

meeting papers

Housing Committee

Thursday, 7 November 2013
7.00 pm



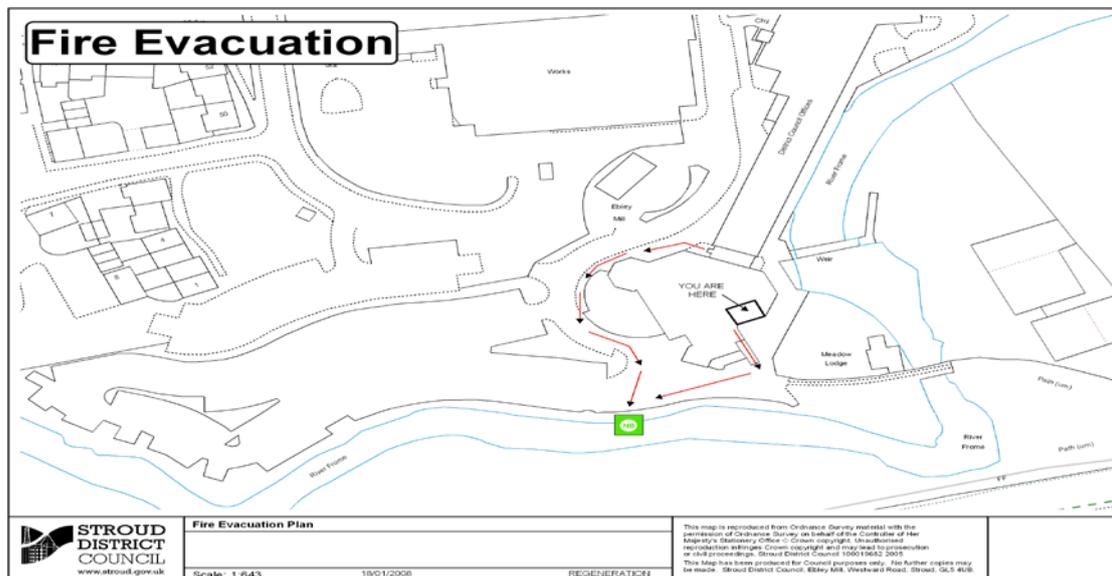
2002-2003
Crime Reduction in Rural Areas
2004-2005
Services for Older People
2007-2008
Emergency Planning



INVESTOR IN PEOPLE

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For Agenda enquiries contact:	Sarah Weyman, Democratic Services and Elections Officer Tel: 01453 754355 Email sarah.veyman@stroud.gov.uk
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25 October 2013

HOUSING COMMITTEE

A meeting of the Housing Committee will be held on **Thursday, 7 November 2013** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00 pm.**



David Hagg
Chief Executive

AGENDA



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1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**
To receive declarations of interest.

3. MINUTES

To approve and sign as a correct record, the Minutes of the meetings of the Committee held on 19 September 2013 and 2 October 2013 (Special Meeting).

4. PUBLIC QUESTION TIME

The Chair of the Committee will answer questions from members of the public, submitted in accordance with the Council's procedures.

DEADLINE FOR RECEIPT OF QUESTIONS

Noon on Monday, 4 November 2013.

Questions must be submitted in writing to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and sent by post, by fax (01453 754957), or by Email: democratic.services@stroud.gov.uk

5. BUDGET MONITORING REPORT 2013/14

To approve the virement set out in the report and to note the outturn forecast for the Revenue budget and the Capital programme for 2013/14.

6. TENANT SERVICES DECANT POLICY

The Committee is asked to approve the reviewed policy.

7. SELF FINANCING PRESENTATION

To receive a presentation from the Strategic Head of Tenant Services providing an update on self financing.

8. TENANT SERVICES COMPENSATION POLICY

The Committee is asked to approve the Tenant Services Compensation Policy.

9. SHELTERED HOUSING PROJECT PROGRESS REPORT

To receive a presentation from the Head of Housing Management providing a progress report on the Sheltered Housing project.

10. WORK PROGRAMME

To consider the Committee's work programme for 2013/14 and update accordingly.

11. MEMBERS' QUESTIONS

See Agenda Item 4 for deadline for submission.

DATE OF NEXT MEETING

Tuesday, 12 December 2013

The Committee Membership for 2013/14 Civic Year is as follows:

Councillor Mattie Ross (Chair)

Councillor Chris Brine (Vice-Chair)

Councillor Philip Booth

Councillor Gordon Craig

Councillor Paul Hemming

Councillor Brian Marsh

Councillor Liz Peters

Councillor Gary Powell

Councillor Frances Roden

Councillor Emma Sims

Councillor Tom Williams

Councillor Debbie Young

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HOUSING COMMITTEE

19 September 2013

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7.00 pm – 10.00 pm

Council Chamber, Ebley Mill, Stroud

Minutes

Membership:

Councillor Mattie Ross (Chair)	P	Councillor Liz Peters	P
Councillor Chris Brine (Vice-Chair)	P	Councillor Gary Powell	P
Councillor Philip Booth	P	Councillor Frances Roden	P
Councillor Gordon Craig	P	Councillor Emma Sims	P
Councillor Paul Hemming	P	Councillor Tom Williams	P
Councillor Brian Marsh	P	Councillor Debbie Young	P

P = Present A = Absent

Other Councillors Present:

Councillor Liz Ashton
Councillor Geoff Wheeler

Officers Present:

Strategic Head (Tenant Services)	Services Manager
Head of Finance	Performance & Tenant Involvement Manager
Accountancy Manager	Interim Asset Manager
Head of Housing Management	Democratic Services and Elections Officer
Business Accountant (HRA)	

Invited Guest:

William Trent, Tenancy Management Service Development Group representative

HC.015

APOLOGIES

There were none.

HC.016

DECLARATIONS OF INTEREST

Councillor Philip Booth declared a personal interest in agenda item 8 – Tenant Services Community Development Plan, as an employee of a community development organisation.

No further declarations were made.

HC.017 **MINUTES**

RESOLVED That the Minutes of the Meeting held on 20 June 2013 are confirmed and signed as a correct record.

HC.018 **PUBLIC QUESTION TIME**

None received.

HC.019 **INTRODUCTION TO HOUSING REVENUE ACCOUNT BUDGETS**

The Strategic Head of Tenant Services presented the report which provided a simple overview of the proposed changes and opportunities documented in the financial reports at agenda items 6 and 7. There were proposals to increase HRA expenditure in 2013-14 and to provide an assurance to Members that Officers were able to manage and deliver on a much increased budget, as demonstrated with spend on the Capital budget to June 2013, when there had been a 2.5% variance. Income had also increased, predominantly in two areas – receipts from Right to Buy sales, with a total receipt at the end of last financial year of £1.253million and a Government grant of £880,000 for renewable heating, equating to £2.133million additional income.

A Member referred to the time limit imposed to spend the Government grant and enquired if receipts from Right to Buy sales would be expended quickly. The Housing Accountant (HRA) explained the obligation to pay an element of the Right to Buy receipt to the Government each quarter (£350,000), before the balance could be reinvested and committed to other housing projects. Management would be required to look at how quickly it could deliver projects with the money available each year.

The Strategic Head of Tenant Services drew the Committee's attention to the following key budget facts, to be considered in determination of agenda items 6 and 7:

- Every Affordable house built created 2.4 jobs (source LGA)
- £1million spent on new housing provided work for 19.9 workers for a year (source CLG)
- 1 construction job supported 0.78 jobs elsewhere in the supply chain (source CLG)
- £1million spent on Housing Repairs produced 30.8 jobs (source CLG)

RESOLVED **To note the report.**

HC.020 **INCREASE IN HOUSING REVENUE ACCOUNT 2013/14 BUDGET AND AMENDED 5 YEAR MEDIUM TERM FINANCIAL PLAN**

The Business Accountant (HRA) presented details of the proposed amended 2013/14 budget and 5 year HRA Medium Term Financial Plan. The Medium Term Financial Plan (MTFP) for 2013-2018, including Government grant (£880k), slippage from last year (£822k) and Right to Buy (RTB) receipts (£1.253K) would be increased by approximately £3million. Works would therefore be brought forward from the MTFP into this year to utilise monies available.

Members' attention was drawn to the various budgetary illustrations throughout the report, explained by the Business Accountant (HRA). The main additional budgetary request for £700,000 was due to the significant increase in void properties, as a consequence of the introduction of the Welfare Reform Act and tenants wanting to 'down size'. Reserves would reduce for the first two years of the MTFP and then increase slightly due to increased RTB sales, grant monies and the reinvestment of RTB receipts increasing rental income. Appendices A to C depicted the position of the HRA MTFP with the various financial elements.

Clarification was sought and received on points of detail including reasons for slippage and the re-allocation of budgets. A summary of the responses to key questions is set out below:

- The Council's new build programme would be adjusted to address current housing need. Any smaller properties would be designed with the flexibility to grow with families as future circumstances changed. The design for flats would include an opportunity for the property size to be increased if necessary.
- A similar concern to that raised by the Stroud Council Housing Forum (SCHF) was that smaller properties might be less attractive to potential buyers. It was pointed out that legislation required the Council to make the RTB available to its tenants, but the Council had to be mindful of the district's housing need within its building programmes.
- Members were informed that a robust system was in place to address the additional demand to turn around void properties, currently within a timescale of 3-4 days. The additional £500,000 allocated to voids over the term of the MTFP would be negligible based on the extra through put of void properties in previous months which had been managed successfully.
- Members were informed that a new housing category had been established for tenants down sizing as a consequence of the bedroom tax. This would allow data to be collected and trends identified. It was confirmed that tenants would be re-charged for any damage to properties as a consequence of down sizing them.

RECOMMENDED That the Strategy and Resources Committee recommends to Council:

- a) **an increase of £1,273,000 in the 2013/14 budget through:**
 - I. **Bringing forward £400,000 from next year's Renewable Energy budget**
 - II. **Increasing the Voids budget by £700,000**
 - III. **Increasing the Asbestos surveys budget by £198,000**
 - IV. **Removing the vehicle purchase budget of £25,000.**
- b) **an increase in the 5 year Medium Term Financial Plan Capital Spend of £78,000 from £71,715,000 to £71,793,000 representing a 0.1% increase over the 5 years.**

HC.021**BUDGET MONITORING REPORT 2013-14**

The Business Accountant (HRA) presented the above report which forecast the outturn position against revenue budgets and capital programme for 2013/14, transactions up to 30 June 2013 and which assumed the decision made to increase the HRA, as per the previous item. He drew Members' attention to each of the tables within the report and to the accompanying Appendices, providing an explanation of each. He pointed out that whilst the volume of Right to Buy (RTB) sales had been high to date, with income expected to increase from £200,000 to £800,000, the Capital Programme would not continue to take account of this due to the uncertainty around the future level of receipts.

The responsive repairs budget showed no overspend at this time but there was a possibility that the budget might overspend by £250,000 if job numbers and values remained, compared to the budget profile for the remainder of the year. The position would be monitored throughout the year, when there might be a requirement to increase the budget in future.

Members noted the significant increase between the original (£28,000) and outturn budget (£250,000) for the Asbestos/Radon schemes. The Asset Manager explained the reasons for the difference, highlighting the increase in various work programmes, attributable to the introduction of the Welfare Reform Act and the Council's new build programme.

An assurance was sought and received that the performance of the contractor used for responsive repairs would continue to be closely monitored by Officers. Improvements to raise the performance of service delivery to the Council's expected standards had already been agreed with them. A Member suggested updates at future Committee meetings on the responsive repairs programme and associated budgets.

