



**HOUSING AND COMMUNITY
OVERVIEW AND SCRUTINY COMMITTEE
AGENDA**

WEDNESDAY 21 MARCH 2012 AT 7.30 PM

BULBOURNE ROOM, CIVIC CENTRE, HEMEL HEMPSTEAD

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Adeleke	N Hollinghurst
Adshead	Mahmood
Bassadone	Marshall (Chairman)
Conway	McLean
Flint	Organ
Hearn	Sutton (Vice-Chairman)

Co-Opted Members: S Parker & M Cook (Substitute)

(Substitute Members: Councillors Clark, H Chapman, Rance, White and Wixted)

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Part I

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1. MINUTES

To confirm the minutes of the meetings held on the 25 January and 2 February 2012.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation

5. CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO A CALL-IN

None

AGENDA ITEM: 6

SUMMARY

Report for:	Housing and Community Overview & Scrutiny Committee
Date of meeting:	21 March 2012
PART:	1
If Part II, reason:	

Title of report:	Equalities Update
Contact:	Cllr Brian Ayling, Portfolio Holder for Service and Performance Improvement Author/Responsible Officers: Elissa Rospigliosi – Corporate Graduate David Gill – Group Manager (Partnerships, Policy and Communications)
Purpose of report:	This report updates Members on recent work that has been carried out related to equalities. It gives background on recent equalities legislation, summarises the results of recent consultation, and proposes a number of immediate objectives for Members to scrutinise.
Recommendations	<p>(1) That Members consider and make comment on the proposed objectives noted in the report and due for publication in April.</p> <p>(2) That Members agree to include the revised equalities strategy in the Overview and Scrutiny Committee work programme for later in 2012.</p>
Corporate objectives:	<p>Building Community Capacity: The subject matter of the report deals with ways in which we can improve outcomes for Dacorum’s communities and build community cohesion.</p> <p>Dacorum Delivers: The recommendations aim to improve service delivery by helping the Council target its services more efficiently and effectively diagnose community needs.</p>
Implications:	<p>Financial</p> <p>The Council needs to ensure that it is meeting all its legislative requirements relating to equalities to avoid the risk of claims of unlawful discrimination.</p> <p>Claims would give rise to cost implications, e.g. legal fees, and, if successful, would result in compensation awards, in respect of which there are no statutory limits. The Council must show that it has mechanisms in place to ensure that unlawful discrimination does not happen anywhere across the organisation.</p>
Value For Money	

Implications	Value for Money The objectives aim to maximise the use of resources by helping the Council target its services more efficiently.
Risk Implications	There is a risk implication as the Council will be open to challenge if it does not fulfil its legislative requirements.
Equalities Implications	The report itself details the equalities implications.
Health And Safety Implications	None.
Consultees:	Assistant Directors Public consultation Local community organisations
Background papers:	Single Equality Scheme (linked) Service and employment data snapshot (linked)

1. Background

Dacorum's draft Single Equality Scheme was approved by Cabinet in September 2010. The decision to combine three existing strategies on race, gender and disability into a single scheme reflected the new legislative context of the Equality Act 2010.

The Equality Act passed into law in October 1 2010, extending protection under the law to eight 'protected characteristics': age, disability, gender reassignment, pregnancy/maternity, race/ethnicity, religion/belief, sex, and sexual orientation.

The Department for Communities and Local Government published its new cohesion strategy, *Creating the conditions for integration*, on 21st February 2012. The strategy focuses on localism, integration, and on mainstreaming equalities into the business of the community.

The Equality Act places a general duty on all public bodies. This came into force on 5 April 2011. Public bodies are to have due regard across all their functions to eliminating discrimination, advancing equality of opportunity, and fostering good relations between the different groups defined under the protected characteristics.

The Act also places two specific duties on public bodies. These came into force on 10 September 2011. These require public bodies to 'publish relevant, proportionate information demonstrating their compliance with the Equality Duty; and to set themselves specific, measurable equality objectives' (Home Office, 2011). The deadline for publication was 31 January 2012 and the objectives are to be set and published by 6th April 2012.

The new legislation has emphasised the importance of building an evidence base of equality-related information that can guide and inform Council decision-making. The "Spotlight on Dacorum" project had already developed a Dacorum community profile. The recent work on equalities has therefore focused on building a more detailed picture of the people who are using Council services and of any specific needs they might have which could impact, or be impacted upon by, Council services.

Following the Cabinet approval in September 2010, we have consulted with the public and with local specialist organisations on the draft Single Equality Scheme. This consultation was also an opportunity to gather information about our service users' experiences.

In order to fulfil the first Specific Public Sector Equality Duty, we took a snapshot of the data we currently hold on our service users. The resulting report was published on the Council's website on January 31st.

2. Consultation methodology

This report draws together relevant material from:

- consultations carried out at DBC
- consultation work which was carried out locally by other statutory bodies and which included Dacorum residents. (This included work carried out by the Dacorum Partnership, the Volunteer Centre and Hertfordshire County Council agencies.)

The Council undertook specific consultation on equalities between August and December 2011. This email and paper-based survey was undertaken with specialist organisations. The survey was made up of open ended questions about equality issues. The Council also consulted with the general public via a survey which was available in paper-based form, by email and as an online survey.

This consultation was followed by a short multi-choice online survey which was distributed by email to specialist groups in Dacorum. The survey focused specifically on possible issues of access to Council services. In each case, the electronic versions were checked for accessibility for people with disabilities.

In each case the response rates were too low for a full statistical analysis, but some useful themes emerged.

3. Themes from the consultation

3.1 Access to existing services

There was a perceived need for increased staff awareness around the issues faced by people with different protected characteristics. Consultees made specific mention of the needs of Deaf people, trans people and lesbian, gay and bisexual people.

Access issues included the absence of visible inclusion (such as Lesbian, Gay, Bisexual and Transgender (LGBT) friendly signs and spaces in Hemel Hempstead), the availability of interpreters, and different ways of contacting the Council for Deaf people. In some communities there is a tendency not to report abuse they experience and thus not to access the Anti-Social Behaviour service.

3.2 Providing new services/initiatives

There was strong support for a facility such as a dedicated community centre to support ethnic and faith groups and facilitate interaction and understanding.

Other consultees highlighted the need for additional support in some cases, such as community development work for ethnic and faith groups; a specific email group for Deaf people advertising opportunities for inclusion; for people with disabilities, additional support in getting jobs or in volunteering opportunities.

3.3 Involving residents and service users

People with disabilities were seen as a particular priority for involvement in service design. Better opportunities to act as community representatives were prioritised for Deaf people.

Other consultees suggested ways in which the Council might change its involvement and consultation opportunities. These focused in particular on making more use of existing channels of communication to make it easier for people to find out about, and remain involved through, such opportunities. Others focused on making more use of the knowledge held by existing specialist organisations and on more face to face consultation, rather than surveys.

3.4 Developing better information

Feedback was given that the Council would benefit from developing a more sophisticated evidence base for equalities policies. One response suggested the Council look more closely, in particular, at domestic violence incidents which are not reported to police.

4. Proposed objectives

It is proposed that we revise and renew our equalities strategy following the development of the current evidence base. This is timetabled to take place between April and August 2012, and will involve the development of objectives to improve equality in Dacorum. However, the Equality Act 2010 requires the Council to set and publish at least one objective in April and the following are being proposed for Members to consider now.

4.1 Develop a more robust, sophisticated and usable set of equalities data on our service users.

The service data snapshot exercise demonstrated that the Council does not hold consistent equalities data across its services. In some cases, the Council holds data for most users: for example, data is held on the ages of 100% of Benefits claimants and all applicants to the Housing register have supplied data on ethnicity, age, gender, and disability where it affects their housing need.

However, in most cases the data we can derive is for less than 55% of our service users and in some cases it is very low indeed (10% or less). Local authorities would expect to hold data on around 85% of their service users.

Consistent data would enable the Council to identify problems affecting particular groups, diagnose any issues with access, and track the impact of changes made to services to ensure that no group is disadvantaged. The Council would also gain additional opportunities for joint working to address individuals' multiple needs.

This objective would also offer the opportunity to improve and more effectively target Council services. Consultation with specialist organisations highlighted improved data as a key priority.

4.2 Improve inclusion, access to services and opportunities for involvement for all people in Dacorum. To develop a pilot project to address the needs of Deaf residents.

In the absence of comparative data, the Council has the opportunity to use community knowledge to start identifying access barriers for services. This will allow us to follow the direction given to us through the consultation to make better use of the knowledge held by specialist organisations.

It is proposed that we set up a pilot project involving Deaf people in Dacorum. Deaf people in the UK experience significant deprivation: Deaf people suffer higher unemployment than the rest of the population, and higher rates of long term illness. Targeted work at improving outcomes for Deaf people is likely to be an effective way of directing services towards some of those in greatest need.

A former Deaf services development officer has offered to work with us to improve access to services for Deaf people in Dacorum. This project will be used as a pilot to explore the ways in which we could work to improve access for other groups.

4.3 Increase the proportion of incidents reported to the Council which are recorded as hate crime or hate related incidents.

Improving the recording of hate crime is a key priority in the Department for Communities and Local Government's new cohesion strategy.

Current reporting rates for hate related incidents are relatively low for some demographic groups. Some groups in Dacorum informally report high levels of hate related incidents but do not make use of the services we offer for dealing with these.

The Council's Anti-Social Behaviour Team has piloted work with Dacorum Mencap's service users to build better understanding of reporting, and the processes for dealing with, hate related incidents. This has been positively received and has highlighted a need to improve wider understanding of the importance of reporting and addressing hate crime.

Increasing the proportion of hate related incidents which are reported to and recorded by the Council would enable us to work to reduce the overall incidence of hate crime and build community cohesion.

4.4 Develop our consultation base so that it becomes more representative of the community.

The Department for Communities and Local Government's new cohesion strategy identifies participation as a key factor in integration. However, the take up rate for formal consultation is often low. In addition, because Black and Minority Ethnic (BME) groups form a low percentage of the population of Dacorum, in practice this can mean that we hear from very few people from certain ethnic minority groups.

Some consultations are not currently monitored at all and the Council thus has no way of knowing how representative they are.

In addition, feedback has suggested that we should be making better use of groups representing different communities and that face to face consultation can be more effective than other methods.

This suggests that the Council could improve the ways in which it consults to gather information more effectively and representatively. Members' knowledge of the issues faced by their communities would offer valuable additional information.

5. Conclusions

The Council needs to conform to certain requirements placed on it by new legislation or face the possibility of legal challenge.

While detailed strategic work will take place later in 2012, the objectives detailed in this report have been developed in response to needs highlighted both by the data held by the Council and by evidence from consultation.

The work to fulfil the legislative requirements has therefore created a number of opportunities for service improvement; these opportunities will also contribute towards corporate priorities.

AGENDA ITEM: 7

SUMMARY

Report for:	Housing and Community Overview & Scrutiny Committee
Date of meeting:	21st March 2012
PART:	1
If Part II, reason:	

Title of report:	Verge Hardening Project Update
Contact:	Cllr Neil Harden, Portfolio Holder for Resident and Regulatory Services Author/Responsible Officer, Julie Still, Group Manager – Resident Services
Purpose of report:	1. To update Members of following the implementation of the first 2 stages of the prioritisation process as requested at the November meeting.
Recommendations	1. That Members note the areas identified with high priority prior to the next two stages of the process.
Corporate objectives:	Safe and Clean Environment Building Community Capacity Dacorum Delivers
Implications:	<u>Financial</u> There is £255,000 in the capital programme for this project.
'Value For Money Implications'	<u>Value for Money</u> None at this stage.
Risk Implications	The main risk relates to the Council's ability to meet the all the demand for additional parking in residential areas given the high demand.
Equalities Implications	Equality Impact considered as part of the prioritisation scheme and DDA considerations will be part of consultation and feasibility studies

Health And Safety Implications	None at this stage
Consultees:	Dacorum Borough Councillors, Hertfordshire Police, local residents, Housing Service, Neighbourhood Support Officers, Neighbourhood Action Steering Groups, Planning Department, Parking Service, Hertfordshire Fire and Rescue Service
Background papers:	Previous Overview and Scrutiny report November 2011

Background

This report is made at the request of this Committee following their consideration of, and recommendations on, the Verge Hardening Report and the prioritisation process in November 2011

Prioritisation

The amended prioritisation process as agreed with the committee (appendix A) was applied to the list of 152 areas which had been nominated from a wide range of sources.

Stage One comprised of applying the following questions:

1. Is the problem due to commuter use?
2. Is the problem due to business use?
3. Is demand due to school location in the area?
4. Would enforcement measures or CPZ resolve the problem?

All areas that had a positive response to these questions were removed from the listings. This was a total of 47 areas removed.

The remaining 105 areas moved to Stage Two of the process which comprised of consultation with stakeholders who were asked to rank the areas from 1 to 10 (1 being low priority and 10 being high priority) according to the impact on the services they provide or the concerns that had been raised. The following stakeholders were consulted: -

- Ward Councillors
- The Housing Service
- Clean Safe and Green
- Police
- Waste Services
- Hertfordshire Fire and Rescue
- Neighbourhood Support Officers
- Neighbourhood Action Groups
- Resident Lobbying

In order to take in to account that there are not Neighbourhood Action Groups, Housing Service responsibility or resident lobbying in all areas and that there was not 100% response

to the consultation, an average score was used to prioritise areas. No less than 4 responses were received for any one area and many areas received a full response.

