMAB minute 14.12, 9th November 2016. Last considered by Board 1st April 2015.
18th January 2017	Planned Maintenance Programme (including Charnwood Standard)	Head of Landlord Services	See HMAB minute 14.8, 9th November 2016. Last considered 8th June 2016 when Board requested options for undertaking fencing repairs be provided. Following consideration on 18th January 2017, to be annual report in November each year.

MEETING DATE/ FREQUENCY	ISSUE	INFORMATION REQUIRED/ INVITEES/ OFFICERS	NOTES
18th January 2017	2017/18 Draft Budgets (Revenue and Capital)	Head of Landlord Services	See HMAB minute 15.6 (and 15.5), 9th November 2016. Annual Report. To include a more detailed explanation of the 2017/18 revenue budget pressures (a) – (m) listed on page 1/2 of the draft budget report submitted to the Board on 9th November 2016.
22nd March 2017	New Decent Homes Contract - Update	Head of Landlord Services	See HMAB minute 14.5, 9th November 2016.
22nd March 2017	Customer Engagement Review – Recommendations of	Head of Landlord Services	See HMAB minute 14.7, 9th November 2016.
10th May 2017	Anti-social Behaviour relating to Council's Housing Stock	Head of Landlord Services	See HMAB minute 14.14 (and 14.13), 9th November 2016.
June 2017	Election of Chair and Vice-chair		Annual Item.
June 2017	HRA Revenue and Capital Outturn (2016/17)	Head of Landlord Services	Annual Report.
TO BE SCHEDULED:			
To be scheduled	Housing Repair Services – Breakdown of Complaints	Head of Landlord Services	Six-monthly update reports are considered by the Performance Scrutiny Panel. Last submitted to Board 14th September 2016.
To be scheduled	Review of HRA Business Plan	Head of Landlord Services	See HMAB minute 14.6, 9th November 2016. Cannot be reviewed until regulations to enable this have been received from the DCLG. Annual report.

MEETING DATE/ FREQUENCY	ISSUE	INFORMATION REQUIRED/ INVITEES/ OFFICERS	NOTES
To be scheduled	Housing Asset Management Strategy	Head of Landlord Services	Annual report.
To be scheduled	Role of Board in Budget Consultation and Monitoring	Head of Landlord Services	Added to work programme 8th June 2016.
To be scheduled	Customer Engagement Strategy	Head of Landlord Services	Draft strategy considered on 17th February 2016. Final version of the strategy be considered, following consideration by the Charnwood Housing Residents' Forum and receipt of results of the tenant survey.
To be scheduled	Briefing on Housing and Planning Bill	Head of Landlord Services	Last considered by the Board on 17th February 2016. To be considered when more details were known about the impact of the proposals in the Bill including the impact on the revision of the Tenancy Agreement. (Report on Pay to Stay and Flexible Tenancies provisions in Housing and Planning Act 2016 considered 9th November 2016).
To be scheduled	Review of Repairs Standards and Response Times for Repairs, following consultation with Tenants	Head of Landlord Services	Added to work programme 1st April 2015.

MEETING DATE/ FREQUENCY	ISSUE	INFORMATION REQUIRED/ INVITEES/ OFFICERS	NOTES
To be scheduled	Storage of Gas or Propane Cylinders (Clause 9.2.30 of the consultation draft of the Revised Tenancy Agreement for Secure, Introductory and Demoted Tenants)	Head of Landlord Services	Added to work programme 4th February 2015.
To be scheduled if requested by Vice Chair (now Chair)	Tenant Inspectors	Head of Landlord Services	Added to work programme 4th February 2015. Vice Chair (now Chair) of Board, in her capacity as Chair of the Charnwood Housing Residents Forum, request that the Forum revisit the possibility of Charnwood Borough Council having Tenant Inspectors and that the Board receive feedback on the matter as appropriate.
To be scheduled	Welfare Reform (Impact of) - Update	Head of Landlord Services	Last submitted to Board 10th December 2014.
To be scheduled	Customer Engagement – Tenant Inspectors – Feedback from the Charnwood Housing Residents Forum	Chair	Added to work programme 15th October 2014.
To be scheduled	Service Area Delivery Plan	Head of Landlord Services	Added to work programme 13th August 2014.
To be scheduled	Open Spaces Contract	Head of Cleansing and Open Spaces	Added to work programme 13th August 2014.
To be scheduled	Housing Strategy	Head of Planning and Regeneration	Added to work programme 2nd April 2014.
To be scheduled	Housing Capital Programme Monitoring	Head of Landlord Services	Last considered 16th October 2013.

Notes to Work Programme:

1. All reports must include an explanatory list of any acronyms used.
2. *Performance information pack will include (i) Decent Homes Contractor Performance; (ii) Landlord Services Performance; (iii) Compliance Performance (Fire Safety, etc.); and (iv) Anti-social Behaviour (relating to Council's housing stock) Information.