The Committee formally commended Officers for the first quarter spend of £2.8million on capital schemes, which demonstrated good project and budgetary planning.

- RESOLVED**
- a) **To approve the virements as set out in paragraph 14 (page 5);**
 - b) **To note the outturn forecast for the Revenue budget and the Capital programme for 2013/14.**

HC.022**TENANT SERVICES COMMUNITY DEVELOPMENT PLAN**

The Performance and Tenant Involvement Manager presented the above report which sought authority from the Committee to proceed with the implementation of the Tenant Services Community Development Plan. She explained that community development was a new area for Tenant Services and that the Plan gave clarity and focus to the work required to help those in need. Members were reminded of the consultation undertaken and the input of tenants and residents, partners and recipients of community projects, together with the unanimous approval of the Stroud Council Housing Forum.

Members received an explanation of the aspirations and aims of the Plan, including a number of bespoke solutions and projects undertaken to date, which linked closely with the Council's Health and Well-Being Strategy.

Whilst the work being undertaken was welcomed, a Member sought assurance that the Plan supported community connectiveness and wider health determinants. Although he considered it crucial that the public health agenda was broadened to address needs, it was important to be aware of what communities could offer and for initiatives to be citizen led.

The Performance and Tenant Involvement Manager responded that communities would be helped to develop skills to enable them to become self sustaining in the future. The Plan was a development plan and would be sufficiently flexible to utilise the community and engage them in future projects.

Members applauded the Plan, the initiatives proposed and the development of links with health and well-being and young people, emphasising the importance of community involvement.

Mr William Trent, representative of the Tenancy Management Service Development Group, believed there to be a noticeable lack of media coverage and publicity of the Plan and its projects. He felt it required further promotion and publicity to ensure that tenants were made aware of such initiatives. The Strategic Head of Tenant Services responded that the primary focus had been to improve the housing service and deliver an ambitious new build programme. He agreed that improvements to communication and publicity were required and this would now be given due attention.

RESOLVED **To approve the Tenant Services Community Development Plan.**

HC.023 **FINANCIAL INCLUSION STRATEGY**

The Head of Housing Management presented the Committee with a final draft version of the Financial Inclusion Strategy and sought approval for its delivery. The Strategy had also been considered by the Community Services Committee on 5 September 2013 and would be available on the Council's website consultation page for comments until 30 September 2013. The Strategy was a live document and would continue to evolve as issues and trends were identified.

The accompanying powerpoint presentation demonstrated the need for a strategy, outlined key facts on issues affecting the district and provided an overview of how the Council currently responded to financial exclusion using other resources and services available. The Strategy was both corporate and district wide and intended to respond to many issues including economic challenges, welfare reform, low income, access to affordable finance, increasing utility costs etc. It would be receptive to challenges experienced by all residents in the district.

Members were informed of the multi agency approach to the Strategy, its objectives and future projects such as 'digital inclusion' enabling access to the internet and on-line applications for universal credit and development of the web site.

The operational aspects of the Strategy and how it would be marketed would be discussed at the October launch. This would include training, working together, advertisement of the service and initiatives to maximise the take up of the service.

The ensuing discussion highlighted the importance and benefits of multi agency working and identified a need for more one-stop shops to be provided throughout the district, ensuring that all groups were sufficiently accommodated to access the service. A data sharing protocol would also be produced to overcome any potential data sharing issues and individual consent would also be required.

The Chair proposed an amendment to the decision to add a new point 3) to read as follows – *“To delegate authority to the Head of Housing Management to finalise the Financial Inclusion Strategy in consultation with the Chair of the Housing Committee and the Chair of the Community Services Committee”*. On being seconded the amendment was put to the vote and CARRIED.

- RESOLVED**
- 1. To update the draft strategy with any additional points agreed at this meeting;**
 - 2. To approve the strategy;**
 - 3. To delegate authority to the Head of Housing Management to finalise the Financial Inclusion Strategy in consultation with the Chair of the Housing Committee and the Chair of the Community Services Committee.**

HC.024 **TASK AND FINISH GROUP BRIEFING NOTE – SUPPORTING TENANTS THROUGH WELFARE REFORM**

In presenting the above briefing note, the Chair of the Task and Finish Group drew the Committee’s attention to the shortage of Council housing and the consequential financial implications to tenants of welfare reform. The spare room subsidy in Stroud District would currently affect 347 Council tenancies and would result in financial hardship. He explained the initiatives undertaken to avoid the eviction of tenants, with the Council working to support tenants as much as possible, as referenced in the briefing paper. An overview of the work undertaken by the Task and Finish Group was presented, together with the recommendations for this Committee to consider.

The Chair of the Task and Finish Group believed Stroud’s approach to reform to be fair, with the initiatives proposed supporting the multi agency Financial Inclusion Strategy and other work being undertaken by the Council. He hoped that such measures would assist the prevention of evictions under the spare room subsidy and acknowledged the bigger challenges still yet to be addressed through the introduction of Universal Credit. He thanked all participants of the Group for their contributions.

A summary of discussion and responses to questions is set out below:

- The Committee agreed with the Stroud Council Housing Forum that it would be more appropriate for a quarterly assessment of eviction numbers to be undertaken by the Tenancy Management Service Development Group, instead of the Tenant Scrutiny panel.

- 120 tenants had fallen into arrears following the introduction of the bedroom tax in April 2013. The Council's arrears recovery procedure was being reviewed and updated in line with changes.
- The Council had always supported its tenants and assisted them where possible to avoid eviction. It was suggested that the Committee receives future reports on tenants' arrears to enable a better understanding of the issues being faced by tenants and the support that could be offered.
- Reference was made to the sufficiency of the budget for Discretionary Housing Payments (DHP) to support tenants in financial hardship for a period of up to 39 weeks. Discussion took place on extending the 39 week period, in specific circumstances, with the possibility of a contribution being sought from the HRA. Whilst the Stroud Council Housing Forum had supported this in principle, it was felt that further discussion would be necessary with officers who could advise on the legal and financial aspects.
- It was agreed that the final recommendation on the Choice Based Lettings system be noted as work had already commenced with a new category of 'Gold Band' introduced for tenants having to be moved as a consequence of the spare room subsidy.

RESOLVED

1. **That the Tenancy Management Service Development Group assess eviction numbers each quarter during 2013/14 and reconciles these with the provision of support and decisions made to evict a tenant. This should be done to reassure this Housing Committee and the Stroud Council Housing Forum (SCHF) that the Council continues to act appropriately.**
2. **That should the discretionary fund run low it should be brought back to SCHF to provide an opinion on giving any additional funding from the HRA. Housing Committee requested more information on how long DHP can be paid for.**
3. **That a revised Rent Arrears Policy and procedure is presented through the correct democratic filter of Service Development Group (SDG), SCHF, Corporate Team and Housing Committee by January 2014.**
4. **That Stroud District Council (SDC) will continue to include Registered Social Landlords (RSLs) to encourage active participation in the Financial Inclusion Strategy.**

NOTED

That the Allocations team analyse in detail the success of the Choice Based Lettings system specifically with regard to persons registered and affected by the spare room subsidy and feedback to Housing Committee at a later point to assess and review its success. Persons affected by the spare room subsidy are now allocated gold band status.

HC.025**SUPPORTING ELDERLY RESIDENTS – RESPONSE TO
THE COUNTY COUNCIL SUPPORTING PEOPLE
CONTRACT OFFICER**

The Head of Housing Management presented the Committee with details of the Council's response to the County Council contract requirements relating to future Supporting People Funding. The accompanying powerpoint presentation explained the need to change, what would happen to the funding, the affects on current and future service direction, the community asset model, the Council's current position and requirements moving forward.

The following key points were drawn to the attention of the Committee:

- The current service costing £1.7million, received approximately £500,000 in supporting people funding; this would stop in 2014.
- It was necessary to redesign the service and this would offer a new service and contract to provide a service to go beyond the Council's housing stock.
- The current funding supported 300 people in sheltered housing, but there were others outside of this area assessed as requiring support.
- The Supporting People funding would be redistributed to provide a more focussed support service across the Stroud District, via a Community Asset model. The service would be time limited and needs based, up to a maximum of six months per person.
- The Council would provide support working with other voluntary and statutory agencies.
- The Council proposed to undertake a transitional option to allow the current services to be delivered whilst developing a new service within the next twelve months to meet either contract levels 2 or 3 in 2014.
- The Chartered Institute of Housing (CIH) had been appointed to work with the Council to assess immediate need and wider community expectations. This work would include consultation with the community and voluntary sector and was proposed to go live by the end of September 2014.

In concluding his presentation, the Head of Housing Management emphasised to the Committee that the change to service was **not** for changes sake; it was important to get the future structure and delivery of the service right. There would be a need to work closely with tenants and the CIH would be undertaking further consultation with tenants as the process proceeded.

A summary of points made during discussion and responses to questions is set out below:

- Whilst the project was considered a great initiative, it was critical that there was a sufficient staff resource to enable the service to support the wider community.
- Currently, the £14.27 charge for the service would have been covered by supporting people funding for those in receipt of benefits, or service users would pay. However, the new scheme would be free at point of delivery.
- The Council would effectively be the contractor for the provision of a support service to the district, but would not provide social care. This would be undertaken by other agencies.

- The roles of Scheme Managers would be reviewed and would invariably change. On site Wardens would provide a role around health and benefits.
- The new service would enable the Council to have an understanding of issues within communities which would inform the service moving forward and being fit for purpose.

An amendment was proposed to remove the following words from part 2 of the decision “...review our own sheltered housing service and...” as this was already being undertaken. On being seconded, the Motion was put to the vote and CARRIED.

- RESOLVED**
1. **To develop a workable business model that delivers a level 3 contract, ‘supported housing’ service and will develop plans demonstrating how we will do this.**
 2. **To develop a sustainable model for the delivery of an enhanced housing management function.**

HC.026 **APPOINTMENTS TO OUTSIDE BODIES**

Care and Repair (Stroud)

- RESOLVED** **To appoint Councillor Stephen Moore to represent the Council on Care and Repair (Stroud) during 2013-14.**

HC.027 **WORK PROGRAMME**

- RESOLVED** **To agree the Committee’s work programme, subject to the addition of the following items:**

7 November 2013
Tenant Services Decant Policy
Energy Contract

12 December 2013
Procurement Strategy
Experian
Estate Services

HC.028 **MEMBERS’ QUESTIONS**

None received.

The meeting closed at 10.00 pm.

Chair

SPECIAL MEETING OF HOUSING COMMITTEE

2 October 2013

3

7.00 pm – 8.35 pm

Council Chamber, Ebley Mill, Stroud

Minutes

Membership:

Councillor Mattie Ross (Chair)	P	Councillor Liz Peters	A
Councillor Chris Brine (Vice-Chair)	P	Councillor Gary Powell	P
Councillor Philip Booth	P	Councillor Frances Roden	P
Councillor Gordon Craig	P	Councillor Emma Sims	P
Councillor Paul Hemming	P	Councillor Tom Williams	P
Councillor Brian Marsh	P	Councillor Debbie Young	A

P = Present A = Absent

Other Councillors Present:

Councillor Geoff Wheeler
Councillor Liz Ashton

Officers Present:

Strategic Head (Tenant Services)	Development Officer (Tenant Services)
Head of Housing Contracts	Head of Asset Management
Business Development Manager	Democratic Services Assistant
Business Accountant HRA	

Invited Guest:

Sandra Mutton, Chair of Stroud Council Housing Forum

HC.029 APOLOGIES

Apologies for absence were received from Councillors Liz Peters and Debbie Young.