All of the 102 remaining areas have been rated and ranked according to the priority and the following areas are the top 26 which are ranked in order of priority: -

1. Marlins Turn, Gadebridge, Hemel Hempstead
2. Ritcroft Street, Leverstock Green, Hemel Hempstead
3. Cowper Road, Markyate.
4. Fennycroft Road, Gadebridge, Hemel Hempstead
5. Burns Drive, Woodhall Farm, Hemel Hempstead
6. Spring Lane, Warners End, Hemel Hempstead
7. Ritcroft Close, Leverstock Green, Hemel Hempstead
8. Butts End, Gadebridge, Hemel Hempstead
9. Brickmakers Lane, Leverstock Green, Hemel Hempstead
10. Plantation Walk, Gadebridge, Hemel Hempstead
11. Ritcroft Drive, Leverstock Green, Hemel Hempstead,
12. Hilldown Road, Gadebridge, Hemel Hempstead
13. Deimos Drive, Jupiter Drive, Martian Avenue, Mercury Walk, Highfield Hemel Hempstead
14. Everest Way, Adeyfield, Hemel Hempstead
15. Perry Green, Woodhall Farm, Hemel Hempstead
16. Homefield, Potten End.
17. Candlefield Road, Candlefield Walk, Candlefield Close, Bennetts End, Hemel Hempstead
18. Puller Road, Boxmoor, Hemel Hempstead
19. Bede Court/Chapel Close, Little Gaddesden.
20. Old Dean, Bovingdon.
21. Cuttsfield Terrace, Chaulden, Hemel Hempstead
22. Catlin Street, Apsley
23. Alexandra Road, Kings Langley
24. Chambersbury Lane, Nash Mills, Hemel Hempstead
25. Belsize Road, Leverstock Green, Hemel Hempstead
26. Jocketts Road, Chaulden, Hemel Hempstead.

There is one area outstanding where scores for prioritisation are still outstanding. This is due to an error in categorisation where Hanger Close was wrongly identified as being in a CPZ area. On receipt of the scoring Hanger Close will be added to the listing according to the priority given.

Where there is more than one road referred to in the list, it is because the area in general has the same issues and there is very little space to provide any additional parking. Any parking provided in any of these areas would benefit them all.

At the last Overview and Scrutiny meeting the committee asked that the order of the proposed prioritisation process was changed so that the scoring process moved forward to stage 2 and inspection of the areas moved back to stage 3. This has resulted in some areas

receiving a high score but it has already been identified that there is little or no space to deliver additional parking or verge hardening.

The next stage is for the areas to be inspected for environmental considerations and suitability for additional parking which will further reduce the number of areas above.

Following the environmental assessment consideration will be given to planning standards and pre planning advice will be sought.

A return to stage 2 can be made at any time to include additional areas in order of priority should the need arise.

**Verge Hardening Project
Prioritisation Criteria (Sieve approach) and delivery**

Stage 1

Exclude non-residential demand

1. Is the problem due to commuter use?
2. Is the problem due to business use?
3. Is demand due to school run?
4. Would enforcement resolve this problem?

Remove from additional parking register if answer is yes to any of the above and consider for alternative method such as CPZ or enforcement

Stage 2

Service Delivery impact/ obstructions

1. Is there supporting evidence from agencies of congestion which impacts on service delivery or quality of life for residents:

- Waste Services
- Clean Safe and Green
- Members
- Fire Service
- Police
- Ambulance service
- Neighbourhood Support
- Housing
- Complaints
- Residents (unprompted)

Each agency/service above will rank problems from 1 to 10 dependent on levels of problems.

Stage 3

Environmental considerations

1. On an initial inspection does the area have potential for additional parking?

Consider:

- Lay of land (no steep slopes etc.)
- Mature trees – not near end of life
- Amount of green space
- Footpaths crossing area
- Bus stops
- Obvious utilities

If no potential remove from additional parking register

Stage 4

Current planning and design standards

1. Does existing provision meet current planning standards?

Appendix 5 of the Dacorum Borough Local Plan gives maximum parking standards for residential development. The standards for zones 3 and 4 will be applied for the purposes of this criteria.

2. Is there parking provision within 250 meters – as per recommendations in the Urban Design Compendium – 2nd edition, 3.1.2. ‘The Walkable Neighbourhood, Design for ease of Walking?’

This document puts walking and cycling at the top of the transport hierarchy and calls for measures to make them easier. The walking distances are meant to be an indication of how far it is convenient to walk to a facility, not how far one should be expected to walk to a car to access a facility. Nevertheless it does provide a useful walking guide. Certainly if there is adequate parking within 250m then that particular site should be given a low priority.

Remove from additional parking register if answer is yes to point 1 and give a low priority if parking available according to criteria of point 2.

- **Top 20 areas to go to planning for pre application planning advice.**
- **Once planning advice has been received, an initial consultation with residents will take place. It must be made clear that the consultation does not mean that additional parking will be provided, just that a feasibility study would take place and that their views are important.**

Stage 5

Feasibility and delivery

In line with procurement procedures, Hertfordshire Highways will:

- 1. Carry out a feasibility study and cost of the top areastaking account of pre planning advice and provide initial plans for consultation.**

At this stage extensive consultation with residents will take place in the selected areas. Consultation will be carried out by Neighbourhood Action and Housing Teams

- 2. Obtain planning permission for agreed areason amended plans that take in to consideration issues raised in consultation.**
- 3. Deliver agreed additional parking areas**
- 4. Review and evaluation report with resident feedback**

Number of areas will be added when they have been prioritised as this will be dependent on the size of the sites.

AGENDA ITEM: 8

SUMMARY

Report for:	Housing and Community Overview & Scrutiny
Date of meeting:	21 March 2012
PART:	1

Title of report:	Old Town Hall – Capital Improvements
Contact:	Cllr Neil Harden, Portfolio Holder for Resident and Regulatory Services David Austin, Assistant Director Neighbourhood Delivery
Purpose of report:	1. To update and seek the views of this Committee with regards proposed capital improvements to the Old Town Hall.
Recommendations	1. That the views of this Committee with regards to the proposed capital improvements are passed to the Portfolio Holder for his consideration.
Corporate objectives:	Regeneration Dacorum Delivers
Implications:	<u>Financial</u> There is £700,000 is the Council's Capital Programme (2012/2013) for this project.
'Value For Money Implications'	<u>Value for Money</u> This investment will improve the 'offer' of the Old Town Hall and contribute towards the wider regeneration of the Hemel Hempstead Old Town.
Risk Implications	A Risk Assessment has been carried out as part of the Project Initiation Document.
Equalities Implications	The proposed works will ensure accessibility is improved to the Old Town Hall.
Health And Safety Implications	These will be considered as part of the tenders of any proposed capital works.
Consultees:	Julie Still , Group Manager – Resident Services Sara Railson , Manager of Old Town Hall Dacorum Cultural Forum
Background papers:	Project Initiation Document (Attached as Appendix 1)

1. Background / Scope of Report

- 1.1 The regeneration of the Old Town Hall (OTH), a facet of the Hemel Hempstead Old Town Renaissance is a priority project for Dacorum Borough Council.
- 1.2 This report focuses on the options for the Capital Improvements to the Old Town Hall so that this Committee's views can be passed to the Portfolio Holder for his consideration.
- 1.3 The report is limited to these capital improvements and will not cover the wider regeneration of Hemel Hempstead Old Town (this is a separate Improving Dacorum Programme (IDP) Project). It will also not cover the OTH Marketing Strategy (on which other reports have and will continue to be presented to this Committee) although clearly this Strategy will be dovetailed and altered as necessary to run alongside these capital improvements.
- 1.4 The objectives of this project are to make internal alterations to the Old Town Hall (Phase 1) and to consider redeveloping the colonnade area (Phase 2). The successful achievement of these objectives will lead to increased footfall to the Old Town Hall and the wider Hemel Hempstead Old Town.

2. Phase 1 – Internal Alterations

- 2.1 The proposed internal alterations focus on the Cellar and the Gallery Bar area.
- 2.2 The access to the cellar is not DDA (Disability Discrimination Act) compliant and therefore requires a lift to be installed. An architect has therefore been commissioned to produce drawings of how this would best work as it is likely to lead to a reconfiguration of the staircase / reception area. The cellar area itself also needs to be refurbished.
- 2.3 The drawings when finalised will need to be approved by English Heritage since the Old Town Hall is a Listed Building.
- 2.4 The Gallery Bar is extremely small with limited chilled storage and service space and struggles to cope at intervals on busy nights. This results in many of the audience leaving the building to use the nearby pubs.
- 2.5 This can be overcome by some light building work which utilises part of the kitchen space to create a larger bar service area.
- 2.6 The total costs of the Phase 1 works will be in the region of £90,000 to £100,000 subject to tendering.
- 2.7 Given the need for approvals from English Heritage and tendering requirements it will not be possible to schedule these works for this summer (2012) so the work programme is aiming for construction to begin in January 2013. The works will take about 8 weeks to complete and as they are internal works are not weather dependent.

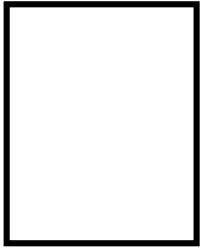
3. Phase 2 – ‘Colonnade’ Area

- 3.1 This part of the project is looking at the feasibility of using the redundant space known as the colonnade or ‘Cloisters’ area under the Old Town Hall initially for a quality café / restaurant to serve both the Old Town Hall and the wider Old Town. This would also include the redundant public toilet area but would need to bear in mind access to the Stage Door.
- 3.2 To explore this option further, Officers engaged a Catering Consultant. The consultant prepared a report following extensive analysis of the Old Town Hall offer, tours of the area, meetings with the Old Town Hall Manager, reviewing target markets and competitor landscape.
- 3.3 In summary, the report concludes that a ‘commercial’ catering contractor is extremely unlikely to express any interest in the Old Town Hall. Typically, these ‘commercial’ contractors have a number of in house criteria that any potential offer has to pass before they consider bidding. The main criteria relevant to the Old Town Hall would be turnover and trading history. The current economic climate has increased this minimum level of turnover to around £350,000 per annum.
- 3.4 Clearly therefore, it would be considered by Officers to be a potentially high risk strategy to pursue this option at the current time. Officers therefore recommend therefore that there are two possible approaches and would welcome the views of this Committee on them :
 - a) Continue with the works to enclose the colonnade area to either seek an offer from small business / local restaurant operator or to facilitate an alternative use (e.g. Art/Craft shop / workshop, gallery space , Information Centre etc).
 - b) Defer any works until the further development of wider Economic Regeneration Strategy of the Old Town which is part of the Old Town renaissance project.
- 3.5 The initial view of English Heritage on the ‘infilling’ of this area is not positive in that they have said at a site meeting it would harm the architectural integrity of the building. Dacorum Borough Council would therefore need to make a viability argument to show how a change of use would make a critical difference to the vitality of the Old Town Hall.
- 3.6 Officers have also had initial informal feedback from the Dacorum Cultural Forum and will continue to consult them as the project develops. The initial feedback is as follows :
 - It needs to be developed in keeping with the rest of the High Street and provide facilities and services that are available elsewhere on the High Street.
 - If the OTH is to continue as a performing arts theatre, then the seats need to be improved.
 - Until there is something to replace this intimate and successful venue, then it must continue as a theatre. There is nothing else in the town.

- There may be an opportunity for a franchised restaurant and bar area (along with the theatre), however, we can see the difficulty when there is a performance for customers who want to eat but not see a performance.
- Plus there are a lot of specialist restaurants and bars on the High Street already. It would have to be something special to attract customers.
- The Cloisters area could be made into something, but the view through it to the church would be lost. Also any commercial premises would need to take into account the stage door. Or could that be re-sited? And what about the closed public conveniences? Can they be removed and the space used for something? What is missing in the High Street for a commercial premise? Could it be an art centre and/or gallery for local artists? Or perhaps a Tourist Information Centre - a bit out of the way with limited nearby parking?
- As for the cellar, what can that be used for? A long time ago, I seem to remember going there for jazz sessions, and it was very good. But could something similar compete with the other entertainments available in the High Street and/or town centre?

4. Summary

4.1 This report summarises the issues around capital investment at the Old Town Hall and officers would welcome the views of this Committee so they can be passed to the Portfolio Holder for his consideration.



Old Town Hall Improvement Project

PROJECT INITIATION DOCUMENT

PROJECT DETAILS	
Project Title	The Old Town Hall – Improvement Project
Project Portfolio Holder	Cllr N Harden
Project Sponsor	Louise Miller
Project Accountable Officer	David Austin
Project Manager	Sara Railson / Julie Still
Contribution to Priorities	Regeneration / Dacorum Delivers
Contribution to SCS theme	
Approved by	
Date Approved	

VERSION CONTROL			
Version	Date	Editor	Details of Changes
1	Jan'12	R. Allen	Draft Version 1
2	220212	D. Austin	Updated Costs, Milestones and Project Details
3	100312	D Austin	Changes following Project Board Meeting

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1.0

PROJECT BACKGROUND

Enter a description of why we are doing this project; i.e. what is the issue, problem or new thing we are trying to implement, and why.

- The Old Town Hall has recently seen an increase in income following a number of years where the income was low. The opportunities that the Old Town Hall has to offer has not been fully explored and further Income could be found through better use of this facility. This project will investigate the opportunities available and whether these opportunities are viable business options.
- The regeneration of the Old Town Hall (OTH), a facet of the Hemel Hempstead Old Town Renaissance – is a priority project for Dacorum Council.

Are implementing this project following a previous piece of work like a VfM, or a decision by Cabinet, or a piece of legislation that we have to implement.

- Cabinet approval.

2.0

PROJECT OBJECTIVE

Enter a description of the project here,
What is its objective :

The Council has identified proposals to improve Hemel Hempstead Old Town as a priority project. This falls into two broad proposals – improvements to the public realm and a range of improvements to the Old Town Hall.

The Old Town Hall :

Strategy:

Develop an improvement, marketing and economic strategy. Should deliver options for increasing revenue in the longer-term such as providing lifts into the cellar and using redundant space to widen the offer i.e. colonnade area under the OTH and redundant toilets for quality cafe/restaurant to serve both OTH and wider OT offer.

Improvements:

1. Redevelop the colonnade area and redundant toilets to provide a cafe/ restaurant use that would attract a high footfall - **short-term**
2. Deliver internal alterations to maximise potential footfall - **short-term to medium-term**
3. Improvements to the Old Town Hall building fascia – **medium to long-term**

Contribution to corporate priority

- Regeneration – Attract inward investment.

Contribution to Strategic Objective

- Dacorum Delivers

What is the outcome of the Project (link this to the strategic objective)

2.1	SCOPE AND SCOPE EXCLUSIONS
<p>IN SCOPE</p> <ul style="list-style-type: none"> • Listed building enhancements. • Agree DBC resources for delivery • Agree Internal and External working arrangements • Agree priorities for delivery and key projects with resourcing • Gain commitment from external stakeholders of resources to deliver the plan <p>SCOPE EXCLUSION</p> <ul style="list-style-type: none"> • The physical regeneration of the Old Town quarter. 	
2.2	CRITICAL CRITERIA
<p>[NOTE: Acceptance criteria is split into two types critical and non- critical. Critical acceptance criteria are those things that must be in place for the project to 'go-live'.]</p> <ul style="list-style-type: none"> • Project working group. • Political will for change and improvements. • Budget available. • Planning permission. • HLF approval. • Ownership issues related to the physical OTH and nearby Car Park. 	
NON-CRITICAL CRITERIA	
<p>[NOTE: Non-critical are things that it would be nice to have, although they are not critical to have for the project to 'go live'. Some non-criticals' may be achieved once the project has been completed.]</p> <ul style="list-style-type: none"> • Public approval. • Local business approval. 	
2.4	SUCCESS CRITERIA
<p>[NOTE: Success Criteria are levels of which the project will be evaluated against to see if it was successful in delivering what it set out to deliver. Include in this any quality requirements.]</p> <ul style="list-style-type: none"> • Increased footfall to the Old Town Hall and the Old Town quarter. • To increase footfall, vibrancy, vitality and activity • To improve the Old Town Hall's built fabric • To improve and develop the cultural offer of the Old Town Hall 	

3.0	COSTS & BENEFITS
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[NOTES: This section needs to specifically show what the benefits and the costs are of this project. This will enable the programme board to decide whether or not to go forward with the project. The more information at this stage the better, and it is important the cost information is as accurate as possible. You can ask a finance accountant to help you with the cost information. Add in how this cost will be met i.e. existing budget or if you are asking for additional budget. Additional budget will need to go through the correct financial process.]

3.1	COSTS
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Category & Exp code	[2011-12)	[2012-13]	[2013-14)
Capital		700,000	
Revenue (one off)			
Revenue (recurring)			
Total £		700,000	

3.2	BENEFITS
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Enter here the benefits which the project will achieve

- The Old Town Hall improvements will contribute towards the regeneration of the Hemel Hempstead Old Town and the broader transformation of Hemel Hempstead.
- To increase footfall to the Old Town quarter.
- To improve and develop the cultural offer of the Old Town Hall stimulating enterprise.

4.0	ASSUMPTIONS, CONSTRAINTS & DEPENDENCIES
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4.1	ASSUMPTIONS
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List all the assumptions made in the development of the PID things that are not clear before the project starts. i.e. Cost or savings assumptions and the basis of the assumptions, Time needed from a resource, etc.

- Staff time to suitably resource the project.
- Public engagement with Market Testing exercise.
- Framework contractors suitable to convert listed building.

4.2	CONSTRAINTS
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The constraints are things that need to be considered during the project that can not be changed or things that the project team have no control over. i.e. legislation, technological requirements or Cabinet or other reporting deadlines.

- The Old Town Hall is a listed building – covenants may exist which may restrict development options.
- Economic circumstances which may thwart development options.
- A Procurement exercise will need to be undertaken to ensure Best Value and competitive regulations are adhered with

4.3	DEPENDENCIES
<p>List all dependencies with other projects, programmes or initiatives which are either internal or external and will impact this project.</p> <ul style="list-style-type: none"> • The Old Town Renaissance. • Public approval. • English Heritage 	

5.0	IMPACT ANALYSIS (Please remember to consider Work Force Planning impacts)		
Who (or what) is going to be impacted?	How are they (or is it) going to be impacted and for how long?	What is going to be done about it?	
Corporate Director, Performance Improvement and Transformation.	Sponsorship of project. Work involved in bringing the partners together and developing common goals and gaining commitment of resources.	Regular updates from Asst Director directly and to CMT via Corporate Regeneration Group.	
Assistant Directors: Neighbourhood Delivery	Overview of project. Work involved in bringing the partners together and developing common goals and gaining commitment of resources. Project Board attendance.	Regular Project Board meetings planned on monthly basis.	
Legal Team	Support around procurement, developing partnering, covenant issues, etc.	Being managed through Project Board and Group Manager for Property Development.	
Finance Team	Financial management and capital accounting. Procurement matters.	Being managed by AD through Capital Strategy Steering Group.	
Project stakeholders	Attendance of Project Board meetings and resultant actions.	Capacity being monitored through Project Board.	

6.0		PROJECT PLAN & ORGANISATION		
6.1		PROJECT PLAN (TIMELINE)		
Phase	Task No	Description	Start Date	End Date
1	1	Install Lift to Cellar / Refurbish Reception Area / Extend Bar Area	Jan 13	March 13
1	2	Soft Market Testing exercise (Cloisters area – designated a restaurant)	Jan 2012	Complete
1	3	Report to cabinet on interest from Market & Options	April '12	April '12
2	4	Phase 2 commences	May '12	tbc

6.2	PROJECT BOARD MEMBERS
	<ul style="list-style-type: none"> • Corporate Regeneration Group
6.3	PROJECT WORKING GROUPS
	<ul style="list-style-type: none"> • Bullet who is in what working groups. There may be several working groups in any one project List the people under these headings. • Please ensure that the working group members are aware of their inclusion before this PID is sent for approval. • Mike Evans • David Austin • Nathalie Bateman • Sara Railson • Fiona Webb • Jim Mitchell • Julie Still • Richard Butler
6.4	PROJECT RESOURCES
	<ul style="list-style-type: none"> • Bullet any other resources that may be needed e.g. office space, computer etc.

7.0	COMMUNICATIONS SUMMARY		
What are we communicating?	With Whom?	Who is responsible?	How will we be communicating this?
Key milestones being achieved	The Council		Performance Group – O & S / Cabinet
Building proposals – On site closure – Completion date – Re-launch	The public		Newspaper – Arts & Cultural forums – Old Town Hall webpage – Social media
Building proposals – On site closure – Completion date – Re-launch	Staff		The Review – Web pages
Project issues – proposals – success – risks – completion - debrief	Environmental Corporate Group, Project Board and associated working groups.		Face to Face meeting

8.0	RISK SUMMARY					
(Taken from the Project Risk Log which is an appendance to the PID for further information)						
RISK NO	CATEGORY & REFERENCE	RISK DESCRIPTION	RISK LINKAGE	INHERENT RISK RATING	RESIDUAL RISK RATING	RESPONSIBLE OFFICER
1	<i>Management</i> <i>OTH 1</i>	Risk of not gaining partners and stakeholders commitment to the plan		12	8	Julie Still / David Austin
2	<i>Management / Financial</i> <i>OTH 2</i>	Reduced capital and revenue available to maintain internal capacity		16	12	Julie Still / David Austin
3	<i>Management / Strategic</i> <i>OTH 3</i>	Lack of partners commitment of resources to deliver common goals		12	8	Julie Still / David Austin
4	Strategic OTH 4	Market Failure through economic situation does not deliver regeneration		12	8	Julie Still / David Austin
5	Management / Political OTH 5	Disputed ownership issues costly and ultimately jeopardise redevelopment.		12	8	No longer a risk, ownership issues addressed.

6	Management / Political OTH 6	<i>St. Marys Car Park – owned by Church diocese not DBC</i>		12	8	Julie Still / David Austin
7	Strategic / Management OTH 7	Planning permission rejected by English heritage / secretary of state.		12	8	Julie Still / David Austin

9.0	PROJECT CONTROLS & REPORTING
<p>The Accountable Officer will establish adequate controls to ensure that the proposed benefits and outcomes are realised within the agreed timescales.</p> <p>The Accountable Officer and project manager will ensure that this project complies with the Councils Portfolio Management Governance.</p> <p>Project Manager will meet at regular intervals with the Project Team members who will produce regular Status reports.</p> <p>The project manager will provide accountable officer with regular Status reports and a monthly highlight report showing the current status of the project and individual milestones, which is updated through Corvu.</p> <p>The Accountable Officer will approve the highlight report using Corvu which will then be submitted to the Improvement and Performance Office. The Improvement and Performance office will accredit the report and distribute to Assistant Directors, who will present reports to IDPCMT for directors to present to Performance Board.</p> <p>Change Control – If the requirements, objective, scope or budget for the project change, an IDP Change Control form should be drafted by the Project Manager, reviewed and submitted by the Accountable Officer for approval and sign off by the Project Sponsor at CMT. The Improvement and Performance office will update Corvu on signed off change controls.</p>	

10.0	TOLERANCES & EXCEPTIONS
<p>Each Workstream Manager will be responsible for the development of a work plan (to be agreed with the Project Manager) and implementation of that plan for the particular strand of the project they are responsible for. In addition each Workstream Manager will be responsible for maintenance of an Issue Log and any exceptions or issues that have a detrimental impact on the project should be reported to the Project Manager as soon as possible via the appropriate method on email.</p> <p>Exception issues outside the Project Managers authority will be referred to the Accountable Officer by the Project Manager. These will then be taken up with Project Sponsor by the Accountable Officer. Exception issues that are outside project sponsor responsibility will be escalated to Director, If outside Directors responsibility level the issue will go to the Performance board</p>	

11.0	ALTERNATIVES CONSIDERED & WHY REJECTED
<p>List all the alternatives and why they have been rejected.</p> <ul style="list-style-type: none"> • Do nothing – This option has been rejected by the Council Cabinet and the regeneration of the Old Town Hall instead designated a ‘Corporate Priority’. 	

12.0	PROJECT APPROVALS	
PROJECT SPONSOR – Louise Miller	DATE : Feb '12	
ACCOUNTABLE OFFICER David Austin (Assistant Directors)	DATE : Feb '12	
IDP FINANCE OFFICER	DATE : Feb '12	
IDP CMT	DATE : Feb '12	

13.0	APPENDICES	
Full Risk Register (COMPULSORY)	Attached	
CSSG Forms (Compulsory for Capital spend)		
Gantt Chart		
Full Communications Plan		
Other		

AGENDA ITEM: 9

SUMMARY

Report for:	Housing and Community Overview & Scrutiny
Date of meeting:	21st March 2012
PART:	1
If Part II, reason:	

Title of report:	Review of Tenant and Leaseholder Committee
Contact:	Elliott Brooks, Assistant Director, Housing Landlord Carolyn Leech, Team Leader, Policy and Participation
Purpose of report:	<p>The purpose of this report is to inform the Housing and Communities Overview and Scrutiny Committee of the additional work we have undertaken with the Tenant and Leaseholder Committee as part of the TLC review.</p> <p>This report concentrates on the TLC review and subsequent work that needs to be done as a matter of urgency.</p> <p>A further report will be brought to the Committee at a future date once this work has been completed for any additional required improvements to tenant involvement, this could include the creation of local area panels. Any additional improvements to the Tenant Involvement Structure will initially be agreed with the TLC before submission to the Housing and Communities Overview and Scrutiny Committee.</p>
Recommendations	<p>It is requested that the Housing and Communities Overview and Scrutiny Committee support the following recommendations. These recommendations have been discussed with and approved by the Tenant and Leaseholder Committee.</p> <ol style="list-style-type: none">1) The TLC take on a strategic role, focussing on driving forward improvements to services to help shape the future direction of the housing service in a move towards co-regulation.2) The TLC role be clarified to give clear area's of responsibility to the committee so that they are confident of their role and how this fits into the wider Council constitution.3) That the size of the TLC be reduced from 21 to 15 members but not lower than 13 members.4) The TLC working with the Council to develop Tenant Scrutiny to ensure compliance with regulatory requirements.5) The TLC work with the Council to establish an

	<p>Executive Panel to ensure accountability across the board.</p> <p>6) To remove the need for a Governance Sub Committee</p> <p>7) To develop a Tenant Involvement Strategy</p> <p>It is also requested that the Housing and Communities Overview and Scrutiny Committees consider building into their work-plan a quarterly review of the progress against these recommendations.</p>
Corporate objectives:	<p>Effective and empowered tenant involvement supports the Council's corporate objectives and contributes to:</p> <ul style="list-style-type: none"> • Our Community capacity • Economic development and regeneration • Resources and value for money • Affordable Housing • Enhancing our profile and reputation
Implications:	<p><u>Financial</u></p> <p>It is anticipated that any changes to involvement should be cost neutral; but give tenants and leaseholders more direct control over the money that is spent on delivering the service both locally, at neighbourhood level and borough wide.</p> <p>The tenant involvement strategy will also seek to give tenants and leaseholders the ability to be involved at a level that is comfortable for them and that is centred on their priorities and gives value for money.</p> <p>There will be a need to ensure that those tenants and leaseholders involved at the higher levels of involvement such as tenant scrutiny are fully trained and supported with this; it will therefore be necessary to ensure that part of the existing budget be assigned for this.</p>
Value For Money Implications'	<p><u>Value for Money</u></p> <p>It is anticipated that with tenant and leaseholder involvement in scrutiny, service reviews and developing or reviewing service level agreements, and helping to target expenditure against tenant and leaseholder priorities will enable us to deliver value for money for our tenants and leaseholders, as well as give higher levels of customer satisfaction.</p>
Risk Implications	<p>Developing and delivering a robust and focused tenant involvement structure and strategy, with real involvement at a grass roots level will build on the reputation and image of Dacorum Borough Council Housing Landlord Service, and will ultimately result in improvements in tenant and leaseholder's priority areas.</p> <p>Failure to develop tenant scrutiny will result in us failing to comply with our regulatory requirements. This could be seen as a detrimental failing and could result in the Homes and Communities Agency bringing penalties against us.</p>

Equalities Implications	Tenant Involvement deals with the whole tenant and leaseholder community, including young people.
Health And Safety Implications	There are no health and safety implications identified.
Consultees:	In addition to the consultees mentioned in the previous report, we have undertaken further consultation with the Chair and Vice Chair of the TLC, Chair of MFG and the two co-optee members of HCOSC. A further presentation and consultation was undertaken with the wider TLC on the 27 th February 2012 where support was given for us to proceed with the recommendations.
Background papers:	Suggested reading to support this report includes: Tenant Scrutiny: now and in the future http://www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/Tenant%20Scrutiny%20-%208-Nov-2011-lowres.pdf TSA Consultation paper on regulatory reform http://www.tenantservicesauthority.org/server/show/ConWebDoc.21636 Value for Money & Tenant Involvement - Marianne Hood OBE http://www.housemark.co.uk/hmresour.nsf/lookup/VFMandTenantInvolvement.pdf/\$File/VFMandTenantInvolvement.pdf Every Tenant Matters – Professor Martin Cave http://www.communities.gov.uk/documents/housing/pdf/320365.pdf

1. Background

Following on from the report that was presented to the Housing and Communities Overview and Scrutiny Committee on the 25th January 2012 some further work has been done with the Tenant and Leaseholder Committee.