HC.030 DECLARATIONS OF INTEREST

None received.

HC.031 COUNCIL NEW BUILD PROGRAMME

The Head of Housing Contracts presented the above report on various aspects of the Council's New Build Programme. The report identified that a project board had

been set up to ensure the delivery of the Council's objective to deliver 150 new owned Council homes within the next five years. A budget of £15million had been approved by Council in January 2013.

In response to questions from Members, Officers reported that a high level of energy efficiency was being built into the homes. In particular it was recognised that an annual energy cost, to a maximum £1000, should be an ambition of the Council for future developments.

In response to questions about the possible use of Church Street for housing it was reported that it was always intended that the site should be used for car parking.

A question was raised about the viability of converting ex scheme managers units into general needs accommodation. The Chair stated that each individual scheme would be looked at on merit. In some instances it would not be practicable to convert to general needs and the use for sheltered accommodation would be more appropriate.

A Member questioned the robustness of the data provided in relation to where homes were planned to be built. In particular it was questioned whether homes were being built in locations that would provide access to employment and transport. It was also suggested that the Council did not have full data on the size of the private rental market. It was also questioned whether the housing register was up to date and accurate.

Officers reported that the housing needs survey, which was undertaken every five years, was used to inform the location of new building. In respect of the housing register, Officers were not aware of any potential flaws in the data but agreed to investigate and produce a briefing note for Members.

Referring back to the question of energy efficiency, the Chair of the Stroud Council Housing Forum (SCHF), reported that tenants were reassured by the Council's commitment to attain a high level of energy efficiency for the properties. It was agreed that there should be a review of the energy efficiency figures at an appropriate stage of the new build programme.

A Member raised a question about the value of the Hanover project particularly as the company itself was in the process of disposing of other properties within the district. In response, the Chair of SCHF stated that tenants did support the proposals. During a wide debate a number of issues were raised.

A Member proposed that item (c) from the decision box be deleted and that the Council should not pursue the acquisition of the Hanover Sheltered Housing Scheme. Having been seconded, the amendment was put to the vote and declared LOST by two votes in favour to eight against.

A Member felt that insufficient discussion had taken place about the Woodchester project. This was noted by the Chair.

RESOLVED

- a) **To approve the 'First Division' New Build programme;**
- b) **To approve that the Decant Policy be applied to tenants at the Wharfdale and Woodchester sites;**

- c) To approve the acquisition of the Hanover sheltered scheme at Dursley for £700,000.**

HC.32 WOOLAWAYS REGENERATION PROGRAMME

The Head of Housing Contracts presented the above report which updated the Committee on the proposed programme in respect of the Woolaways Regeneration at Leonard Stanley and Top of Town. The Council had undertaken extensive consultation in respect of the project and as a result would be focussing on 1 and 2 bedroom properties. Overall, the projects would add a further 17 units to the original plan and turn 59 units into a total of 109.

In response to questions from Members, Officers reported that the shared ownership figure of 50% was the current market figure and was not a firm policy decision. Officers agreed to prepare a briefing note for Members on Shared Ownership, Fixed Equity and Home Buy. Members welcomed this suggestion.

Members were pleased to see that the schemes were progressing and welcomed the report.

- RESOLVED**
- a) To approve the proposed programme in respect of the Woolaways Regeneration Programme at Leonard Stanley and Top of Town;**
 - b) To approve that the Decant Policy be extended to all sites under development at Top of Town.**

The meeting closed at 8.35 pm.

Chair

HOUSING COMMITTEE

7 November 2013

5

Report Title	BUDGET MONITORING REPORT 2013/14
Purpose of Report	To present to the Housing Committee a forecast of the outturn position against its revenue budgets and capital programme for 2013/14.
Decision(s)	The Committee RESOLVES a) to approve the virement as set out in table 4. b) to note the outturn forecast for the Revenue budget and the Capital programme for 2013/14.
Consultation and Feedback	Budget holders have been consulted about budgets in their service areas. The feedback has been incorporated in the report to explain differences between budgets and actual income and expenditure.
Financial Implications & Risk Assessment	There are no financial implications directly arising from this report. Ian Garrett, Business Accountant Tel: 01453 754121 Email: ian.garrett@stroud.gov.uk
Legal Implications	There are no legal implications arising from this report. Lucia Fiveash, Solicitor Tel 01453 754387 Email: lucia.fiveash@stroud.gov.uk
Report Authors	Ian Garrett, Business Accountant (HRA) Tel: 01453 754121 Email: ian.garrett@stroud.gov.uk Peter Stoate, Head of Housing Contracts Tel: 01453 754196 Email: peter.stoate@stroud.gov.uk
Options	None.
Performance Management Follow Up	Budgets will continue to be monitored on a monthly basis by budget holders supported by Finance. Further updates will be reported to the Committee in February 2014, with the outturn position reported in June 2014.

Background Papers and Appendices	Budget Setting Papers– Council 3 rd January 2013 2012/13 outturn report – Housing Committee 20 th June 2013 Budget Monitoring Report – Housing Committee 19 th September 2013
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Background

1. This report provides the second monitoring position statement for the financial year 2013/14. This is the second year of self financing and sees the continued expanding programmes of work that have been able to be set as a result of the additional funding available from self financing. The purpose of this report is to notify members of any known significant variations to budgets for the current financial year, highlight any key issues, and to inform members of any action to be taken, if required.
2. The report takes account of transactions up to 30 September 2013 plus accruals for the value of goods and services supplied to the authority up to that date but not paid at that time, with a projection of income and expenditure to the end of the financial year based on an assessment of known and predicted variations.

Revenue Budget position

3. The revised net Housing Revenue budget for 2013/14 is £2,596,900 including those changes approved at Council on the 10th October 2013. Table 1 below provides a reconciliation of the original budget to the latest budget.

Table 1 – Reconciliation of Budget movements

Housing Committee	2013/14 Budget (£)
Original Net budget	858,500
Add: Carry Forwards (S&R 28/06/13)	955,400
Budget as at 30 June 2013	1,813,900
Add: Increase in HRA budget -Council 10/10/13	3,406,000
Less: 2012/13 Right to Buy Receipts-Council 10/10/13	-1,053,000
Less: Energy Project Grant Income-Council 10/10/13	-880,000
Less: Additional borrowing	-690,000
Latest Budget as at 30 September 2013	2,596,900

4. The monitoring position at 30 September 2013 shows a projected net overspend of £128,200 against the latest budget, as summarised in table 2 below.

Table 2 – Revenue Outturn Forecast

Committee Heading	Para Refs	2013/14 Latest Budget (£)	Total Budget year to date (£)	Actual to 30 September 2013 (£)	Variance to date (£)	2013/14 projected outturn (£)	2013/14 Projected variance (£)
Revenue income & spend							
Dwelling Rents		-20,530,300	-11,120,579	-10,956,653	163,926	-20,530,300	0
Non-Dwelling Rents	18	-345,300	-205,746	-235,219	-29,473	-356,200	-10,900
Charges for Services and Facilities		-1,355,800	-727,858	-815,473	-87,615	-1,355,800	0
Transfers from General Fund		-170,000	0	0	0	-170,000	0
Contribution towards Expenditure		-55,300	-36,451	-38,530	-2,079	-55,300	0
Grant Income		-880,000	0	0	0	-880,000	0
Interest and Investment Income		-130,000	0	0	0	-130,000	0
Supervision & Management	19	4,874,900	2,331,896	2,171,521	-160,375	4,707,300	-167,600
Special Services	20	2,031,100	941,732	1,053,050	111,318	2,038,800	7,700
Self Financing Debt	21	3,284,000	0	0	0	3,308,000	24,000
Corporate & Democratic Core		235,300	117,650	117,650	0	235,300	0
Provision for Bad Debts		135,000	0	0	0	135,000	0
FRS17 Adjustment		-113,700	0	0	0	-113,700	0
Depreciation and Impairment		5,352,900	0	0	0	5,352,900	0
Revenue and Capital Repairs							
Responsive Maintenance	22	1,262,500	622,208	766,696	144,488	1,362,500	100,000
General Voids	23	819,000	404,207	532,082	127,875	994,000	175,000
Cyclical Maintenance		1,059,600	382,633	291,475	-91,158	1,059,600	0
Capital Expenditure funded by the HRA		11,466,000	6,339,800	6,367,052	27,252	11,466,000	0
Housing Total excl. Right to Buy & Borrowing		6,939,900	-950,508	-746,349	204,159	7,068,100	128,200
Borrowing		-3,090,000	0	0	0	-3,090,000	0
Right to Buy receipts		-1,253,000	0	0	0	-1,253,000	0
Housing Total incl. Right to Buy & Borrowing		2,596,900	-950,508	-746,349	204,159	2,725,100	128,200

5. As reported to Housing Committee in September and as detailed in table 2 above, the revised budget and latest outturn forecast seeks to achieve a reduction in HRA balances at the financial year end to £1,400,000. Table 6 provides more detail on year end balances.
6. Appendix A provides explanations for revenue variations over +/-£10,000 and Appendix B capital variations over +/-£10,000.
7. It is too early in the year to draw firm conclusions on some variations but we will continue to monitor budgets on a monthly basis to see if any adverse or positive trends continue. If they do and any movement within budgets is required these will be reported to future housing committee's along with any recommendations.

Capital Programme Position

8. Overall capital expenditure for the year to date is almost precisely as per the budget, being £27,000 or 0.4% ahead of profile and is projected to be fully spent by year end, see table 3 below. Work on most elements of the programme is underway and incurring expenditure.

Table 3 – Capital Outturn Forecast

Housing Capital schemes	Para Refs	2013/14 Latest Budget (£)	Total Budget year to date (£)	Actual to date (£)	Variance to date (£)	2013/14 projected outturn (£)	2013/14 Projected variance (£)
New Build / Purchase of Properties		2,253,000	500,800	552,904	52,104	2,253,000	0
Development - Leonard Stanley / Top of Town		624,000	68,333	58,105	(10,228)	624,000	0
Development - Minchinhampton		80,000	60,000	68,368	8,368	80,000	0
Asbestos / Radon		249,400	25,700	41,205	15,505	249,400	0
Central Heating		670,000	279,167	251,122	(28,045)	670,000	0
Disabled Adaptations		240,000	109,550	112,232	2,682	240,000	0
Doors and Windows		375,000	187,500	191,919	4,419	375,000	0
Electrical Works		100,000	50,000	38,439	(11,561)	100,000	0
Estate Works		500,000	166,667	150,558	(16,109)	500,000	0
Damp Works / Insulation		90,000	0	0	0	90,000	0
Kitchens & Bathrooms		2,450,000	1,225,000	1,187,988	(37,012)	2,450,000	0
Major Voids		2,100,000	700,000	805,278	105,278	2,100,000	0
Professional Fees		15,000	7,500	25,271	17,771	15,000	0
Renewable Heating		6,280,000	2,620,833	2,560,061	(60,772)	6,280,000	0
Roofing		550,000	137,500	125,673	(11,827)	550,000	0
Scheme Renovations		240,000	200,000	197,929	(2,071)	240,000	0
Welfare Aid: Lifeline		2,500	1,250	0	(1,250)	2,500	0
Vehicle Purchase		0	0	0	0	0	0
Total		16,818,900	6,339,800	6,367,052	27,252	16,818,900	0

Virements / Carry forwards and slippage

9. Virements are required due to several reasons. Situations often arise during the financial year that requires a budget to change. This can include for example information not available at the time a budget was set becoming available and resulting in the value a budget was originally set at no longer being sufficient. It is good budget management to respond to such issues and ensure the right amount of funding is available. The following are a list of virements for approval and the reasons for them:-

Table 4 Virements

Budget	Programme	From (£)	To (£)
Revenue	Tenancy Management	50,000	
	Communal Areas - Tree Works		50,000
Total		50,000	50,000

10. Earlier this year a tree survey was carried out across the district. The survey recommended 273 extra jobs be carried out this financial year costing around £50,000. These works can be funded from a virement from the tenancy management budget.