This work has created a list of recommendations that will enable the role and remit of the Tenant and Leaseholder Committee to be strengthened, giving the Committee a clear remit and confidence in their role and how this fits into the Council constitution.

In addition to the recommendations made as part of the TLC review, there are also some additional recommendations that are as a result of the consultations with the TLC; these include developing accountability mechanisms, as well as incorporating changes to regulations that require us to develop effective tenant scrutiny.

A presentation incorporating all of the recommendations was presented to the TLC on the 27th February 2012, and their approval was given for us to proceed with this as a way forward and present the recommendations to the Housing and Communities Overview and Scrutiny Panel for support in taking these recommendations forward.

2. The Tenant and Leaseholder Review

A review of the Tenant and Leaseholder Committee has been undertaken and this has resulted in the following recommendations:

Recommendation 1:

The Role of the Tenant and Leaseholder Committee become a strategic role

It is recommended that the TLC take on a strategic role; operational issues would be discussed by sub committees with areas of concern being escalated to the TLC for further investigation. Sub committees would be set up by the TLC and Council to reflect the service priorities. By doing this the TLC would be able to focus on driving forward improvements to services, utilise methods to scrutinise performance and ensure that tenants and leaseholders priorities are being considered and being used to help shape the Housing Service.

Recommendation 2:

The Tenant and Leaseholder Committee role be clarified to ensure clear areas of responsibility.

It is recommended that the TLC have specific areas of responsibility and these should be:

- Influencing the future direction of the Housing Landlord Service
- Representing tenants and leaseholders from across the borough ensuring that their priorities are met
- Monitoring the performance of the landlord service against its business critical performance indicators
- Ensuring that local offers are implemented and monitored within agreed timescales
- Challenging budgets, ensuring the financial viability of the service
- Making sure that improvements highlighted following audits are implemented where appropriate

This clarification will give the members of the TLC confidence in their role within the Council's constitution and will ensure that decision making reports within the Committees remit are presented to the committee before decisions are reached; ensuring an effective process of challenge and influence by tenants and leaseholders.

Recommendation 3:

The size of the Committee is to reduce.

It is recommended that the size of the committee reduce from its current size of 21 to 15 members, but should fall no lower than 13 members. Members of the TLC will still have the opportunity to sit on operational sub committee's, excluding the Scrutiny Panel.

By reducing the size of the TLC effective challenge and discussion can take place when needed, this is more effective in smaller groups. By having members of the TLC sitting on other committees natural links will be formed between the committees.

The timeline for recommendations 1, 2 and 3 is to work with the TLC over the next few weeks to agree the scope and remit plus terms of reference for the group and for

the TLC to evolve as a natural process into the “new” strategic TLC. It is anticipated that this work will be completed by the end of April 2012.

3. Additional recommendations

As a result of the review of the TLC there are also some additional recommendations that have been made and supported by the TLC and they are as follows:

Recommendation 4:

To introduce a Tenant Scrutiny Panel as per the regulatory requirements

As a result of the upcoming changes to the way that housing services are regulated we are required to have effective methods of Tenant Scrutiny in place. This role was previously undertaken by the Tenant Services Authority but will cease as of April 2012 when the authority is abolished as a result of the spending cuts.

Tenant Scrutiny is a clear way forward in the move towards co-regulation; it will also be effective in ensuring value for money for tenants and leaseholders in the services that they want delivered.

Scrutiny by tenants should not be confused with the Council’s scrutiny process but would be more a “deep dive” process of scrutiny to investigate failing services or poor/below target performance as required. The work of the panel would be directed by the TLC as a result of their own challenges against service performance, improvement and development.

Work would need to begin with the TLC during the first two quarters of 2012/13 to determine the scope and remit of the committee, as well as the recruitment and selection process, training etc. Once the recommendation has been approved this work will be included in the TLC work plan for the upcoming year.

It is anticipated that the Tenant Scrutiny framework and recruitment process could be launched at the Tenant and Leaseholder Conference in September 2012.

Recommendation 5:

That an Executive Panel made up of tenants and leaseholders, Members and Senior Council Officers be established to build in a formal agreement between the TLC and the Council.

This recommendation is something that tenants and leaseholders feel there is a need for at the present time, and this recommendation has been developed from their feedback to create a forum for issues that can not be resolved at TLC meetings to be discussed and debated in more depth.

The Executive Panel would be a “floating” panel and would meet as required; it would not have a work-plan, but would seek to resolve issues or clear blockages when needed.

It is suggested that the panel be created to include:

- 2 tenant/leaseholder members
- 2 Senior Council Officers
- 2 Councillors, one to be the Portfolio holder for housing

There is still work to be done with the TLC surrounding this recommendation to determine the role and scope of this panel and this would form part of their work plan going forward. However it is anticipated that once the TLC has completed its initial work moving towards a Strategic body that this would be the next matter in hand.

Recommendation 6:

To remove the need for a Governance Sub Committee

Currently the Governance Sub Committee, (made up of tenants), assists the Committees with the regulation of meetings, investigates breaches of the Code of Conduct and undertakes disciplinary action as needed.

It is recommended that the need for a separate committee to assist with the regulation of meetings be removed, and meetings be regulated by the Chair and Vice Chair for the relevant committee. Breaches would be investigated by the Executive Panel following referral of the perceived breach through any of the reporting channels. The Executive Panel would act in its capacity as an impartial and representative group ensuring a robust approach to any breaches in the Code of Conduct, Confidentiality or the terms of reference.

The TLC are supportive that Governance should be of the housing service against regulatory requirements and service plan, which they will have a strong involvement in.

Once the Executive Panel has been set up this would remove the need for the Governance Sub Committee and as such would come to a natural conclusion.

Recommendation 7:

A Tenant Involvement Strategy is developed covering the next three years, 2012-2015 in partnership with the TLC.

Developing the Tenant Involvement Strategy together with the TLC will ensure a shared vision of the housing service going forward. It will seek to give involvement to a wider base of tenants, in a way they want to be involved, devolving decision making to a more local level, to tackle tenant's priorities for their local area.

A Tenant Involvement Strategy is essential to involving our tenants and leaseholders in their service and we will be working with the TLC to develop the strategy over the first quarter of 2012/13; it is anticipated that this will be ready for publication by the end of June 2012.

4. Supporting Documents

Please refer to the enclosed proposed top line structure for the Involvement Structure appendix one and also the draft time line appendix two. These two documents are currently in draft form and will form part of the initial work for the project to be done in partnership with the TLC.

5. Approval and monitoring

Following approval and support from the Housing and Communities Overview and Scrutiny Committee to proceed with these recommendations, a process of monitoring the development and implementation of the recommendations needs to be set.

It is proposed that progress against these recommendations be reported to the Housing and Communities Overview and Scrutiny Committee on a quarterly basis.

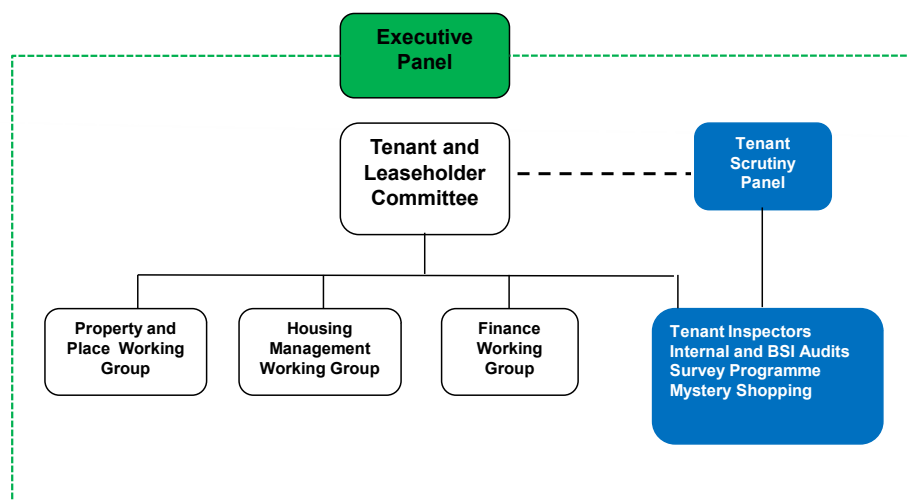
It is also proposed that any additional improvements to the Tenant Involvement Structure also be brought before the Housing and Communities Overview and Scrutiny Committee following consultation with tenants and leaseholders and approval by the TLC that these improvements are required.

However it must be borne in mind that our involvement structure should have an element of flexibility to ensure that we are able to adapt to not only the changing housing landscape but also the changing needs of our tenants and leaseholders.

By involving the Housing and Communities Overview and Scrutiny Committee we will ensure a truly joined up approach to tenant involvement and empowerment which is supporting both the needs and wants of tenants and leaseholders as well as the Council's constitution.

Appendix 1

Proposed Tenant and Leaseholder Involvement Structure



Appendix 2

Draft Timeline for proposed changes

February 2012	TLC Meeting – confirm approval for the “new” TLC
March 2012	Report to Housing and Communities Overview and Scrutiny Committee
April 2012	Agree terms of reference/code of conduct etc for the “new” TLC Work to begin with TLC on Tenant Involvement Strategy
May 2012	Role of the Executive Panel to be defined. Terms of reference/code of conduct etc to be approved for the panel. Executive panel to be “launched” Lower level committees to be investigated and set up to compliment the TLC and support the service plan Work to begin with TLC on the development of Tenant Scrutiny
June 2012	Tenant Involvement Strategy to be published
Summer Months	Consult with tenants and leaseholders on local area panels Investigate good practice on complaints handling
September 2012	Launch Tenant Scrutiny framework and recruitment at the Tenants/Leaseholder Conference From consultation develop local area panels with the TLC in area’s where this is required (if required) TLC to work on mechanisms for local complaints handling
Oct/Nov/Dec 2012	TLC and Council to undertake recruitment and selection for the Tenant Scrutiny Panel. Panel to attend Scrutiny training and development following skills mapping post selection
January 2013	Tenant Scrutiny Panel to be launched by the TLC
February 2013	TLC to undertake a review of the past twelve months in particular performance against the newly set up Tenant Involvement Strategy and highlight any further recommendations for improvement
March 2013	Build recommendations for improvements into service plan 2013/14

AGENDA ITEM: 10 SUMMARY

Report for:	Housing and Community Overview and Scrutiny
Date of meeting:	21st March 2012
PART:	1

Title of report:	STRATEGIC TENANCY POLICY
Contact:	Cllr Margret Griffiths Portfolio Holder for Housing Julia Hedger, Group Manager – Strategic Housing Luke de Kretser, Lead Officer – Housing Strategy & Partnerships
Purpose of report:	<ul style="list-style-type: none"> • To outline the principles that will underpin the Strategic Tenancy Policy and put forward a draft of the proposed Strategic Tenancy Policy for consultation
Recommendations:	<ol style="list-style-type: none"> 1. To adopt the Housing Principles as shown in Appendix 1 to this report 2. To approve the Strategic Tenancy Policy Consultation Paper and Preliminary Draft for Consultation
Corporate and IDP objectives and benefits:	This project contributes to Affordable Housing.
Implications:	<u>Legal</u> It will cover the statutory requirements as set out in the Localism Act 2011 for the Council to have a Strategic Tenancy Policy.
Risk implications:	None at this stage
Equalities implications:	Not required at this stage
Health and safety implications:	N/A
Sustainability implications:	N/A
Consultees:	Corporate Director – Housing and Regeneration Assistant Director – Planning and Regeneration Assistant Director – Housing Landlord Group Manager – Strategic Housing Group Manager – Tenants and Leaseholders

Background papers:	Localism Act 2011 Government Housing Strategy CIH – The practical implications of tenure reform
Glossary of acronyms and any other abbreviations used in this report	See Glossary below