11. Due to various factors some Revenue budgets are not entirely spent by the financial year end. Although the default position is to return any unspent Revenue funding back to the HRA reserve, it is sometimes considered appropriate to carry forward committed unspent budget into the next financial year. These requests are detailed below along with a brief explanation:

Table 5 Carry Forwards / Slippage

Description	Amount (£)
Performance and Improvement - IT Hardware & Software	75,000
Total	75,000

12. This budget was to purchase a new IT solution to enable more mobile/remote working. The Council needs to tender its corporate mobile phone contract. This has been postponed until the Council has obtained satisfactory compliant security arrangements which are currently being reviewed. This budget will need to be slipped to 2014/15.

HRA Balances Including Right to Buy Receipts

13. Due to the ability to retain receipts from 'Right to buy' from April 2012 the authority now has some additional funding to be specifically used for housing replacement. The latest position on this reserve is detailed below in table 6.

Table 6 – HRA balances

HRA Balances	2013/14 estimated	2013/14 Actual
Opening HRA Balance	3,181,056	3,181,056
Drawn from balances	-1,058,600	-2,725,100
HRA Balance	2,122,456	455,956
Opening RTB receipts balance	1,253,084	1,253,084
In year RTB receipts	200,000	1,000,000
Drawn from balances	-	-1,253,000
RTB Balance	1,453,084	1,000,084
Total HRA balances	3,575,540	1,456,040

Areas of Risk and Uncertainty

14. The forecast outturn variance of £128,000 highlighted in paragraph 4 of this report is based on known and estimated outcomes. However, there remains a degree of uncertainty with the forecast variance, either because;

- There is insufficient data available at this stage of the financial year with which to estimate an outturn position on
 - There are a number of different outcomes that may occur and it is difficult to predict with a degree of certainty which outcome is more likely
 - Management action is being taken to offset potential risks and have a detailed plan and process in place. However, it is too soon to assess the impact
15. Listed below are the main areas of risk and uncertainty associated with the outturn forecast.
- High numbers of major voids. Average monthly rent loss for a void property is approximately £169.66 (£84.83 x 4 weeks) and major void repairs can cost up to £40,000
 - Welfare reform affecting tenants ability to pay. The introduction of the under occupancy charge aka 'bedroom tax' and benefit caps this year could have an adverse effect on rental income
 - Conditions attached to the PV funding of £880,000. All 400 units are required to be installed by the 31st March 2014 in order to received the grant
 - Increase in the number of response repairs. This is a variable cost and is sometimes dependant on the weather, particularly winter weather
 - To help mitigate these risks much of the potential financial risk is managed through the finance team and officers meeting at a monthly 'Star Chamber' where officers report on their specific budgets as part of their individual accountability
16. Due to the volume of information contained in the report, it would be helpful where members have questions on matters of detail if they could be referred to the report author or the appropriate service manager before the meeting.

Revenue Budget variations over £10,000

17. As detailed in Table 2, 'Revenue outturn forecast' projected outturn variances often comprise several positive and negative variations. Only those revenue variations in excess of £10,000 or of particular note are detailed below:-

18. Non-Dwelling Rents - £10,900 underspend

A small increase in some shop rents over that budgeted has resulted from a rent review and has led to this additional income.

19. Supervision and Management - £167,600 underspend

It is requested that £50,000 be vired to special services to fund the 273 additional tree works identified by the tree survey carried out earlier this year. These have been assessed as urgent works and are required to be completed within this financial year.

£75,000 of this budget will need to be slipped to 2014/15. This budget was to purchase a new IT solution to enable more mobile/remote working. The Council needs to tender its corporate mobile phone contract. This has been postponed until the Council has obtained satisfactory compliant security arrangements which are currently being reviewed.

There is also an estimated underspend of around £130,000 on staffing budgets due to a delay in recruiting to some vacant posts, this is partly offset by an increase in Legal and HR support charges from the general fund of £80,000.

20. Special Services - £7,700 underspend

As previously reported to the Committee in September. A saving of £42,300 is due to a staffing restructure within the supported housing team. Staff changes took place on 22 April 2013 which reduced the Full Time Equivalent staff (FTE's) for the service from 27.6 to 21.43.

This is offset by an overspend of £50,000 within the communal areas trees budget which can be funded by a virement from supervision and management. See paragraph 19 above.

21. Self Financing Debt - £24,000 overspend

As previously reported to the Committee in September. The brought forward capital work is in part funded by an additional borrowing of £690,000 from the HRA borrowing headroom. This has been assumed to be borrowed from the Public Works Loan Board (PWLB) at an interest rate of 3.5%, equating to £24,000 or 0.73% increase in interest per year. However, other funding options e.g. internal borrowing will be explored by the Treasury Management function at the time the funding is needed in order to achieve the most cost effective borrowing for the authority.

22. Responsive Repairs - £100,000 overspend

There is currently an estimated overspend of £100,000 on this budget. If job numbers and average job values stay as they are when compared to the budget profile for the rest of the year, there is a possibility that this overspend may increase to as much as £250,000.

If job numbers and average values increase, this may be higher and if numbers and average values decrease, this may reduce.

23. General Voids - £175,000 overspend

A number of factors have contributed to the reported overspend on the council tax payable on void properties. One of the major factors is In April 2013 the exemptions on void properties were decreased resulting in an increase in council payable on those empty properties before they are re-let. This is adding budgetary pressure despite there being no worsening of void turnaround performance. Work is ongoing to assess the financial impact of this situation and a proposal on how it will be funded will be presented to committee at their next meeting.

HOUSING COMMITTEE

7 November 2013

6

Report Title	TENANT SERVICES DECANT POLICY
Purpose of Report	To update the existing Policy ensuring it is robust and fit for purpose.
Decision(s)	The Committee RESOLVES to approve the reviewed policy.
Consultation and Feedback	Presented to the Tenant Services Service Development Group (SDG) on 15/08/13 – agreed by members Presented to the Stroud Council Housing Forum (SCHF) – 15/10/13 – agreed by members.
Financial Implications and Risk Assessment	The authority needs to ensure sufficient budget is allocated to meet the expected volume of mandatory and discretionary payments to tenants who are eligible for compensation under this policy. Ian Garrett, Business Accountant (HRA) Tel: 01453 754121 Email: ian.garrett@stroud.gov.uk
Legal Implications	The authority should note that there is a risk that the decant process and timeline identified (see page 7, paragraph 5.1, first paragraph) may lead to delay in the start of construction activities. This may entitle contractors to claim for loss and expense arising from the delay and disruption. In addition, the authority should note that: <ul style="list-style-type: none"> • if legal proceedings were instituted to obtain possession, the likely delay could be 6 to 8 weeks, assuming the court was able to deal with the matter quickly • If a property were to be purchased, the likely delay could be 4 to 6 weeks assuming a willing seller or longer assuming an unwilling seller. • If the authority used its CPO powers, the delay could be 6 months or more.

Legal Implications	We recommend that Legal Services are engaged at an early date to help manage the risks identified. Lucia Fiveash, Solicitor Tel: 01453 754387 Email: lucia.fiveash@stroud.gov.uk
Report Author	Kevin Topping, Tenancy Manager Tel: 01453 754163 Email: Kevin.topping@stroud.gov.uk
Options	None
Performance Management Follow Up	This policy will be reviewed annually on the anniversary of its implementation.
Background Papers/ Appendices	Appendix A shows officers who were involved in the review.

1. Background

The Decant Policy was last reviewed in 2009. The content of that policy was not reflective of the current and future position with specific regard to the new allocations policy following changes as a result of the Localism Act of 2011 and the development programme for new and refurbished Council housing.

Decanting Policy

Contents:

1. Introduction
2. Aims
3. Eligibility
4. Consultation & communication
5. Needs assessment
6. Re-housing options
7. Tenants returning to a new housing development
8. Compensation and costs
9. Decanting where another landlord is carrying out work
10. Disputes/appeals
11. Equality & diversity statement
12. Statutory Home Loss Payments and Disturbance payments – General information

1. **Introduction**

This policy sets out the approach Stroud District Council takes to moving residents in order for work to be carried out to their property (decants for tenants or in some circumstances, rehousing home owners).

A decant is where a resident moves from their current home to another one, either temporarily or permanently.

A decant is usually carried out if the property is being demolished as part of the Council's programme of work, is damaged in an emergency such as fire or flood or is to be redeveloped and/or it is not safe or possible for the resident to remain while work is carried out.

Rehousing owner-occupiers will only be considered in limited circumstances where the Council acquires the property using compulsory purchase powers for example the Acquisition of Land Act 1981 and the Land Compensation Act 1973.

The property that the resident moves to may be Council owned, or a Registered Provider (RP) property or, privately owned. The resident may also decide to arrange their own accommodation on a temporary basis with friends or family.

2. **Aims**

The aims of this policy for residents decanting both temporarily and permanently are:

- To ensure decants operate in a fair, equitable and reasonable manner, in accordance with the current allocations policy.
- To deliver simple but effective consultation and feedback with decanting residents at the earliest opportunity and throughout the process.
- To enable decants to be carried out to minimise disturbance to residents.
- To establish a basis for making offers of support, both financial and practical, to residents obliged to decant.
- To enable the Council to make best use of stock through timely access for improvement and development work.
- To minimise rent loss to the Council by having a joint approach to decants in line with current allocations policy and the development/ refurbishment process.
- That the best use is made of the Council's resources

3. **Eligibility**

In line with the legislation and existing best practice, the following people will be eligible for assistance and possible re-housing: Tenants, their family members, partners and spouses living in the affected property 12 months prior to the date of agreement for the regeneration scheme, (including children)

3.1 The Council will not re-house unauthorised occupants, sub-tenants, lodgers, licensees and other non-secure occupants. Those ineligible persons within the criteria of s 160ZA of the Localism Act and those deemed ineligible by the Secretary of State.

3.2 Owner occupiers within a designated scheme may be given assistance to find alternative accommodation, the options available to them are dependent on their

individual circumstances and the equity available to them. 3.1 also applies to owner occupiers

4. Consultation and Communication

The Council acknowledges that moving home is a stressful experience, especially where the resident may feel their options are limited. This Decant Policy ensures that decants are carried out appropriately and efficiently with the minimum stress and difficulty.

If a decant is necessary the Council has a legal obligation under Section 105 of the Housing Act 1985 to consult with tenants when they are substantially affected. Consultation must be at a time when proposals are still at an early stage and SDC will consult with all affected persons.

Under this policy, all consultation, feedback and communication will be termed Tenant Liaison - this covers all aspects of working with affected persons during re-development, refurbishment and improvement work, including engaging with other linked services such as Housing Benefits, Housing Advice and Council Tax.

4.1 Provision of Information

Every qualifying person(s) will be visited by the Tenant Liaison Officer at the start of redevelopment projects to discuss:

- What the proposed scheme is and why it is being undertaken.
- When it will be done.
- The decant policy and process (tenants and qualifying owner occupiers only).
- What choices there are and how these can be made.
- What we will do to help tenants prepare for any work and support whilst this work is being carried out.
- Named contact officer for the duration of the programme.
- Owner occupiers will be given specific advice on how the Council wishes to involve their properties in any scheme and the process that will be followed.