Background

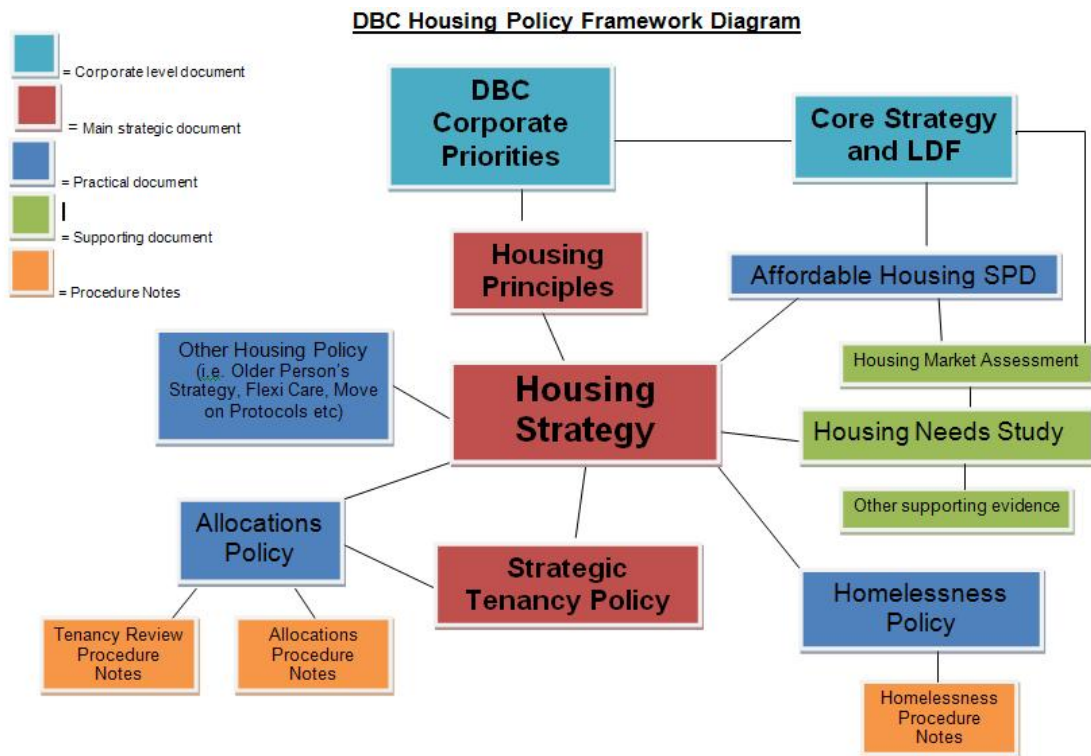
As a result of the Localism Act 2011, Local Authorities have a statutory duty to provide a Tenancy Strategy by January 2013. This document will need to explain what different types of tenancies will be granted in the Borough as well as clarifying the process for renewal.

The Strategic Tenancy Policy (STP) will outline how all stock (Housing Association and Local Authority) is allocated, although the document will not be binding for Housing Associations. The STP will be produced as an outline Strategic level document.

A full consultation process will be followed. The Tenants and Leaseholders Committee (TLC) were informed about the Council's duty to produce a STP on the 5th December. Dates have been offered to TLC members to further discuss the consultation with officers. All tenants will be consulted, including the TLC in more detail, as part of the consultation process.

Housing Principles

When looking at the Council's corporate priorities, STP requirements and other forthcoming housing policy reviews, it was considered beneficial to set out in a short document the principles underlying DBC's Strategic Housing direction. Therefore, the Housing Principles document (Appendix 1) will help shape the direction of both the STP, the forthcoming Housing Strategy and other strategic documents that are shown in the Housing Policy Framework below.



Accordingly, it is recommended that Cabinet adopt the Housing Principles Document.

Strategic Tenancy Policy Consultation Paper

The STP Consultation Paper (Appendix 2) outlines the main points that are contained in the STP Preliminary Draft (Appendix 3). It asks some key questions, both to confirm the direction of the draft and in areas where there are clear options and alternatives.

The Consultation Paper will be distributed to a group of primary stakeholders including the TLC and our Registered Provider (RP) partners. It will also be available to answer online. We will be consulting over the summer period and looking to bring together responses by September. A suitable amount of time will be allowed for consultation responses to be made and analysed.

As such, it is recommended that Cabinet approve the consultation process and paper to go to wider consultation.

Strategic Tenancy Policy Preliminary Draft

The Preliminary Draft (Appendix 3) consists of Officers' recommendations for the direction that the Council's Strategic Tenancy Policy should take. This has been formulated in consultation with Portfolio Holders, OSC and Officer recommendation. A range of options and best practice were considered when formulating the Officer recommendations and justification for the different elements of the Policy can be found in both Appendix 2 and 3.

It is recommended that Cabinet approve the preliminary draft to accompany the consultation information to be published to the public.

The points below summarise the key elements of the STP:

- It is recommended that Flexible Tenancies are adopted for the majority of new lets. This will apply to both Affordable Rent and Social Rent properties for Housing Associations and Local Authorities.
- It is recommended that Flexible Tenancies are issued on five year fixed terms. This would be in addition to the one year Introductory Tenancy issued at commencement of tenancy.
- It is recommended that Lifetime Tenancies are only issued to new applicants when they are over 50s living in Sheltered Accommodation. The tenancy type will be clearly advertised through the Choice Based Lettings process.
- It is recommended that reviews are conducted 12 months before the end of a tenancy. There will be a presumption to renew a tenancy as long as no material changes have taken place and the tenancy has not been breached. Further detail and a definition on material changes will be contained in the Review Process Document and the Allocations Policy review.
- It is recommended that the allocation of affordable rent properties will be defined within the Allocations Policy, which is shortly due for review.
- It is recommended the right to succeed is given to flexible tenants.
- It is recommended that the Council offers secure tenancies to transfer applicants that currently hold a secure tenancy, unless they specifically request a Flexible Tenancy. This means that current tenants are completely unaffected by the changes in the STP.
- It is recommended that a decision is taken on mutual exchanges when further guidance is made available from Central Government.

Glossary

CBL – Choice Based Lettings

LDF – Local Development Framework

OSC – Overview and Scrutiny Committee

RP – Registered Provider (latest name for Housing Association)

STP – Strategic Tenancy Policy

TLC – Tenants and Leaseholders Committee



Appendix 1 Housing Principles

Strategic Housing Services

March 2012

'Housing Principles'

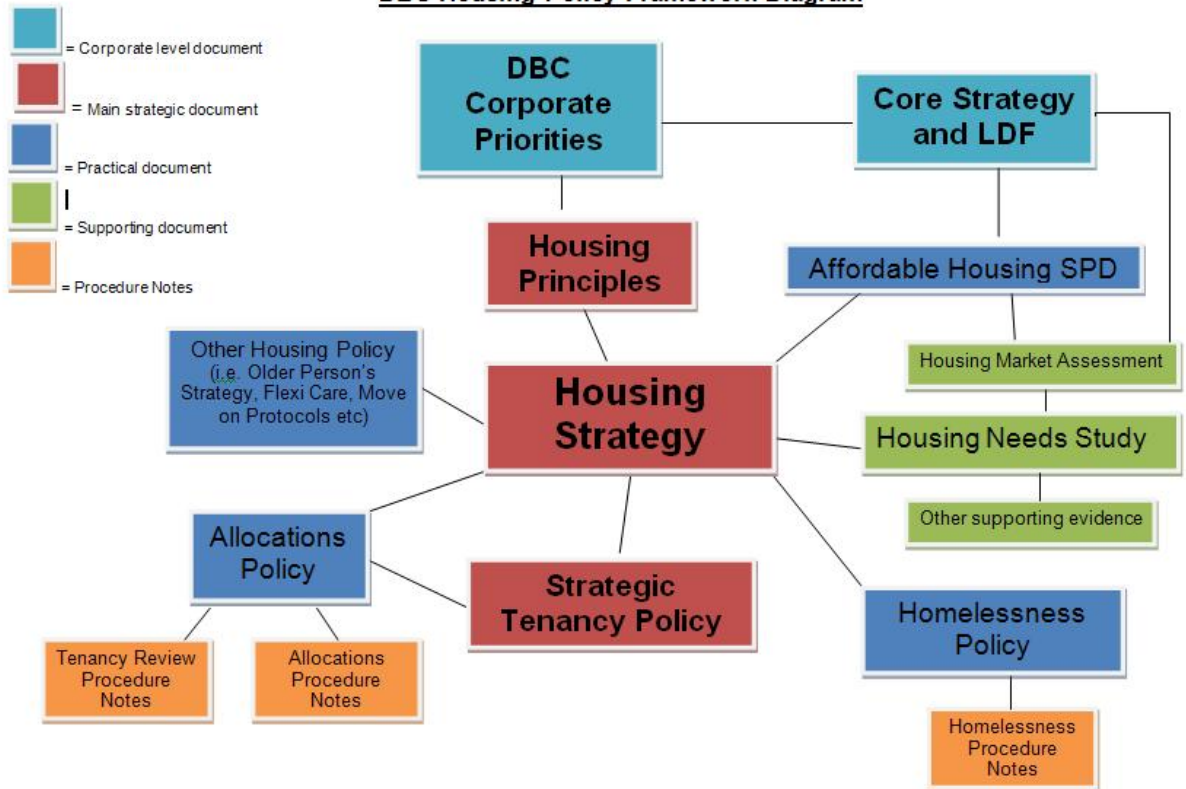
Version Control	
Status of Policy	V1.0
Sponsor	Jack Burnham – Team Leader – Housing Strategy & Development
Author/Reviewer	Luke de Kretser – Lead Officer – Housing Strategy & Partnerships
Approved	April 2012
Review Date	March 2015

Background

- 1.1 Dacorum Borough Council is committed to affordable housing. The Council has developed several “Strategic Principles” in order to ensure that households currently living in, or those who require, affordable housing receive the highest level of service and are housed adequately.
- 1.2 The Housing Principles sit between the Council’s corporate priorities and policies (Appendix A) and the Strategic Housing Team’s housing policies; it is part of a suite of documents that make up the Housing Policy Framework. Overriding policy themes such as Equalities and Value For Money are dealt with at a corporate level.
- 1.3 The Strategic Housing Principles inform wider policy work and daily operations. Some of the policies and strategic documents that the council writes are specific, meaning that not every principle will be relevant in all instances.
- 1.4 The Council has a **Statutory Responsibility** to give precedence to legislation from Central Government and above all ensure that our policies and procedure meet statutory obligations. This also involves keeping up to date with Government guidance and best practice from other Authorities when updating policies and procedures.

Housing Policy Framework

DBC Housing Policy Framework Diagram



Dacorum Borough Council Housing Principles

Dacorum Borough Council Key Housing Principles

There are four key principles that feed in to Dacorum Borough Council's core policies. These principles are reflected throughout the Housing Policy Framework:

- The Council will give priority to those in Housing Need
- The Council will maximise the use of our housing stock to meet local priorities
- The Council will seek to increase the delivery of Affordable Housing in the borough
- The Council will ensure that its policies are designed to continue promoting cohesive and sustainable neighbourhoods.

Further Housing Principles

The list below details the more specific Housing Principles which are likely to only be applicable in certain situations. They seek to build upon the direction in DBC's core policies and the Key Housing Principles as identified above. These principles are referred to as the Housing Policy Framework is updated and reviewed.

- Give priority to households in the greatest Housing Need when allocating Affordable Housing
- Aim to maximise the use of our housing stock in order to meet Housing Need
- Give preference to local people where possible when allocating housing
- Meet our Affordable Housing delivery targets by:
 - Working closely with our Registered Provider partners, developers and internal colleagues
 - Develop our own council owned housing delivery programme
- Engage with the community and partner organisations on housing issues and policy
- Work with the local Private Sector in Housing, including the Private Rented Sector
- Ensure that due consideration is given to any vulnerable client groups

- Give consideration to environmental sustainability issues within the borough's existing and prospective housing stock and attempt to promote sustainability best practice

Appendix

Appendix A: Wider Policy Context:

Dacorum Borough Local Plan – 1991-2011

Dacorum’s Local Planning Framework – Core Strategy – Pre-submission
October 2011

Local Investment Plan

London Commuter Belt West - Strategic Housing Market Assessment (SHMA)
2010

The Dacorum Partnership – towards 2021 the Dacorum Sustainable
Community Strategy

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Strategic Housing Team contributing documents

Existing Allocations Policy

Strategic Tenancy Policy draft March 2012

Affordable Housing Supplementary Planning Document draft March 2012

Housing Market and Needs Assessment 2012

Appendix B: Short Glossary of terms

“Affordable Housing” The technical definition of Affordable Housing is laid out in government policy (PPS3/NPPF). Affordable Housing comprises Social Rent, Affordable Rent and Intermediate Housing.

Affordable Housing is managed by a Registered Provider (as registered with the Tenant Services Authority or any successor body)

“Housing Need” - those in Housing Need can be defined as households who are unable to access suitable housing without financial assistance, and is defined further in the Council’s Housing Allocations Policy.

“Maximise the use of stock” – This is defined as making better use of Affordable Housing and ensure that the most efficient use of publicly funded housing is being achieved.



**Appendix 2 – STP Consultation
paper**

Strategic Housing Services

April 2012

‘Consultation on Tenancy Policy’

Version Control	
Status of Policy	V1.0
Sponsor	Julia Hedger – Group Manager Strategic Housing
Author/Reviewer	Luke de Kretser, Lead Officer, Strategy and Partnerships Jack Burnham, Team Leader, Strategy and Development
Approved	TBC
Review Date	March 2015

1.) Introduction to the Strategic Tenancy Policy: Consultation Draft

The Strategic Tenancy Policy (STP) Preliminary Draft contained in Appendix 3 of the associated Cabinet report will be put out to consultation with relevant stakeholders and will be available on the Moving with Dacorum website.