4.2 Resident Feedback

Feedback from residents about their preferences, expectations and opportunities to influence is sought through individual visits, site meetings and liaison with local tenants' representatives, leaseholders (as appropriate) and Councillors.

In addition to the initial home visit from the Tenant Liaison Officer each household will have a home visit from the Housing Advice Team to discuss their options and choices (this may not be necessary/appropriate for all owner occupiers). Ongoing feedback throughout the duration of the development will be primarily through the Tenant Liaison Officer whose contact details will be provided. Further group and individual feedback will be carried out as required.

4.3 Working Together

Any redevelopment or refurbishment requires tenants, home owners, officers and Councillors to work together. Co ordination of communication and consultation will be carried out by the Council's Tenant Liaison Officer who will be the main point of contact for residents. For larger schemes, consultation work and support may be

provided by a specialist Tenant Liaison Officer either employed by the Council or a contractor.

This officer will work closely with the appropriate officers such as Contracts Officer, Housing Officer, Housing Manager, Housing Advice Manager and Head of Asset Management to make sure information is shared.

5. Needs Assessment

As set out above, every qualifying person(s) will have an initial home visit from the Tenant Liaison Officer where their preferences, expectations and options will be discussed. This home visit will include an assessment of support needs and a property inspection.

Each resident (tenants and qualifying homeowners) will have the option to choose whether they move temporarily or permanently – this will be discussed and may be decided at the initial home visit or later in the process.

Current Tenants who are moved from their home which is being repaired, refurbished or demolished and rebuilt by the Council as part of a planned maintenance programme, development programme or due to an emergency leaving the home uninhabitable will:-

- (If refurbished) remain tenants of their original home.
- (If demolished) remain secure tenants.
- Have a licence to occupy their decant property.
- Pay the lower of the two property rents i.e. the current property and the decanting property rent) until either the new home is built or they return to their refurbished home.
- Have the right to return to their original home on completion of the work or a new home on the development site.

They may also be allowed if they choose, to remain in their decant property subject to room size qualifications.

In very exceptional circumstances properties may be purchased by the Council, for decants. These will not be available for permanent stays, only for temporary decants for the purposes of relevant schemes.

5.1 Allocations Policy Assessment

All tenants needing to move, whether temporary or permanent will be required to register on Gloucestershire Home seeker. This is to ensure fairness and equity with other residents in the district seeking accommodation and to ensure stock remains available for the Council to discharge its duties under current Homelessness Legislation. All tenants registering because of a decant will be Silver band initially (or its equivalent under future allocations policy), moving to Gold band where the proposed demolition/start on site is within 3 months and to add Emergency band where demolition/start on site is within 1 month.

Where a home owner qualifies for rehousing by the Council they will also be required to register on Gloucestershire Home seeker and their options for shared ownership and privately renting will be explored

It is in a qualifying person(s) interests to take advantage of the bidding system as early as possible and support will be provided by the Housing Advice Team to maximise their opportunity for success.

As soon as a resident is registered they will have a home visit or office appointment with a senior member of the Housing Advice Team. This appointment will provide the resident with detailed, bespoke advice and information on:

- Their areas of choice.
- The property types selected.
- Historical lettings information.
- Details of stock availability.
- Likelihood of re-housing under their selected preferences.
- Options and alternatives if first preference not available in the time scale.

5.2 Bedroom Needs Assessment

All applicants on Gloucestershire Home seeker are subject to a bedroom needs assessment – residents decanting will also be subject to this. Any resident currently under-occupying their property can move to another property where they are also under-occupying, however, this will be limited to 1 spare bedroom per household. This means that some residents will still be required to downsize from their current home even though they continue to have 1 spare bedroom.

Any tenant under occupying who makes a permanent downsizing move to a property that meets their bedroom need assessment or is from family housing to non family housing will receive an incentive payment of £1000. This is in recognition of the fact that they will be releasing a family home.

The Council may, in exceptional circumstances, grant an exception to policy for bedroom needs. For example, where there is a proven medical need for an extra bedroom or to enable best use of stock. Exception may also be granted for applicants bidding on bungalows or hard to let properties. All decisions regarding exception to policy are made by the Housing Advice Manager, in consultation with the Tenancy Services Manager and Input from the Tenant Liaison Officer. In all cases an assessment of financial viability will be made and consideration given to whether recent welfare reforms will impact on the ability of the tenant to maintain the tenancy.

Where a resident is subject to a Final Offer (see below) this will be made by the Council and will be in accordance with the households bedroom needs assessment, there will be no under-occupancy granted in this case, regardless of the size of the original home.

5.3 Property Inspection

All decant properties will be inspected in line with the Council's voids process to make sure they are in an acceptable and safe condition. Taking and recording of electrical, gas and water meter readings are part of this process. As tenants will be dealing with their utility providers directly, they should also make sure they take their own meter readings to avoid any later dispute.

6. Re-housing Options

Each resident will be responsible for bidding for properties on Gloucestershire Home seeker. Bidding patterns will be monitored by the Housing Advice Team. The Tenant Liaison Officer and the Housing Advice Team will provide advice and assistance to enable residents to maximise their bids and chances of rehousing. Residents will be expected to bid on all property types in the areas of choice, including those with Registered Providers.

6.1 Choice of area and accommodation type

Every resident will have the option to choose the geographical area in which they wish to move to within the district, however, there is no guarantee that properties will become available within the timescale in the area of their choice. Residents may have to consider alternative areas as the time for development approaches.

Every resident will be able to specify the type of property they prefer e.g. flat, house, bungalow etc however, there can be no guarantee that the first choice property type will be available.

6.2 Offers

It is the Council's aim to make sure all residents (tenants and qualifying homeowners) are made suitable offers based on their requirements and within a reasonable timescale to enable work to proceed. Where the Council has accepted that an owner occupier qualifies to go on the housing register they may also be subject to this offer process. Residents will be made 3 reasonable offers of suitable accommodation with the option of a 4th at the discretion of the Head of Housing. "Reasonable" and "suitable" will take into account the preferences of the resident as well as the availability of stock and demands from other households whom the Council has a legal duty to accommodate.

Where a resident has not bid within the timescale and has had the support to do so the Council retains the right to bid on their behalf and make suitable offers of accommodation on this basis.

The resident has the right to refuse an offer, however, after 3 refusals of suitable properties the Council will provide 1 Final Offer which will be the first available property that meets the household's bedroom needs assessment and is as close to their areas of preference as possible. Residents will have the opportunity to discuss all suitable properties before a formal offer is made to minimise the possibility of refusal.

The Council can as a last resort commence legal proceedings (see below) if the tenant refuses the Final Offer but would in all cases seek to achieve a successful

allocation before invoking its legal rights under Ground 10 or 10a of Schedule 2 of the Housing Act 1985 to commence possession proceedings. For owner occupiers, (subject to the offer process), the Council may use its compulsory purchase powers to acquire property as a last resort. This process would commence at the earliest stage to ensure all options are identified quickly and are time sensitive to both the Council and the affected person(s)

6.3 Multiple Households

In the case of grown up children living with their parents, the option will be available at the discretion of the Housing Manager or Housing Advice Manager to split households and offer two separate tenancies to free up family accommodation and allow independent living. This will only be considered if it does not result in a net loss of bed spaces for the Council. A tenant freeing up family accommodation as a result of a separate tenancy being offered to a member of their household will not be entitled to the incentive described in this policy.

6.4 Non-Social Housing

Residents may wish to move into privately rented property – the Housing Advice Team will provide support to achieve this, for example:

- Conducting property search.
- Negotiating with landlords/agents.
- Arranging housing benefit forms.
- Support with deposit and fees if eligible.

Options for shared ownership and market renting will also be explored if required.

7. Tenants returning to a new Housing Development

All tenants who have been decanted from their homes retain the option to return to the new development site, if a suitable property is available.

The right to return will be granted to tenants who were in occupation at the time of the initial home visit and who have made it clear to the Tenant Liaison Officer that they may want to return to the area that they were supported to decant from.

Returning tenants will be able to choose the property they wish to return to (subject to clauses regarding bedroom needs) in accordance with their length of tenancy prior to being decanted.

The tenants with the longest tenancy will be given first choice, and so on until all returning tenants have been rehoused.

Remaining properties will be allocated in accordance with the Council's current allocations policy, giving regard to s106 and local lettings agreements where they exist.

In the case of specialist accommodation this will be assessed and allocated according to need and will not be subject to the tenant choice above.

7.1 Refusal to Move

In the event that a tenant does not wish to move but the level of work means that decanting is necessary, the Housing Manager/Asset Manager has discretion to:-

- Try to accommodate the tenant into another property within the project.
- Use a mobile home within the curtilage of their home if this is available and feasible.
- Reduce the scope of the project to allow essential work to take place, whilst the tenant continues to live in their home.

If the tenant still refuses to move after the above options have been considered; the Head of Housing Contracts has the discretion to remove a property from a project. This could only happen if the work is not urgently required and it does not adversely impact upon other parts of the project.

The Council retains the legal right under Ground 10 or 10a of Schedule 2 of the Housing Act 1985 to commence possession proceedings as a last resort, once all other alternatives have been explored and reasonable offers of re-housing rejected. Possession will only be granted by a Court with the provision of suitable alternative accommodation.

8. Compensation and Costs

The Council has discretion to provide financial assistance towards tenants' removal expenses under the Housing Act 1985 when tenants are temporarily decanted to other Council property.

There are two types of payments that tenants will be entitled to under this policy:

- Disturbance payments
- Home loss Payments

8.1 Disturbance Payments

Disturbance payments cover 'reasonable expenses' involved in moving. For Tenants and qualifying owner occupiers that are being moved permanently, these payments should still be made in addition to Home loss payments.

The Council will accept disturbance allowance costs based on:

- One off moves: invoices and receipts supplied by the tenant or contractor, or by approved estimates from the contractor.

Based on each residents identified needs, the Tenant Liaison Officer will arrange for specialised contractors to carry out:-

- a) The removal of furniture and effects from and back to the tenant's permanent home and any necessary storage and supply of storage boxes. A full packing service will be available for elderly, frail or disabled tenants to allow them to move, with on the day support as necessary. This includes clearing items out of lofts and sheds subject to a reasonable determination by the Tenant Liaison Officer. In exceptional circumstances temporary storage of items may be

required. If this is the case then Stroud District Council would consider meeting these costs for a time limited period of not greater than three months from the tenants moving date.

- b) The lifting and refitting of carpets at the permanent address only.
- c) The relaying (not fitting) of carpets at the decant address or their storage.
- d) The provision and fitting of new good serviceable carpets at the permanent address from an approved supplier up to an approved upper limit per metre, if carpets are damaged (for example when foam backed carpets are lifted) or are unable to be cut down/re-used to fit this property. Tenants can get an upgraded carpet by paying the additional costs themselves.
- e) The replacement and fitting of laminate flooring if tenants' existing flooring is unable to be re-used – payment will be up to the same approved upper limit per metre as set for carpets. Tenants can get upgraded flooring by paying the additional costs themselves.
- f) The provision of new curtains up to a reasonable cost per pair where the existing curtains do not fit due to different window sizes.
- g) The removal and refitting of existing curtain tracks.
- h) The disconnection and reconnection of any existing telephones, television aerials and satellite dishes (providing Council permission had been given for their original installation).
- i) The redirection of post (following the tenants' completion of the postal redirection form).
- j) The disconnection and reconnection of existing kitchen appliances, or room heaters using Gas Safe or equivalent registered plumbers or electricians.