This document outlines the key elements of the Preliminary Draft and explains who will and will not be affected. It then presents a series of questions to see whether or not the Council is going in the correct direction.

Our Strategic Tenancy Policy will fulfill Dacorum Borough Council's statutory duty to provide a Tenancy Strategy as per the Localism Act 2011.

The STP's primary aim is to lay out the Council's stance on Flexible Tenancies and Affordable Rent and outline where the detail can be found on how these new tenancies and rents will be allocated.

The changes outlined in this document will not affect existing tenants.

The STP and the principles contained within it will apply to our own council owned stock and should be considered by our Registered Provider (RP) partners (Housing Associations) when they are considering the tenancies that they use across the Borough.

1.2) Flexible Tenancies and Affordable Rent

Dacorum Borough Council are looking to use Flexible Tenancies because we feel they are beneficial: they allow for a more flexible use of the housing stock, they help to ensure that priority is given to those in the greatest housing need, they allow us to better respond to changes and they are supported by central government and the majority of Affordable Housing providers. The Council also supports the creation Affordable Rent units as under the new funding structure Affordable Rent properties are the only way to deliver new Affordable Homes in the Borough. More detail on the proposed stance and the justification for it can be found below and in Appendix 3 – Strategic Tenancy Policy Preliminary Draft.

1.3) Consultation

Some areas of this STP are fixed by our statutory obligations to provide a Tenancy Strategy outlined in Part 7 of the Localism Act. Considerable work has been done in creating the Consultation Draft (starts in section 3), involving relevant council teams, Members, RPs and closely following guidance and national policy examples.

Section 2 of this document outlines several key questions that the Council is asking for responses on. However general comments on the policy will also be welcomed.

Consultation will be sought from a range of stakeholders and will include meeting our statutory obligation to consult RPs. Particular concern will be paid to the views of RPs and applicants on the Housing Register who do not currently live in Affordable Housing (known as Home seekers) – this is because the STP will have more of an impact on Home seekers. Existing Tenants and Transfer tenants are unaffected by the changes outlined in this consultation, however their views will still be sought.

1.4) Allocations Policy

The consultation on the STP will be run in tandem with consultation on the Allocations Policy Review that is due to start from April. This is because the two documents are closely linked, and the Allocations Policy will contain some of the detail about how Affordable Rents and Flexible Tenancies will be administered. However it should be made clear that the STP and the concepts outlined in it can operate in conjunction with the existing Allocations Policy. Therefore the introduction of Flexible Tenancies and Affordable Rents are not dependent upon reviewing the Allocations Policy.

1.5) After the consultation period

After the STP consultation has finished, the responses will be analysed and other policy considerations such as the Council's Housing Principles will be weighed up; any necessary changes will be made. A finalised STP will then be taken to Cabinet for approval.

2. Consultation Section

This section outlines the key aspects of the Preliminary Draft that DBC Officers' want to use as the basis for the final policy (see Appendix 3 – STP Preliminary Draft). It outlines some of the key elements of the proposed Strategic Tenancy Policy and then asks a series of targeted questions which we are inviting responses on.

We also welcome general responses to the Preliminary Draft.

2.1) Responses

Responses can be made online at: www.movingwithdacorum.org.uk – under the consultation section.

By email to: housingdelivery@dacorum.gov.uk

Or by post to: Strategic Housing Team, Civic Centre, The Marlowes, Hemel Hempstead, HP1 1HH

2.1) What does the Strategic Tenancy Policy Do?

The Strategic Tenancy Policy (STP) fulfils the government's requirement for all Local Authorities to have a Tenancy Strategy. The main purpose of the STP is to outline how the Local Authority believes the government's new Flexible Tenancies and Affordable Rents will be used in the Borough. If the Local Authority has its own housing stock, as in Dacorum, then the STP will outline how the new tenancy type and rent level will be used on council properties.

The STP also applies to Housing Associations and outlines how the Council would prefer them to work in the Borough.

2.2) What is a Flexible Tenancy and an Affordable Rent?

These two concepts have been introduced by the Coalition Government in order to address Housing Issues – the majority of Local Authorities are going to use them.

Flexible Tenancies are the new tenancy type that the government has introduced. The tenancy must have a minimum fixed term of two years but there is no maximum fixed term, enabling Local Authorities and Registered Providers to set their own limits. At the end of the term there would be a review process which will determine whether the tenancy is re-issued or not.

Dacorum Borough Council Officers believe that Flexible Tenancies should be used and the Preliminary draft supports their use on most council properties. We have taken this stance because Flexible Tenancies allow for a more flexible use of stock, prioritise housing need, can be used to respond to changes or tenancy issues, and are being widely adopted across the country.

Affordable Rent is a new rent level that will be charged at up to 80% of Market Rent levels, significantly higher than the Social Rent level that has been the main tenure for some time. The increase in rental income **must** then be used to build more Affordable Homes.

Dacorum Borough Council Officers believe that Affordable Rent properties should be developed in the Borough because they are the only way to fund new Affordable Homes under the new funding system run by the Government's Homes and Communities Agency. RPs in the Borough are already developing Affordable Rent properties and the Council is looking to do so under its own new build program. Affordable Rent can be affordable for households in housing need and is eligible for Housing Benefit, making it accessible to all potential tenants.

2.3) Who does the STP affect?

The Strategic Tenancy Policy will not affect existing tenants.

The new **tenancy types cannot replace existing tenants' tenancies** unless they move or transfer properties, however the Council is proposing that **Transfer tenants have their tenancies protected** if they choose to move. This means that current Transfer tenants will keep their existing Lifetime Tenancy if they choose to transfer properties. As well as providing existing tenants with peace of mind, this will contribute to achieving the best use of stock as current Tenants will feel able to move (enabling their properties to be re-let) without worrying about tenancy types.

The policy contained in the STP primarily affects existing and future Home seekers and Homeless applicants on the council's Housing Register.

2.4) What are the key parts of the proposed Strategic Tenancy Policy Preliminary Draft?

The two main aspects of the preliminary draft are that Dacorum Borough Council is proposing to begin using 5 year Flexible Tenancies for new tenants, and that the Council will raise a small number of rents to Affordable Rent Levels.

DBC also proposing to protect existing tenants – therefore current tenancy and rent types will not change, even if the tenant opts to transfer to a different property. This means that Lifetime Tenancies (secure tenancies that exist for life) will be retained by existing tenants.

We are also proposing that Lifetime Tenancies will also be issued on Sheltered Housing (supported housing for older people).

The Council cannot control Registered Providers (Housing Associations) and DBC accept that Registered Providers in the Borough will use Flexible Tenancies and bring in Affordable Rents for some of their properties.

2.5) Why have we proposed the Preliminary Draft?

The Preliminary Draft has been carefully designed to provide as much security for prospective tenants as possible, whilst also maximising the use of Affordable Housing stock (Affordable Housing includes all types of council and housing association housing) – this means providing safe and appropriate housing to those most in need, as well as providing the largest number of Affordable Homes as possible.

The proposed draft attached takes in to account government policy, our statutory obligations, government guidance, best practice examples from other Local Authorities and the views of our Housing Association partners, as well as meeting the Councils Housing Principles and Corporate Priorities.

Flexible Tenancies will be used in the Borough by Registered Providers (Housing Associations) and central government has made it clear that Flexible Tenancies are part of the approach that Local Authorities should adopt. Furthermore, we believe that Flexible Tenancies can provide the required

amount of security for households who need housing support and cannot access market housing (this is known as households being in housing need).

The largest impact of these proposals will not be felt until a **new tenant** on a Flexible Tenancy comes up for review (suggested after 5 years to fit in with government guidance and the majority of providers).

However we believe that the review will not cause many people to lose their tenancy. This is because **we are proposing to automatically renew the Flexible Tenancy if the applicants' circumstances have not changed**, which we believe will result in many tenants simply having their tenancies renewed. This point is backed up by research by Family Mosaic who say that 5 years in to an existing tenancy only 10% of households would be able to move out of Social Housing¹.

Furthermore, Dacorum Borough Council are committed to meeting tenants' housing need and providing the right level of housing support – so tenants that at the time of the review who still need the support of Affordable Housing, even if their circumstances have changed, will either have their existing tenancy renewed, or may be provided with another tenancy on a different property.

Affordable Rent properties are starting to be developed in the Borough and the Council accepts that this is the only way to deliver new Affordable Homes under the current funding system. We believe that the new rent level can be affordable; this is partly because it is still eligible for Housing Benefit, therefore will not affect many prospective tenants. Affordable Rents will also not be applied retrospectively to existing tenants – and under the Choice Based Lettings system the tenant can choose to live in a property with a higher rent type. The vast majority to DBC's Housing stock will remain at current Social Rent levels.

We believe that the proposed approach will provide the largest amount of good quality Affordable Housing as possible, to those who are most in housing need, in a fair and transparent way.

2.6) Why are we consulting?

We want to gather the views of the community, key partners and stakeholders to feed in to the STP.

We have a statutory duty to consult with Housing Associations (Housing Associations are referred to as Registered Providers in the STP). We will also consult with the wider public, existing tenants, and specifically Home seekers on the Housing Register.

¹ Changing Direction: Should Social Housing be a hand up or a handout – Family Mosaic, October 2011.

We have already worked closely with a number of stakeholders, including Council Members, in creating this draft, and will continue to do so.

The responses from the consultation will be weighed up against other considerations, including our statutory responsibilities, government guidance, and our other policy considerations.

2.7) Allocations Policy review and STP adoption

The Council's Allocations Policy is currently undergoing a review, partly to include the new tenancy and rent types created by the government.

Much of the detail about how properties are allocated is contained in the Allocations Policy and therefore is in need of a refresh. DBC will not be letting its stock at Affordable Rents or Flexible Tenancies until the STP and a reviewed Allocations Policy have been adopted by Cabinet.

The existing Allocations Policy is capable of letting Affordable Rent and Flexible tenancy properties if our RP partners bring them forward before the Allocations Policy is updated.

Until the STP is adopted fully, RPs should give consideration to the Consultation Draft, and speak to Officers about their Tenancy Strategies before they look to advertise the properties through Moving with Dacorum.

2.8) Will responding to this consultation make a difference?

Yes. All responses will be considered, and the proposed STP attached below is very much a draft document for consultation. It is not the finalised policy.

Some areas of the policy are fixed by government, and we have a clear and defined policy direction, but much of the detail is still open for debate.

2.9) Questions:

The following questions have been targeted at particular parts of the proposed STP and in some cases outline areas where we had a number of options to choose from.

Responses to some or all of the questions are welcomed, as are general responses.

A simplified, shorter, set of questions will also be consulted on. This consultation paper will be available to all online.

Questions 1 – 5 relate to Section 4 of the Consultation Draft, questions 6 and 7 to Section 5, and questions 8 and 9 are general questions that do not have sections in the proposed STP yet.

- 1.) Do you agree that the Council and Housing Associations should use their stock in ways that meet housing need as the first priority? Y/N
- 2.) The Government and the majority of other Local Authorities are planning to use 5 year Flexible Tenancies for new tenants. Is this the most appropriate length of a Flexible Tenancy? Y/N
- 3.) Should DBC renew a tenant's Flexible Tenancy if there have been no changes to their circumstances since the tenancy was issued? Y/N
- 4.) In terms of renewing Flexible Tenancies, is reviewing the tenant against the Allocations Policy (which outlines the criteria for who should be awarded a new Flexible Tenancy) the right procedure? Y/N
- 5.) Should we offer Lifetime (permanent) Tenancies for new tenants over 50 years old in Sheltered Properties (older persons housing)? Y/N
- 6.) Do you want Transfer tenants who have a Lifetime Tenancy to keep them if they move property? Y/N
- 7.) Would you want to give people who are in employment additional preference for Affordable Rent properties? Y/N
- 8.) Should Affordable Rent properties be available to all applicants through Choice Based Lettings? Y/N
- 9.) Should the right to take over a tenancy on the death of a tenant (know as succession) be restricted to spouses?
- 10.) Do you have any other comments on the proposed Strategic Tenancy Policy?



Appendix 3 – STP Preliminary Draft

Strategic Housing Services

April 2012

‘Strategic Tenancy Policy – Preliminary draft’

Version Control	
Status of Policy	V0.5
Sponsor	Julia Hedger – Group Manager Strategic Housing
Author/Reviewer	Luke de Kretser, Lead Officer, Strategy and Partnerships Jack Burnham, Team Leader, Strategy and Development
Approved	TBC
Review Date	March 2015

Dacorum Borough Council Strategic Tenancy Policy - Preliminary Draft

Status of this document:

This document is a Preliminary Draft that represents the considered direction proposed by DBC Officers. It has taken on board the views of a range of stakeholders and will be consulted upon alongside the Consultation Paper that can be found in Appendix 2 of the overarching Cabinet Report. DBC Officers expect this document to form the basis for a finalised Strategic Tenancy Policy subject to consultation responses and further government guidance.

1.) Background

Dacorum Borough Council have a statutory duty under Section 150 of the Localism Act to produce a Tenancy Strategy which outlines the Council's policy on the new rents and tenures introduced by central government. Our Strategic Tenancy Policy will meet this responsibility and will apply to all Council owned stock, as well as being a consideration for our Registered Provider partners (Housing Associations) in the Borough.

It is worth noting at the very outset that the central government changes that are dealt with in this document **will not impact upon existing tenants**, and tenants that are looking to transfer will be offered protection in the circumstances outlined in section 3.4.

1.1) National Context

The changes that have been introduced by the government are in response to number of factors, including a poor economic climate and poor nationwide housing statistics. As is the case nationwide, Dacorum's housing need outstrips the supply of new homes, and is even more pronounced when looking at Affordable Homes. The new government's presumption is that existing Affordable Homes need to be managed more effectively to meet housing need, and that more Affordable Homes need to be built. Central government believes that the changes in rent levels and tenancy lengths (outlined below) will address these issues.