If tenants prefer to make arrangements themselves they can use their own supplier (for example, for removals, carpets and curtains). The Council will reimburse all reasonable costs in line with the policy above, provided that:

- It is supplied with details of the proposed costs prior to work being ordered.
- The costs are in line with what the Council would have paid had it made the arrangements itself.

Tenant requests for the payment of goods and services will need to be made within six months of their moving date. Payments will only be made against receipts.

Tenants who incur extra travelling expenses for work or educational travel only (not including social travel) as a direct result of being relocated out of their current area are entitled to make a claim for this additional cost for the period in which they are temporarily displaced (up to 12 months) at an Approved Mileage Allowance payment if using a car. Motorbike or moped or by providing bus/rail tickets. The Council has discretion to meet other reasonable expenses based on individual circumstances.

It is essential that tenants have adequate support to be able to move without having to meet costs themselves upfront or being out of pocket. However, in particular

circumstances where excessive costs may apply for the moving of exceptional flora or specific animals such as (and not limited to) fish or birds we would only make payments if tenants have previously received written permission for a pond or garden works. Where permission has not been granted this is less likely and will remain the final decision of the Head of Service. N.B Council Tax and Utility bills will not be included.

Where tenants are permanently decanted to another social housing property they may be entitled instead to a statutory disturbance payment under the Land Compensation Act 1973. Such a payment must be claimed from the Council and follows the principles set out in the Council's discretionary policy for temporary decants above. Unless the tenant(s) move out of the Stroud District.

8.2 Tenants staying in their home whilst work is carried out

Tenants who wish to remain in their home when major refurbishment work is taking place (such as the dismantling and replacement of external walls, external or internal cladding of their walls and are not at risk as deemed by a qualified Health and Safety specialist) will get a disturbance payment equivalent to a full week's rent per week of the work.

Tenants will be expected to continue to pay their rent during the refurbishment work and will receive a lump sum payment upon completion. Arrears, court costs, rechargeable repairs, Council Tax arrears and Housing Benefit Overpayments will usually be deducted from this payment.

8.3 Home Loss Payments for Council Tenants

A Home Loss payment is a statutory payment made to compensate tenants for having to **permanently** move out of their home and may be given in addition to the statutory disturbance payment referred to above. It is **not** payable for tenants who temporarily move out of their home and are able to return to their original property once the work is completed. However, if their area is being demolished and rebuilt and they return, they would be entitled to Home Loss as they would be returning to a totally new home.

This mandatory lump sum payment is fixed by Section 30 of the Land Compensation Act 1973 with its level being reviewed by the Government each September. As at September 2012, it is set at £4,700.

This Home Loss payment is for an eligible tenant/joint tenants who has lived in their property as their principal home for at least 12 months prior to the date of agreement for the regeneration scheme and is required to move out of their home permanently as a result of the property being demolished. See section 3 for information on eligibility, in all circumstances the home loss payment is limited to one per household, not per tenant – joint tenants will therefore receive one payment between them.

Tenants would become eligible for Home Loss payment following a formal decision to demolish their homes having been made by Committee. Tenants have the option of transferring prior to this based on their rehousing needs. However, if they do so, they would not be entitled to any form of compensation (Home Loss or Disturbance).

In exceptional circumstances Stroud District Council may assist a tenant to move prior to a formal Committee decision. In this situation where the Tenant Liaison Officer is assisting a tenant to move the tenant will be eligible for disturbance payments. Also once Committee has agreed a re-development of the site of their previous home then the tenant will become eligible for a Home Loss payment.

A tenant who has succeeded to the tenancy of the property cannot count the previous length of residence of the deceased tenant towards their qualifying period.

In the case of joint tenants the sum will be divided equally between them. A claim must be made within 6 years of the move and paid within 3 months of the claim. In line with good practice, the Council will aim to make payments within 10 working days of receipt.

Tenants who have any other housing related debt such as rent arrears, Council Tax arrears, Housing Benefit overpayment, court costs and rechargeable repairs will have these deducted directly from this lump sum payment.

8.4 Home Owners

The Council may wish to buy privately owned properties where, for example, adjacent (and sometimes attached) properties are being repaired, refurbished or demolished and rebuilt by the Council.

The Council will always seek to purchase private properties through negotiation, however, it may consider the use of compulsory purchase powers where appropriate.

8.5 Negotiated Purchases

Where the Council is seeking to purchase the home of a private resident whose property would be part of a redevelopment or refurbishment, the purchase price offered will be based on market value and terms will be agreed by the Head of Asset Management

8.6 Compulsory Purchase

Where the Council is unable to acquire a property through negotiation at a reasonable cost and decides to pursue the use of compulsory purchase powers the value of the property will be assessed at market value, but the homeowner may also be entitled to other payments (Heads of Claim) as set out in the relevant legislation. These may include home loss payments and disturbance.

In addition the Council may also have a duty to rehouse the home owner, where no suitable alternative accommodation is available on reasonable terms.

Homeowners are referred to the Council's Corporate Asset Management Plan for its policies on acquisition and the use of compulsory purchase powers and the sources of advice and information set out in paragraph 12 below, as this is outside the scope of this policy.

8.7 Discretionary Payments

Discretionary payments are payments made over and above the Council's legal obligations and can be used as an incentive to move, for example, where a tenant

does not qualify to receive a Homeless payment as they have been resident for less than a year. The costs/benefits of making a discretionary payment will be balanced against those of taking legal action to secure a decant.

The Council needs to be satisfied that making a discretionary payment is a reasonable approach and will therefore balance the costs of the discretionary payment against the costs of legal action.

A discretionary payment can only be authorised by the Head of Service.

9. Decanting where another landlord is carrying out work

Residents may be moved from their home to allow the area to be redeveloped or properties repaired by a Registered Social Landlord (RSL). In cases where this involves Small Scale Voluntary Transfer to the RSL, decanting arrangements will be governed by the particular RSL's decant policy. This issue will be built into any formal offer negotiated between the RSL, Council and tenants – with the help of their Independent Tenants' Advisor. A transfer can only take place following a ballot of affected tenants with the majority who vote agreeing to the transfer.

In such a case all decanting arrangements and Home Loss payments would be the responsibility of the new RSL landlord.

10. Disputes/Appeals Procedure

If a resident is not satisfied with the amount recompensed through this policy, they should write a complaint to Stroud District Council. In addition, they may have the right of appeal under the Land Compensation Act 1973 and any claims should be made to the Upper Tribunal. Its address is:-

**Lands Chamber
45 Bedford Square
London
WC1B 3DN
Tel: 020 7612 9710
Fax: 020 7612 9723)
Email: lands@tribunals.gsi.gov.uk**

11. Equality and Diversity

This policy aims to show that all tenants' and owners' differing needs and preferences are taken into account. Central to this is the personal visit to carry out a needs assessment at the beginning of the process, which allows the Council to:-

- identify those who may need more support, such as a full packing service or on the day help.
- Ensure tenants are kept informed in the way most appropriate to them.
- Make suitable re-housing offers, with full consideration made of adaptations required.

The disturbance policy aims to make sure that no-one is out of pocket or disadvantaged as a result of being required to move out of their home. Tenants can

choose to take advantage of the Council making the arrangements and paying directly to the contractor, or if they wish, they can organise their move themselves.

By aligning this policy with the current allocations policy the Council is ensuring there is no advantage or detriment to residents affected by the decanting process and that decanting residents are treated fairly and equitably alongside applicants on the housing register, including those the Council has a statutory duty to rehouse.

12. Statutory Home Loss Payments and Disturbance Payments – General Information

It should be noted that the information set out in this policy note regarding statutory Home Loss and Disturbance payments is not exhaustive. It is a simplified guide and cannot cover every situation that may arise. It is not intended to be a complete guide to the law and should not be regarded as a substitute for professional legal advice.

Further guidance for both home owners and occupiers on matters such as statutory Home Loss and Disturbance payments is available in 'Compulsory Purchase and Compensation – Compensation to Residential Owners and Occupiers (Department of Communities and Local Government 2008). This is available from the Department of Communities and Local Government website. This notes that applicants should seek advice from a professionally qualified person such as a surveyor or solicitor. To be referred to a local experienced chartered surveyor for up to 30 minutes free advice, applicants can contact the Compulsory Purchase Helpline on 0870 3331600.

APPENDIX A

Kevin Topping	– Tenancy Manager
Sarah Mace	– Housing Advice Manager
Peter Stoate	– Head of Housing Contracts
Mark Humphries	– Asset Manager
Chris Eadie	– Tenant Liaison Officer
Pippa Stroud	– Policy Implementation Manager
Alison Fisk	– Head of Asset Management
Bryn Howells	– Business Development Manager

STROUD DISTRICT COUNCIL**AGENDA
ITEM NO****HOUSING COMMITTEE****7 November 2013****8**

Report Title	TENANT SERVICES COMPENSATION POLICY
Purpose of Report	To seek authority to proceed with the implementation of the policy.
Decision(s)	The Housing Committee RESOLVES to approve the Tenant Services Compensation Policy.
Consultation and Feedback	<p>In drafting this report the following services and tenant groups have been consulted:</p> <ul style="list-style-type: none">▪ Democratic services▪ Equalities▪ Finance▪ Legal services▪ Tenants and Residents Forum▪ Rural Tenant Voice▪ SCHF
Financial Implications and Risk Assessment	<p>The mandatory and discretionary compensation payments that the authority is responsible for within this policy, are by their nature a variable cost. Sufficient budget needs to be available to ensure this cost is met and if a large increase in payments is experienced, the underlying causes should be identified and addressed to reduce future payments.</p> <p>Ian Garrett, Business Accountant HRA Tel: 01453 754121 Email: ian.garrett@stroud.gov.uk</p>
Legal Implications	<p>There are a number of statutory compensation schemes which the Council must comply with. Failure to comply with these could result in complaints to the Ombudsman.</p> <p>Landlords are also expected to have a compensation policy which provides guidance on when it will consider offering discretionary compensation or a 'goodwill gesture.'</p>

Legal Implications (cont/d)	This policy sets out a clear policy for both Statutory and Discretionary compensation which should encourage a consistent approach across the service. Lucia Fiveash, Solicitor Tel: 01453 766321 Email: lucia.fiveash@stroud.gov.uk
Report Author	Hannah Healy, Performance and Involvement Manager Tel: 01453 754102 Email: hannah.healy@stroud.gov.uk
Options	N/A
Performance Management Follow Up	The policy lists the performance measures used to monitor the effectiveness of the policy.
Background Papers/ Appendices	Appendix A – Tenant Services Compensation Policy

1 Introduction

There is a need within Tenant Services to develop a Compensation policy in response to high-level complaints. New Co-regulation legislation places an emphasis on effective complaint handling and learning from feedback, it is therefore seen as good practice within the industry to have a clear compensation policy. This policy would be for managers to use as a guide when dealing with a complaint. Compensation would only be offered where there has been a proven failure in service delivery or when we are obliged by statute to pay compensation. A background guide to the policy will be produced for tenants; and will be sent to a tenant when an offer of compensation is being made to explain how we have reached a decision.

2 Advantages

- Clear guidance for managers when handling a serious complaint, ensuring homogeneity of complaint responses across the service
- Emphasis on contractor performance, which should help to improve key indicators around missed appointments and repairs timescales
- Regular contractors will be responsible for the majority of the financial outlay
- Reduced risk of Ombudsman interference
- Promote excellent customer service across Tenant Services
- Long term value for money savings as a result of improved service delivery
- Stricter guidelines ensure staff will be in a stronger position when dealing with vexatious complainants.

3 Disadvantages

- Potential short-term increase in payments to tenants in response to poorly performing contracts/service areas

- New procedures will need to be developed to ensure contractor compensation payments are properly administered.

4 Background research and consultation

The Local Government Ombudsman – ‘Remedies’ Guidance on Good Practice report and over 20 other landlord’s compensation policies have been used for reference in drafting this report. The report has also been influenced through consultation with internal departments and tenant groups.

5 Conclusion

Officer requests that Housing Committee resolves to approve the Tenant Services Compensation Policy.

Appendix A

STROUD DC

Tenant Services
COMPENSATION POLICY

Written February 2013

PART 1 POLICY BACKGROUND & COVERAGE

Introduction

1.1 We aim to provide a high-quality of service for our tenants; however we acknowledge that sometimes mistakes are made. If tenants are dissatisfied with our service and wish to complain about our lack of action, or standard of our work, we will deal with their complaint quickly, fairly and appropriately. The details of our complaints procedure can be found in our SDC Corporate Complaints Policy.

1.2 We recognise that sometimes an honest apology is not enough and some tenants have a right to compensation when things go wrong. This policy aims to ensure that fair and consistent remedies are taken in these circumstances.

1.3 The policy covers two main sections Statutory Compensation and Discretionary Compensation. These include the following areas:

STATUTORY COMPENSATION	DISCRETIONARY COMPENSATION
Home Loss payments	Repairs
Disturbance payments	Neighbour nuisance
Right to buy	Housing management
Home improvements	
Right to repairs	

1.4 This policy covers the following areas (as appropriate) in each section:

- Appropriate action
- Financial compensation
- The effect of the complainants own actions
- Money not paid to the complainant
- Quantifiable loss
- Loss of non-monetary benefit
- Distress
- Time and trouble
- Off setting compensation

Key Principles of the Compensation Policy

2.1.1 The key principles of the Compensation policy are:

- To ensure a clear, fair and transparent approach to compensation for all tenants.
- To outline the degree of service failure that necessitates compensation.
- To make clear what actions tenant's needed to have taken to be eligible for compensation.
- To clarify the process managers should take when dealing with a complaint or compensation claim.

Relevant legislation and regulatory compliance

3.1 We will ensure that we compensate our tenants in accordance with best practice and relevant policy and legislation, including the following:

Land Compensation Act 1973 (as amended).

- The act entitles a qualifying legal tenant to a Home Loss payment where they are required by Stroud District Council to move permanently move out of their property because it is due to be demolished or reconstructed. A tenant is entitled to a lump sum of a maximum of £4700 (as determined by The Home Loss Payments (Prescribed Amounts) Regulations 2008), with joint tenants sharing the payment.

Section 124 of the Housing Act 1988 and Sections 153A, 153B and 138C, Part V of the Housing Act 1985 (the Right to Buy).

- The act entitles tenants to compensation if there is an undue delay in completing the sale of their property within the required timescales, due to a failure by SDC.
- The act entitles tenants to financial compensation for outlaid expenses incurred in preparing to buy a property before a demolition notice is imposed.

The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations – Statutory Instrument 1994 No. 133

The Secure Tenants of Local Housing Authorities (Compensation for Improvements) Regulations – Statutory Instrument 1994 No. 613

PART 2 CONSULTATION

- 4.1 A thorough consultation has taken place with key services across the Council during the course of writing this policy. Leading tenant representatives have also been consulted.

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PART 3 AREAS OF RESPONSIBILITY

5.1.1 Compensation will be paid at the discretion of the appropriate manager in accordance with this policy. Payments over £1000 will require sign off by the Communications and Equalities Service Development group. All compensation claims will be discussed by the internal feedback panel to ensure the service learns from complaints.

Service Manager	Compensation Amount
Unit Manager	Up to £500
Unit Manager and Head of Service	£500 - £2000
Strategic Head	£2000+

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PART 4 TRAINING

- 6.1 We will ensure that all of our staff and contractors are aware of and have a good understanding of this policy and our corporate complaints process.
- 6.2 Training on the policy will be provided by the Performance and Improvement team to all managers, contractors, members of the Communications and Equalities Service Development group and members of the Feedback panel, once the policy is adopted by the Housing Committee. Subsequent training will take place every 3 years in accordance with the policy review.
- 6.3 All regular contractors are expected to fill out a pro-forma to confirm that they have received the training.

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PART 5 ASSESSMENT CRITERIA

- 7.1.1 All claims for compensation will need to be assessed as part of the corporate complaints process. (Hyperlink to process) Tenant's can complain using any of the methods listed in the ['Your Feedback'](#) leaflet. Managers should assess each complaint against the guidelines stipulated within this policy and make an offer of compensation, if and when appropriate, to the complainant within their response letter. The tenant is then obliged to contact the manager to state whether or not they accept the compensation amount on offer. If they accept the amount of compensation offered, they will be expected to sign a disclaimer stipulating that they consider the complaint closed and will not pursue further action. The [disclaimer template](#) is held by the Performance and Improvement team and managers should seek assistance from Legal Services before issuing the form.
- 7.1.2 All claims will need to be checked against outstanding arrears to SDC, this includes housing benefit, council tax and rent arrears. Payments will be off set against arrears and the remainder will be paid directly to the tenant.
- 7.1.3 If a tenant wishes to appeal the decision made regarding compensation they can approach the Communication and Equality group within 28 days of the receiving an offer.

PART 6 STATUTORY COMPENSATION

8.1 Home Loss

Home loss payments are made in recognition of the personal distress and inconvenience experienced by tenants who need to permanently leave their home through no fault of their own.

Financial compensation

A lump sum payment of up to £4700.00 will be paid to the tenant. In the case of a joint tenancy, the payment will be split between both tenants. All payments will be authorised by the Head of Housing Contracts.

To qualify for this payment:

- The move must be initiated by the Council and must be permanent
- The move must be a consequence of demolition or reconstruction
- The tenant must have been in legal occupation for at least one year prior to the date of moving out.

If there are rent arrears on the account the payment will be offset against the arrears. The remainder of the outstanding balance will be paid to the tenant.

8.2 Disturbance payments

Disturbance payments are made to tenants who are required to move out of their property by the Council as a temporary measure to enable it to improve or redevelop the property. The payment should cover the costs associated with the move, in order that the tenant is not out of pocket.

Financial compensation

A lump sum payment may not reflect individual circumstances therefore we will seek to meet reasonable and appropriate expenses, up to a maximum of £500.00 including:

- Furniture removal
- A packing service for vulnerable tenants
- Lifting and refitting of carpets and curtains and replacement if damaged in move.
- Disconnection and reconnection of electricity, gas, telephone and fitted appliances.
- 3 months postal re-direction

8.3 Right to buy

Tenants who have made an application to buy their home are entitled to claim compensation if the sale has not completed within our statutory timescales, as a result of our inaction.

Tenant's will need to:

Issue a "Notice of Delay" to officers giving one month in which to resolve the delay.

A further "Operative Notice of Delay" must then be issued by the tenant if the delay is not resolved within a month.

Financial compensation

We will deduct the sum **of the weekly rent amount x the number of weeks outstanding from receipt of the delay notice** off the final purchase price. For instance, if the rent is £78.60 a week and it has been 8 weeks since the delay notice was issued, we would take £78.60 x 8 = £628.80 off the purchase price. If the delay exceeds more than 12 months we will deduct the **sum of one and half times the weekly amount of rent x the number of weeks outstanding from the delay notice** off the final purchase price.

Tenant's who have exercised their Right to Buy, before we serve a demolition notice, are also entitled to claim financial compensation for any, reasonable and appropriate, outlaid expenses incurred in purchasing the property before the notice was served. Compensation would be paid on production of receipts.

8.4 Home Improvements

Many tenants take pride in their homes and make improvements to their property during their tenancy. Under the Local Authorities (Compensation for improvements) Regulations 1994 or Section 100 of The Housing Act 1985, these tenants may be able to claim compensation for the improvements made at the end of their tenancy, providing the improvement is considered a 'qualifying improvement' in accordance with our specified list.

Financial compensation

Qualifying tenants can claim financial compensation up a maximum of £3000. Compensation will be paid on works based on the equation provided in the 1994 Compensation for Improvements Regulations.

Comment [m1]: Where did this figure come from? I believe it should be £3000.

$$C \times \left(1 - \frac{Y}{N}\right)$$

C = Cost of improvement

N = Notional life of improvement

Y = Number of years since completion

Tenant's will need to:

- Gain written permission for the improvements in advance from their Housing Officer.
- Obtain three quotes for works from contractors and have sent copies to Stroud District Council.

- Request an expert site inspection before works start.
- Gain necessary statutory approval i.e. planning permission, building control for improvements.
- Provide evidence of cost of install
- Provide evidence of notional life of improvement
- Carry out works to an acceptable standard, and have them verified by a Repairs Inspector.
- Submit their claim to their Housing Officer within the period from 1 month before the tenancy ends to 14 days after the date the tenancy ends.

Provisos:

- Compensation will not be paid to tenants who have exercised their Right to Buy or where the tenancy ends as a result of a Court Order for possession.
- Any compensation will be paid at the end of the tenancy and will be offset against any sums owed to Stroud District Council.
- Interior decoration such as painting and wallpapering will not qualify for compensation
- Compensation will not be paid for sums under £50.

8.5 Right to Repair

Under the Right to Repair Scheme our tenants have the right to be compensated if certain small, urgent or emergency repairs, costing less than £250, are not carried out within specific time limits. These are defined as 'qualifying' repairs under regulations issued by Government.

Qualifying repairs include:

Unsafe power or lighting sockets or electrical fittings

Blocked flue to open fire or boiler

Leaking roof

Toilets which don't flush

Blocked sink, bath or basin

Leaking from a water or heating pipe, tank or cistern.

Failure to repair within set timescales

If we fail to fix a repair within a given timescale, tenants should call us and we will arrange for a second contractor to carry out the works. The second contractor has the same amount of time to fix the repair as the original contractor and we will send a copy of the works notice to our tenant.

Financial compensation

If the second contractor doesn't do your repair in time, you will get £10 in compensation. For every extra day you wait, you will get another £2.

The most compensation you can get for any one job is £50.

Tenant's own actions

Financial compensation would not be due if the complainant has done any of the following:

- Failed to inform the service about works required on the property.
- Where tenant lifestyle has resulted in the property getting into disrepair.
- The tenant has damaged the property.
- The tenant has delayed works being done to the property either by restricting access or postponing appointments.

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PART 7 DISCRETIONARY COMPENSATION

9.1 Repairs

We know how important it is to tenant's that we help them to maintain their home and fix their repairs as quickly as possible. When considering paying discretionary compensation we will consider:

Appropriate action

That the following been taken:

- Practical action to find a remedy to the complaint.
- Consideration of any practical action suggested by the complainant.
- A property inspection.
- Council arrears check – any compensation will be off set against outstanding council arrears and the remainder paid to the tenant.