1.2) Affordable Rent: an explanation

The desire to build more Affordable Homes is accompanied by a significant cut in government grant funding for Affordable House building. The government has decided to use a new rent level, Affordable Rent, to fill in this imbalance.

Affordable Rent will be charged at up to 80% of Market Rent levels, significantly higher than the Social Rent level that has been the main tenure

for some time. The increase in rental income **must** then be used by the Registered Provider (RP) to build more Affordable Homes.

If the RP has not signed a contract with the government, they will not be able to charge Affordable Rents. Affordable Rents will also only be charged on new build units and a specified proportion of re-lets. Therefore Social Rent levels will continue on some properties. However it is worth noting that Affordable Rent has been introduced by the government and will be brought forward by Registered Providers across the country.

1.3) Flexible Tenancies: an explanation

Flexible Tenancies are the new tenancy type that the government has introduced. The tenancy must have a minimum fixed term of two years but there is no maximum fixed term, enabling Local Authorities and Registered Providers to set their own limits. At the end of the term there would be a review process which will determine whether the tenancy is re-issued or not (see section 2.6).

Central government is encouraging providers to use Flexible Tenancies so that they can use the Affordable Housing stock more effectively. Furthermore there is an underlying theory that Affordable Housing should be a pathway out of dependency on state sponsored housing, and in to other housing solutions, as opposed to a lifetime solution. However it is clear that the decision to retain Lifetime (secure) Tenancies rests with the individual housing provider. Flexible Tenancies can be let at Affordable and Social Rents.

The alternative to Flexible Tenancies is the current tenancy type, the Lifetime Tenancy. Lifetime Tenancies are also known as Secure Tenancies, and allow the tenant to stay in the property for their entire lifetime assuming that they do not breach the terms of the tenancy.

1.4) Who will be affected by the changes in the STP?

The Strategic Tenancy Policy will not affect existing tenants.

The new **tenancy types cannot replace existing tenants' tenancies** unless they move or transfer properties, however the Council is proposing that **Transfer tenants have their tenancies protected** if they choose to move. This means that current Transfer tenants will keep their existing Lifetime Tenancy if they choose to transfer properties. As well as providing existing tenants with peace of mind, this will contribute to achieving the best use of stock as current Tenants will feel able to move (enabling their properties to be re-let) without worrying about tenancy types.

The policy contained in the STP primarily affects existing and future Homeseekers and Homeless applicants on the council's Housing Register.

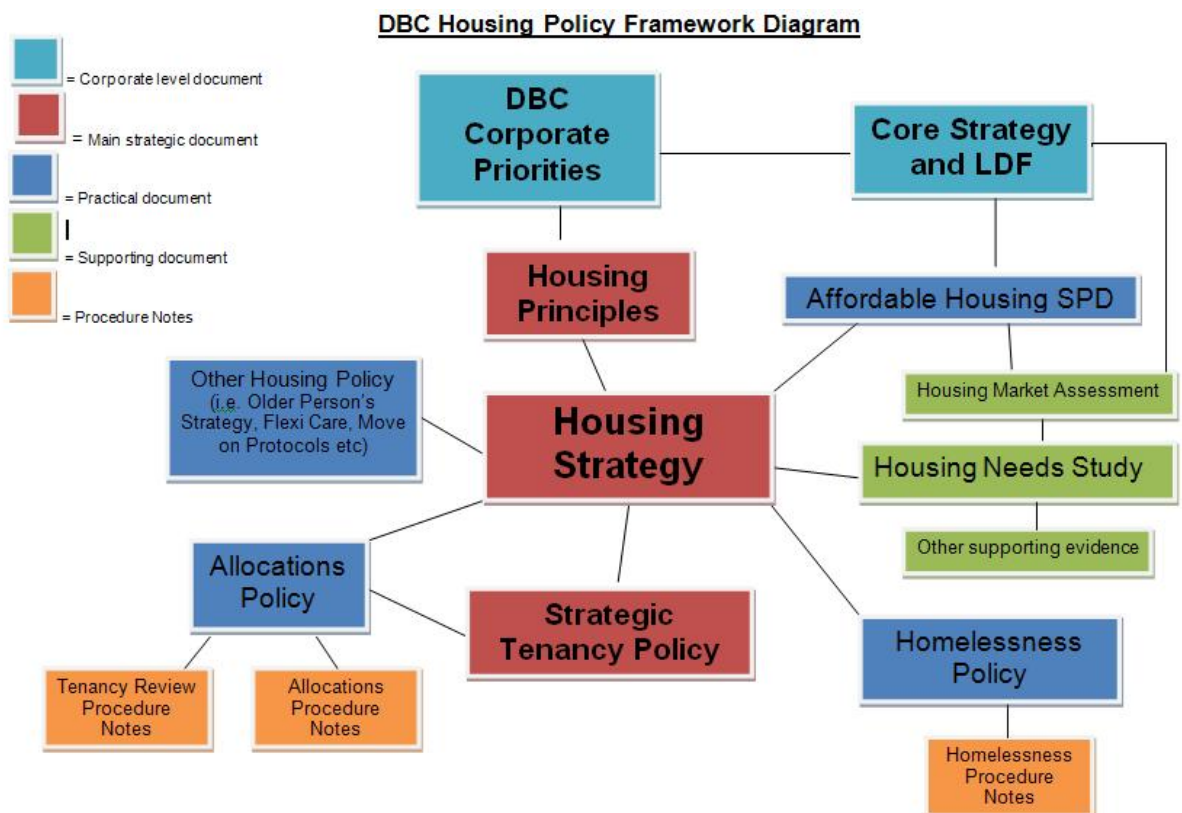
1.5) Registered Providers

Registered Providers of housing are another term for Registered Social Landlords (RSL) or Housing Associations. Registered Providers (RPs) can issue their properties as Flexible Tenancies and at Affordable Rents (if they have a contract to do so with the Government). RPs have to have their own Tenancy Strategies and have to give regard to Local Authority Tenancy Strategies and therefore, in DBC, this document. However, this document is not binding on RPs. Therefore in some areas their policy may be different from the Council's.

The Council believes that it is in the interests of partnership working for RPs to pay close attention to this STP and to work with us to achieve our aims for Affordable Housing.

1.6) Housing Policy Framework

Our STP is a strategic document that is part of our wider Housing Policy Framework. It will follow the principles laid out in the Housing Principles document, and in turn will inform the Allocations Policy which will contain some of the detail about how the new tenancy types will be allocated.



1.7) Housing Principles

The proposed approach laid out in this document is designed to meet the Dacorum Borough Council Housing Principles as well as our statutory

obligations. The principles on meeting housing need and better use of stock specifically apply.

The sections below outline DBC's Policy on Flexible Tenancies and Affordable Rents. The Green Boxes contain key policy points.

1. Flexible Tenancies

Flexible Tenancies must be set for a minimum fixed term of 2 years. They **will not affect existing tenants**, who will remain on their current tenancies.

DBC Policy:

Dacorum Borough Council will be issuing 5 year Flexible Tenancies.

The Council expect that the majority of general needs properties will be let on a Flexible Tenancy basis.

The Council recommends that Registered Providers let the majority of their properties on this basis.

Flexible Tenancies are supported by the Council for a number of reasons, including: that they aid management of stock, they promote a flexible use of stock, they prioritise those in Housing Need and they allow providers to better respond to a range of potential changes. Flexible Tenancies are also advocated by the government and are being adopted by Local Authorities across the country.

It has become accepted across Local Authorities, Registered Providers and central government that a minimum term of 5 years is preferable. A 5 year term is beneficial in terms of tenancy management and security for tenants. It also helps to better use our stock to meet housing need.

2.1) Introductory Tenancies

Dacorum Borough Council has used 1 year introductory tenancies since 2002 and intends to continue to use them.

DBC Policy:

This means that new tenants will be given a 1 year Introductory Tenancy, and then a further 5 year Flexible Tenancy (assuming that the terms of the Introductory Tenancy are not breached).

The Council would like RPs to also use Introductory Tenancies (or Starter Tenancies) on their properties.

Introductory Tenancies are considered to be best practice when letting Affordable Housing, and help to control Anti Social Behaviour.

2.2) Advertising and Letting Flexible Tenancies

Dacorum Borough Council currently uses a Choice Based Lettings (CBL) system called Moving with Dacorum to advertise all of its properties and most RP properties.

DBC Policy:

The Council envisages that Flexible Tenancies will be advertised and let no differently from other tenancy types and the same CBL system will be used. Applicants registered on the Council's Housing Register will be able to choose whether or not they want to express interest in properties let at a Flexible Tenancy.

The tenancy type, whether Flexible or Lifetime, and where to find details on the tenancy terms and length will be made clear in the property advert. The Flexible Tenancy Review process will also be available to the prospective tenant.

The Council expects RPs to follow the process above. The Council expects to retain their existing nominations rights for the properties, regardless of tenancy

Advertising Flexible Tenancies in the same way as secure tenancies, whilst clearly explaining the tenancy type and conditions, will be easier for prospective tenants and will make use of the Council's existing systems.

2.3) Allocating Flexible Tenancies

Dacorum Borough Council currently allocates Affordable Housing in line with the Council's Housing Allocation Policy. Applicants are given a points level that is based on their housing need and this influences their position on the CBL shortlist used to allocate properties.

The Council expect this process to continue and Flexible Tenancies will be allocated in line with the Housing Allocations policy to all Homeseekers.

There will be no other additional allocation criteria for Flexible Tenancies unless it is covered in a Local Lettings agreement, as per existing procedure.

The Council expects RPs to follow this approach and accept nominations as per the Councils Allocations Policy.

This approach is consistent with meeting the housing needs of households and ensures fairness and transparency as well as clarity for the prospective tenant.

2.4) Transfer applicants and Flexible Tenancies

Many transfer applicants on the Dacorum Borough Council Housing Register will have currently have secure, Lifetime Tenancies.

Transfer applicants will retain their current tenancy type if and when they choose to transfer to another council owned property. This means that if an applicant is currently on a secure, Lifetime Tenancy, and they choose to transfer to a property that would normally be let as a Flexible Tenancy they will be offered another Lifetime Tenancy.

Dacorum Borough Council would like RPs to offer existing secure tenants who wish to transfer as much security of tenure as they are able to.

The Council believes that this approach fits with the government intention to protect the tenancies of existing tenants. This will also ensure that transfer applicants continue to apply for properties and aid us in achieving the best use of stock.

2.5) What happens at the end of a Flexible Tenancy?

As the end of a Flexible Tenancy approaches, a review process will be taken to determine whether or not a new tenancy will be issued. This process will be known as the Flexible Tenancy Review. More information on the Flexible Tenancy Review is found in section 2.6 below.

Dacorum Borough Council will operate a presumption to renew the Flexible Tenancy unless the Tenant's circumstances have changed. If the tenant is assessed as being in the same housing need as when the tenancy was issued, then another 5 year Flexible Tenancy will be issued. Housing Need is specified by the Council's Allocations Policy.

The Council expect RPs to give regard to this process and explain clearly to their Flexible Tenants the exact circumstances of how their tenancies will be assessed and renewed or ended.

The Council would like RPs to also adopt a presumption to renew the tenancy if the tenants circumstances have not changed.

DBC believe that this approach offers substantial and appropriate security of tenure for the tenant, whilst also maximising the use of stock and meeting the government's wider policy objectives.

2.6) Flexible Tenancy Review

As stated above Flexible Tenancies must undergo a review when they approach the end of their tenancy period in order to determine whether another tenancy will be granted or not.

For DBC tenants this review process will consist of assessing the tenant against the Council's Housing Allocations Policy. This is the same assessment process that resulted in a tenancy being awarded originally. If the assessment is the same, and there have been no changes to the tenants' circumstances, then another Flexible Tenancy will be issued.

If the tenants' circumstances have changed, then they may still be awarded another Flexible Tenancy in their current property, **or they may be offered a tenancy of another property**. There are a number of resolutions to the review that are possible. If the tenants' housing need has changed sufficiently then they will be offered other housing options and advice and another tenancy may not be issued.

The details of when changes in circumstances lead to a Flexible Tenancy being ended, and when another tenancy would be granted, will be contained in the Council's Housing Allocation's Policy, and the Council's Flexible Tenancy Review Procedure. This procedure will be available to tenants before any tenancies are issued on a Flexible Tenancy basis.

The Council would like RPs to follow a similar process, and at point of offer make it clear to their tenants what the criteria for the RP's review will be.

DBC believe that assessing the tenant against our Housing Allocations Policy is fair, consistent and transparent and will adequately assess the tenants' housing need.

2.7) The timing of a Flexible Tenancy Review

When Flexible Tenancies approach their end date the owner of the property must undertake a review. The Localism Act ² mandates Local Authorities and RPs to give tenants 6 months notice that they will not be offered another Flexible Tenancy and allow them to appeal (see section 2.9).

Dacorum Borough Council will start the Flexible Tenancy Review process 12 months before the end of the 5 year Flexible Tenancy. Tenants' circumstances will be assessed against their original circumstances, with regards to the Allocations Policy and the Flexible Tenancy Review Procedure. Once a decision is made, the Council will inform the tenant no less than 6 months before the end of the tenancy.

The Council would like RPs to follow a similar procedure, and make the timings of their reviews clear to their tenants.

This approach meets the Council's statutory obligations and gives the tenant substantial amounts of time to make decisions about the outcomes of the review process.

2.8) What happens if a Flexible Tenancy is ended?

The Council have a statutory duty to provide advice to tenants when a Flexible Tenancy is ended. Registered Providers also have a duty to provide advice to tenants if a tenancy is ending.