Financial Compensation

Financial compensation may be appropriate for:

Service	Area of failure	Compensation amount
Responsive repairs Lovell's contract	Missed appointment	Our contractor will pay £20 in high street vouchers for missing an appointment, without giving 24hrs notice.
Loss of services	Temporary heating	We will pay a contribution of £1.40, per heater, per day (or an appropriate amount) towards the cost of running temporary heating based on individual circumstances.
	Heating and hot water	From April 2014 we expect our contractor to pay £3 per day for the inconvenience incurred from loss of heating and hot water.
	Hot water only	From April 2014 we expect our contractor to pay £1.50 per day for loss of hot water.
Loss of facilities	Part of property	We will pay a % of the weekly rent in proportion to the area of property loss, for the number of weeks the tenant was unable to use the space. For example, if the tenant is unable to use 1 of 4 of their rooms, for 5 weeks, we will pay 25% of their weekly rent x 5 in compensation. This amount is negotiable through our contractor – team leaders should use discretion based on individual circumstances.

A process for implementation will be developed with our contractors for them to administer.

Financial Loss

Tenants can claim compensation for financial loss if a pre-arranged appointment that has been confirmed in writing, is broken by one of our contractors. Our contractor's will pay the following compensation:

- Loss of income up to £75.00 per day (based on average earnings).
- Annual leave up to £75.00 per day (based on average earnings).
- Any related expenses directly related to the broken appointment.

Tenants must be able to provide evidence of the financial loss, for instance an employer's declaration.

Tenants will not be eligible for compensation if the tenant was advised that the appointment would not be kept 24hours before the appointment and an alternative appointment was arranged within 7 working days.

Damage to property

Tenants can claim compensation for accidental damage to their property caused by our contractors. We will liaise with our contractors for you and request that they compensate you directly for amounts up to £500. Claims over £500 will need to be assessed by an independent insurance assessor.

If our contractors damage or break your possessions we will seek to replace the item like for like, if a replacement item can not be found our contractors will cover the cost of a decoration grant to a maximum of £50.

Distress and Time and Trouble

Local Government Ombudsman advice covers accounting for distress amongst its recommendations for remedies to complaints. If tenants have suffered distress, frustration or anxiety regarding a repair over a considerable period of time it is appropriate to pay compensation in recognition of this.

Each individual case should be assessed based on the length of time works were not carried out, the severity of works required and the vulnerability of the tenant.

A guide to appropriate good will gestures is:

1 year minor works up to £500.

1 year major works up to £1000.

1 year where the property was left unfit up to £2000.

If a good will gesture is offered managers should aim to tailor it to the individual and base each offer on the particular circumstances of the case.

Tenant's own actions

Financial compensation would not be due if the complainant has done any of the following:

- Failed to inform the service about works required on the property.
- Where tenant lifestyle has resulted in the property getting into disrepair.
- The tenant has damaged the property.
- The tenant has delayed works being done to the property either by restricting access or postponing appointments.

9.2 Neighbour Nuisance

We want our tenants to feel safe in their homes and therefore take an uncompromising stance towards anti-social behaviour. When considering paying discretionary compensation we will consider:

Appropriate Action

That the following action has been taken:

- Practical action to find a remedy to the complaint in accordance with our Anti-social behaviour policy.
- Consideration of any practical action suggested by the complainant.
- Council arrears check – any compensation will be off-set against outstanding council payments and the remainder will be paid to the tenant.

Financial compensation

Financial compensation may be appropriate for:

Financial loss

In extreme circumstances, where our tenant has been driven from their home to stay with family and friends and we have delayed in taking action against the neighbour nuisance, they are entitled to claim any additional living expenses incurred in escaping the nuisance on production of receipts.

Reasonable expenses will be paid after we have sought a view from the police that our tenant was 'at risk' in their home and will include:

- Furniture removal
- A packing service for vulnerable tenants
- Lifting and refitting of carpets and curtains and replacement if damaged in move.
- Disconnection and reconnection of electricity, gas, telephone and fitted appliances.
- months postal re-direction
- A contribution to the monthly rent only where it is in excess of the current rent.

Distress

Tenant's who are effected by anti-social behaviour are likely to have suffered some form of distress to a greater or lesser degree. If we have failed to follow our policies and procedures correctly and delayed in responding to neighbour nuisance it is appropriate to pay compensation in recognition of this. A discretionary, one-off payment should be made after taking the following into account:

- The length of time the nuisance persisted after the council was notified before we took effective action.
- The severity of the neighbour nuisance.
- How often the anti-social behaviour happened.
- The number of people affected in the property.
- The vulnerability of the complainant or anybody else affected.
- The extent of our maladministration

Compensation can be paid up to £2000 per year depending on the severity of the case.

Time and Trouble

We expect our tenants to co-operate with us in taking effective action against the perpetrator. This may involve filling out diaries and monitoring their neighbour's behaviour, this would not constitute financial compensation. However, some tenants may have to go to extensive time and trouble to persuade us to recognise their complaint and take action. In this instance it is appropriate to pay compensation in recognition of our inaction. A guide to a discretionary payment is:

10% of their monthly rent for the duration of the inaction.

Tenants own actions

Financial compensation would not be due if the complainant had done any of the following:

- Failed to provide us with any information requested, including monitoring diaries.
- Caused an unreasonable delay in any part of the process.
- Been abusive or threatening to our staff.
- Had not tried to resolve the issue themselves.

9.3 Housing Management

We want our tenants to be able to be happy in their homes for as long as possible, sometimes this might mean they require an adaptation to their property or even need to transfer to a more suitable property for their needs. When considering paying discretionary compensation we will consider:

That the following action has been taken:

- Practical action to find a remedy to the complaint has been taken in accordance with Tenant Services' policies.
- Consideration of any practical action suggested by the complainant.

Financial compensation

Financial compensation may be appropriate for:

Non-payment of grant

If our tenant has been denied a decoration grant or moving home grant that they were entitled to, it would be appropriate to pay the equivalent amount in compensation.

Financial loss

If our tenant has incurred additional living expenses as a result of an adaption not being installed, it would be appropriate to reimburse any additional expenses on production of receipts.

Distress

Tenant's who have been wrongly denied an adaptation or a transfer are likely to have suffered some form of distress to a greater or lesser degree. If we have not correctly followed our policies, it is right to pay compensation in recognition of this. A one off discretionary payment should be made after taking the following into account:

- The tenant has been limited or unable to use the part of their property that required adapting
- The tenant's physical health has been affected
- The length of time that the adaption should have been made
- The number of people affected by the by the delay in installing the adaptation

- The tenant's safety has been put at risk.

Payments up to £1000 a year should be considered by manager's depending on the severity of the case.

Time and trouble

Our tenant may have had to go to extensive time and trouble to persuade us to revise our decision or recognise their complaint. In this instance it is appropriate to pay compensation in recognition of our inaction. If we have failed to follow our processes within the permitted timescales, tenants would be entitled to a payment equivalent to:

10% of their monthly rent for the duration of inaction.

Tenant's own actions

Financial compensation would not be if the complainant had done any of the following:

- Failed to provide us with any information requested.
- Caused an unreasonable delay in any part of the process.
- Been abusive or threatening to our staff.
- Rejected a transfer offer which we consider reasonable

PART 10 EQUALITY IMPLICATIONS

Introduction

10.1 We are committed to giving an equal service to all. Any action taken under this policy will comply with current equalities legislation.

Procedures and Practices

10.2 Our staff will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents and to ensure that they do not discriminate on the grounds of:

- race
- age
- disability
- religion or belief
- sex
- gender reassignment
- sexual orientation
- pregnancy and maternity
- marriage and civil partnership

Information

10.3 We will, in all reasonable circumstances, make information available in a variety of information formats, including:

- large print
- audio tape

Where this is requested managers should refer to Business Support.

PART 11 PERFORMANCE MONITORING

Introduction

11.1 We will monitor our performance in acting and learning from complaints and amounts payable in compensation will feed into this.

Performance Monitoring

11.2 To help achieve our aims of ensuring continuous improvement in the services we provide and to ensure that we meets all statutory obligations, we will put in place systems and processes which allow us to monitor and evaluate performance.

11.3 We will constantly monitor our Customer Care service standard and its achievement of targets in relation to the delivery of an effective complaints handling service.

11.4 We will continually review our services by measurement against the performance of other social housing providers and research of their processes and procedures, with the aim of achieving continuous improvement and to ensure compliance with best practice.

11.5 The Housing Committee Chair, Tenant Services Scrutiny panel and Stroud Council Housing Forum will receive quarterly updates detailing the following information:

- 10/10 results for satisfaction with complaints handling
- 10/10 results for satisfaction with complaint outcome
- Annual compensation spend
- Annual amount re-charged from contractors to cover compensation payments.

PART 12 REVIEW OF THE COMPENSATION POLICY

- 12.1 This policy will be reviewed by the Council every three years unless there is a change in legislation or regulation.
- 12.2 Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

DRAFT

PART 13 APPROVALS

Date approved by Stroud Council Housing Forum 15th October 2013

Date approved by the Housing Committee: xxth month 2013

Date for review of the policy: xxth month 2014

DRAFT

**Stroud District Council
Housing Committee Work Programme
2013/14**

20 June 2013

1. Introduction to Tenant Services.
2. Structure of Stroud Council Housing Forum (Kelly Headley)
3. Council New Build Programme (Peter Stoate)
4. Development of Financial Inclusion Strategy.
5. Sheltered Housing Service: Response to County Contract Options
6. Housing Revenue Account Outturn 2012/13 (Ian Garrett)
7. HRA Budgets 2013-14 (Ian Garrett)
8. Appointments to Outside Bodies
9. Work Programme

19 September 2013

1. Budget Monitoring Report 2013/14 (Ian Garrett)
2. Tenant Services Community Development Plan (Kelly Headley)
3. HRA 2013/14 Increase in Budget (Peter Stoate)
4. Financial Inclusion Strategy (Tim Power)
5. Briefing Note: Supporting Tenants Through Welfare Reform (T&FG)
6. Supporting Elderly Residents. Response to the County Council Supporting People Contract Officer (Tim Power)
7. Appointment to Care and Repair (Stroud)
8. Work Programme

2 October 2013 – Special Meeting

1. Council New Build Programme (Peter Stoate)
2. Woolaways Regeneration Programme (Peter Stoate)

7 November 2013

1. Budget Monitoring Report – Quarter 2 (Ian Garrett)
2. Tenant Services Compensation Policy (Hannah Healy) **(MOVED from 19 September 2013)**
3. Tenant Services Decant Policy (Kevin Topping)
4. Sheltered Housing Project Progress Report (Tim Power)
5. Self Financing Presentation (Carl Brazier)
6. Work Programme

12 December 2013

1. Presentation from Lovells **(NEW)**
2. Revised Budget 2013/14 & Draft Budget 2014/15 (Ian Garrett)
3. Sheltered Housing Pet Policy (Kevin Topping) **(NEW)**
4. Council New Build Programme (Peter Stoate)
5. Sheltered Housing Service Progress Report (Tim Power)
6. Tenant Credit Ratings **(NEW)**
7. Work Programme

6 February 2014

1. Budget Monitoring Report – Quarter 3 (Ian Garrett)
2. Council New Build Programme (Peter Stoate)
3. Sheltered Housing Service Progress Report (Tim Power)
4. Estate Services (Tim Power)
5. Work Programme

20 March 2014

1. Council New Build Programme (Peter Stoate)
2. Sheltered Housing Service Progress Report (Tim Power)
- 3.
4. Work Programme

Task and Finish Groups

Title	Membership	Date Established
Support to maintain tenancies	Councillor Philip Booth Councillor Mattie Ross Sandra Mutton (Tenant Representative)	20 June 2013
Re-developing Brimscombe Port	Councillor Chris Brine	20 June 2013