If the outcome of the Flexible Tenancy Review process is to end the tenancy, then Dacorum Borough Council would expect their Strategic Housing Team to be notified at least 6 months before the end of the tenancy, or at the same time as the tenant is informed.

The Council also expects their Housing team to be informed when the two month notice for possession of the property is served to the tenant.

This procedure should apply to both the Council's internal teams and to all RP partners in the Borough.

The Council welcomes advice and assistance being given to the tenant from RPs and will seek to work collaboratively with the RP to provide appropriate support.

DBC would like to be informed before the end of the tenant's tenancy so that we can provide Housing Advice if required and ensure that we prevent and safeguard against any instance of Statutory Homelessness. Furthermore this approach will ensure that tenants do not feel isolated.

² Section 154 of the Localism Act 2011 inserts section 107D to the Housing Act 1985

2.9) Can a tenant appeal the outcome of the Flexible Tenancy Review process?

Tenants will be able to appeal the outcome their review and the details of how this can be done will be found in the Flexible Tenancy Review Procedure document. Information on the review process will be available to tenants when they sign up to the tenancy.

Dacorum Borough Council would like RPs to make clear to their tenants their review procedures, and make this information available to the tenant when they sign the tenancy.

2.10) Lifetime Tenancies

All Affordable Housing Tenancies at present are let as either Introductory or Secure Tenancies. Secure Tenancies are often referred to as Lifetime Tenancies because they do not expire, providing the tenant with a home for life (assuming that they do not breach the Tenancy Agreement).

The ability for providers to offer Lifetime Tenancies remains, and Dacorum Borough Council believes that there is value in keeping the tenancy type for some households.

The Council will offer Lifetime Tenancies to all tenants going in to Sheltered Housing Schemes, assuming that the household meets the minimum criteria applicable for the property (specifically that the age criteria is met).

The Council would like RPs to follow an approach similar to this. We would like the RPs policy on Lifetime Tenancies to be clearly advertised to prospective Tenants.

DBC believe that this approach to providing Lifetime Tenancies strikes the correct balance between protecting tenants, providing security of tenure, and meeting the government's intentions for Affordable Housing. Sheltered Housing, by its definition, is designed to provide security and meet housing needs towards the later stages of a tenants' life. Therefore their housing needs and situation is less likely to change.

2. Affordable Rent

Affordable Rent properties are going to be let in the Borough by both Dacorum Borough Council and by Registered Providers. Properties will be let at up to 80% of market rents for the property type, inclusive of service charge.

Dacorum Borough Council believe that Affordable Rent properties should be developed in the Borough because they are the only way to fund new Affordable Homes under the new funding system run by the Government's Homes and Communities Agency. RPs in the Borough are already developing

Affordable Rent properties and the Council is looking to do so under its own new build program. Affordable Rent can be affordable for households in housing need (this is supported by the Housing Market and Needs Assessment 2012) and is eligible for Housing Benefit, making it accessible to all potential tenants.

The vast majority of Council's Affordable Homes will continue to be let at Social Rent Levels.

3.1) Council New Build

The Council is seeking to enter into a contract with the Homes and Communities Agency to deliver new build council properties at an Affordable Rent level. This contract also allows the Council to convert some existing properties to Affordable Rent units to help fund the new properties. This programme is beneficial because it will see new Council owned homes built for the first time in many years.

3.2) Affordable Rent properties owned by Registered Providers

The Council welcomes plans by Registered Providers to build new Affordable Rent properties in the district. More information on the Council's stance to building new Affordable Homes can be found in our Affordable Housing Supplementary Planning Document (SPD).

The Council accepts that RPs new build plans will in part be funded by the re-let of existing properties at Affordable Rent levels. The Council will monitor to ensure that RPs only re-let the number of properties in the area at Affordable Rent levels that their contracts with the HCA allow.

The Council therefore expects to continue to re-let some RP owned properties at Social Rents.

3.3) Letting of Affordable Rent Properties

Affordable Rent properties are not envisaged by central government to be any different in terms of lettings.

Dacorum Borough Council will let all Affordable Rent properties through their Choice Based Lettings system. Affordable Rent properties will clearly display the rent level and clearly advertise the rent type.

The Council expects RPs to follow the Council's approach outlined above when letting Affordable Rent properties in the Borough. Standard and existing nominations rights will apply to Affordable Rent properties in the same way that they would on other rent types.

This approach is clearer and easier for tenants, meets our existing nominations agreements, and makes use of the Council's existing systems.

3.4) Allocating Affordable Rent Properties

Currently all properties are allocated in line with the Council's Housing

As per section 3.3 and the allocation of Flexible Tenancies, we do not expect any Affordable Rents property in the Borough to be subject to any additional allocation criteria, unless it is covered in a Local Lettings agreement.

All details on how we allocate properties and the criteria used can be found in the Council's Housing Allocations policy.

The Council have taken this stance because we do not believe that there should be additional criteria placed upon Affordable Rent properties that is not covered in our Allocations Policy and that our Allocations Policy will adequately meet housing need.

3. Succession

Succession occurs when the death of a tenant occurs and a member of their household wants to take over the tenancy. Currently DBC are proposing to keep our existing terms of succession:

AGENDA ITEM: 11

SUMMARY

Report for:	Housing and Communities Overview & Scrutiny
Date of meeting:	19 March 2012
PART:	1

Title of report:	Community alarm call response performance
Contact:	Margaret Griffiths, Portfolio Holder for Housing Responsible Officer – Andy Vincent, Group Manager, Tenants and Leaseholders Author – Nicola Charman – Development Officer, Supported Housing Service
Purpose of report:	1 To advise Housing and Communities Overview and Scrutiny Committee members regarding the past three months performance of SeniorLink Eldercare, community alarm provider for the Supported Housing Service.
Recommendations	1. Officers to continue monitoring contract
Corporate objectives:	This report supports the following Council objective: Affordable Housing
Implications:	<u>Financial</u> None
'Value For Money Implications'	<u>Value for Money</u> Effective Contract Monitoring is essential in delivering Value for Money within the HRA
Risk Implications	Risk reference 05 in the Housing Landlord Risk register refers to effective financial and operational control of contractors.
Equalities Implications	Equality Impact Assessment - None required for the purpose of this report.
Health And Safety Implications	None
Consultees:	Elliott Brooks – Assistant Director, Housing Landlord Andy Vincent – Group Manager, Tenants and Leaseholders

Background papers:	PH/050/09 – Part 2 Decision – Appointment of a Contractor to provide a Community Alarm Monitoring and Call Answering Service to Residents in Sheltered Schemes and Dispersed Sheltered Accommodation, Out of Hours Emergency Homelessness and Emergency Repairs Call-Out Services. Housing and Communities Overview and Scrutiny committee report and minutes – 14 th September 2011
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1.0 Background

1.1 Dacorum Borough Council's community alarm monitoring service provider is Seniorlink Eldercare. At the Housing and Communities Overview and Scrutiny Committee 14th September 2011, Members received an extensive presentation from Seniorlink Eldercare regarding their organisation and the service they deliver under contract on behalf of Dacorum Borough Council. A further report was considered by Housing and Communities Overview and Scrutiny Committee on the 30th November 2011.

1.2 The Committee agreed that in addition to the two critical performance indicators in the code of practice that refer to, call handling, two further indicators should be added these are:

- % of calls answered within 90 seconds
- Undertake a customer satisfaction survey on a quarterly basis

2.0 Performance

2.1 The table below illustrates Eldercare's performance since the last report to Overview and Scrutiny Committee in November 2011. The second table shows the results of the Customer Satisfaction Survey carried out between October and December 2011 and which was sent out to customers who used their community alarm or Lifeline during that period. There is also an explanation of the responses from users who were dissatisfied with the service.

2.2 Performance for percentage of calls answered within one minute has risen since the beginning of December, with performance showing marked improvement. Between the beginning of December 2011 and end of February 2012, target was achieved 7 weeks out of 13 weeks and sustained within toleration for a further 3 of the 13 weeks. The target set for calls answered within 90 seconds is 99%. Performance is just under this figure for the period December to end of February. Apart from one week, the target for calls answered within 3 minutes has been achieved.

Calls performance – 4th December 2011 – 26th February 201

Week Commencing	4/12	11/12	18/12	25/12	1/01	8/01	15/01	22/01	29/01	5/02	12/02	19/02	26/02
% of calls answered within 1 minute (Target – 97.5% 2% toleration)	93.69	94.76	95	97.54	97.69	96.64	97.35	98.06	97.94	97.5	97.82	97.41	97.75
Number of calls answered within 1 minute	1430	1475	1416	1243	1767	1950	1706	1665	1465	1325	1617	1376	1358
% of calls answered within 90 seconds	Not Available	Not Available	Not Available	98.36	98.7	98.61	98.7	98.72	98.62	99.08	98.45	98.49	98.84
% of calls answered within 3 minutes (Target 99% 2% toleration)	99.16	99.52	99.41	99.56	99.85	99.58	99.83	99.79	99.82	99.91	99.67	99.65	98.84
Number of calls answered within 3 minutes	1513	1549	1481	1268	1806	2009	1750	1694	1493	1354	1648	1408	1373
Total volume of calls per week	1526	1557	1490	1274	1809	2018	1753	1694	1496	1355	1653	1413	1389

Customer Satisfaction Survey Results

Survey carried out on tenants and residents who made emergency calls between Sept 2011 – Dec 2011

	Contact with Control Centre					Total	Speed of response					Total	Staff Helpful & Supportive					Total
	Very Satisfied	Fairly Satisfied	Neither/Nor	Fairly Dissatisfied	Very Dissatisfied		Very Good	Fairly Good	Neither/Nor	Fairly Poor	Very Poor		Very Good	Fairly Good	Neither/Nor	Fairly Poor	Very Poor	
Results from combined customer/tenant	86	13	1	3	1	104	76	17	1	1	0	95	86	7	0	1	0	94
% of customers	82.5%	12.5	1%	3%	1%		80%	18%	1%	1%	0		91%	7.5%	0	1.5%	0	

3.0 Results of Survey

3.1 The one return which stated they were very dissatisfied with the contact with the control centre did not respond to the other two questions.

3.2 The one return which stated they were neither satisfied or dissatisfied with the control centre did not respond to the other two questions.

3.3 The first of the 3 fairly dissatisfied returns was from a lady whose husband was admitted to hospital the day she had used the alarm and died later the same day. This lady also felt the speed of the response was fairly poor but the staff were fairly good.

3.4 The second of the fairly dissatisfied returns was from a lady who lives in a privately run scheme. The resident pressed her alarm after she had fallen at the side of her bed. She was unable to hear the operator or make her situation clear to them. A family member was called to attend but an ambulance was not sent for until the daughter had arrived and explained that her mother was on the floor. In all three calls were made during the incident.

We were asked to investigate the call with Eldercare and the following actions were taken:

- Eldercare gave supervision and retraining to an operator who took the second call from the resident because they had not liaised with the operator who took the first call.
- The warden at the scheme was asked to update the resident's medical and personal details to reflect the changes in her health, hearing and the distance her daughter lived from the scheme.

Both Eldercare and the warden have reported to say that these actions have been taken. The resident has also used the alarm since and has not reported any further issues. The resident did not sustain any injuries resulting from her fall.

3.5 The third of the fairly dissatisfied returns did not make any comments in the space provided so we were unable to ascertain the reason for their dissatisfaction.

12. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to:

Meeting Date:	Report Deadline	Items:	Type:	Contact details:	Background information
20 June 2012	8 June 2012	Old Town Hall	PM	S Railson, Arts Manager	
		Choice Based Lettings and Housing Allocations Policy Review	Sc/PD	J Hedger, Group Manager Strategic Housing	To review the operation of the Choice Based Lettings system & any necessary revision to the Housing Allocations Policy
		Review of Homelessness Strategy	PD	J Hedger, Group Manager Strategic Housing	To consider the contents of the Homelessness Strategy
18 July 2012	6 July 2012				
12 September 2012	31 August 2012	Quarter 1 Performance Reports	PM	E Brooks, Assistant Director, Housing Landlord J Still, Group Manager, Resident Services S Baker, Assistant Director, Legal, Democratic & Regulatory S Flynn, Assistant Director, Finance and Resources	
		Old Town Hall	PM	S Railson, Arts Manager	
31 October 2012	19 October 2012	Quarter 2 Performance Report	PM	E Brooks, Assistant Director, Housing Landlord J Still, Group Manager, Resident Services S Baker, Assistant Director, Legal, Democratic & Regulatory S Flynn, Assistant Director,	

Meeting Date:	Report Deadline	Items:	Type:	Contact details:	Background information
				Finance and Resources	
		Old Town Hall	PM	S Railson, Arts Manager	
13 December 2012 <i>Joint OSC meeting</i>		Budget 2013-2014 <i>Ideally no further items to be added</i>	Sc	S Marshall, Corporate Director, Finance & Governance	
23 January 2013	11 January 2013	Quarter 3 Performance Report	PM	E Brooks, Assistant Director, Housing Landlord J Still, Group Manager, Resident Services S Baker, Assistant Director, Legal, Democratic & Regulatory	
5 February 2013 <i>Joint OSC meeting</i>		Budget 2013-2014 Quarter 3 Financial Performance Data	Sc	S Marshall, Corporate Director Finance & Governance S Flynn, Assistant Director, Finance and Resources J Deane, Group Manager, Financial Services	
13 March 2013	1 March 2013	Old Town Hall	PM	S Railson, Arts Manager	

PM – Performance management

PD – Policy Development

Sc – Scrutiny

Other Items Pending:

Housing Waiting List

Self Financing (of the housing service)

The Localism Bill

Performance Report from SeniorLink Eldercare