



Author/Lead Officer of Report: Vicky Kennedy, (Operations Manager, Future of Council Housing Team)

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Report of: Executive Director, Place
Report to: Cabinet Member for Neighbourhoods and Community Safety
Date of Decision: End of September 2017
Subject: Proposed consultation plan for two key housing projects

Is this a Key Decision? If Yes, reason Key Decision:- Yes No

- Expenditure and/or savings over £500,000
- Affects 2 or more Wards

Which Cabinet Member Portfolio does this relate to? Neighbourhoods and Community Safety

Which Scrutiny and Policy Development Committee does this relate to? Safer and Stronger Communities

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? 1293

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below.

Purpose of Report: To seek approval from Cabinet Member on the proposed consultation plan for two key housing projects. These are:

- Community Engagement Review
- Conditions of Tenancy Review

Recommendations: That the Cabinet Member

- (a) approves the consultation proposals outlined in this paper; and
- (b) authorises the Director of Housing and Neighbourhoods to take the necessary steps to implement the consultation proposals; and
- (c) notes that each project will be the subject of a further executive report when the consultation has been concluded.

Background Papers:

- “A fresh approach to engaging with our tenants and residents”- report detailing proposals
- “Conditions of Tenancy Review” - report detailing proposals

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Karen Jones and Claire Jamieson
		Legal: Andrea Simpson
		Equalities: Louise Nunn
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	EMT member who approved submission:	Laraine Manley
3	Cabinet Member consulted:	Councillor Jayne Dunn
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: Vicky Kennedy	Job Title: Operations Manager, Future of Council Housing Team
	Date: 6 th September 2017	

1. BACKGROUND

1.1. There are two significant housing-related reviews / projects currently being worked on which will require consultation with tenants:

1.2. A fresh approach to engaging with our tenants and residents

Engaging with our residents is a big part of everything we do as a service. Our vision for this has been shaped by residents through a joint task and finish group:

*‘Community engagement will be a framework through which all residents in our neighbourhoods can actively engage with our services. It will be open and inclusive, and **use a range of engagement methods** to help **minimise the barriers** to people being involved and included. Effective consultation will result in **clear outcomes for communities** – empowering residents to **make and influence decisions** which affect them, in turn resulting in flexible services which are tailored to meet the needs of the local community. People will have confidence that we value their views, have listened to them and that we will act upon them’.*

Our challenge is to deliver this vision in an inclusive but cost-effective way. The main focus for this work will be around updating the TARA Recognition Policy. It will also consider the progress made in implementing the previous review and cover things around the way we communicate with tenants, digital inclusion, meeting structure and how we fund local priorities.

The project includes a review of the tenant governance arrangements agreed by the cabinet Member for Homes and Neighbourhoods in March 2014 and the TARA Recognition Policy approved by him in August 2014.

Details of the proposals for this project are attached in Appendix One - “A fresh approach to engaging with our tenants and residents”

1.3. Conditions of Tenancy Review

The current conditions of tenancy (COT) for council housing tenants have been in force since 1995. They no longer reflect the needs of the service and carry operational risks, particularly in relation to management of pets in flats. Some conditions are unclear or not written in plain English. Some issues such as storage of items in communal areas are only enforceable using ‘general’ clauses in the current conditions (e. those covering “danger” or “nuisance”). This means tenants are not always clear what is or isn’t acceptable.

The Conditions of Tenancy Review aims to deliver an updated and modern set of tenancy conditions which reflect customer / business priorities and the economic, legal and societal context in which the Housing Service now operates. The conditions will be clear and enforceable, emphasising the rights and responsibilities involved in taking a Council Tenancy.

Whilst most of the changes will be around clarity and ability to enforce, they do include new conditions to promote responsible pet ownership and enable better management of pets and animals in our properties. They also strengthen our rights and tenants’ responsibilities in terms of fire safety.

The revisions to the COT will be shared with tenants in full, and their feedback sought.

Details of the proposals for this project are attached in Appendix Two - “Conditions of Tenancy Review - proposals”

1.4. There is a requirement to consult with tenants on both of these projects, which are running in parallel. The target audience is the same, and the timescales are all the same (up to the point of consultation). It is therefore proposed that this consultation will be done as one exercise / process covering both projects. This will also help give tenants and Members a clearer picture of all of the significant changes being proposed as part of an overall modernisation of the Council Housing Service.

2. PROPOSAL

2.1. The principles underpinning the proposed consultation plan are:

- An aim to reach as wide an audience as possible, with the inclusion of more modern / digital methods of consultation as well as our more traditional methods / channels.
- The information presented to tenants must be clear and easy to understand
- Although being done as one consultation exercise, it is crucial that it is done in such a way that the feedback on the different projects can be collated separately.
- Should the outcomes of the consultation be such that one of the projects needs to be delayed, for whatever reason, this **would not** prevent the other being progressed as planned.

2.2. With these principles in mind, the key channels / methods proposed for consultation (which will take place from late September to end of October / early November) are as follows:

- All tenants will receive information about both the projects, with an invitation to give feedback via generic email address or telephone. Ideally, this will be done electronically wherever possible to minimise costs.
- CitizenSpace - the Council's consultation tool - will also be used, and distribution would be to all tenants who have indicated an interest in receiving housing-related info / surveys.
- A specific survey of TARAs conducted via the TARA e-bulletin, and TARAs to be provided with a consultation 'pack' to use when talking / meeting with their members.
- FaceBook / Twitter updates with links to the above information / survey to help promote further.
- Local Estate and Investment Forums / Sheltered Housing Boards
- Consultation materials displayed in local housing offices, and other community venues if appropriate (eg. libraries).
- Neighbourhood Officers to help distribute consultation materials and encourage tenants to give us their feedback.
- Session done with Housing and Neighbourhoods Advisory Panel (HANAP), which consists of tenant representatives from each area of the city - sharing feedback gained from the above, and to consult with them specifically on the proposals.

3. HOW DOES THIS DECISION CONTRIBUTE?

3.1. Undertaking effective consultation on these significant housing-related projects will help to ensure that the Council's tenants understand how and why the Council is modernising its housing service. It will also ensure that tenants have the opportunity to shape the proposals and give their feedback. It therefore will contribute to the Council's "In-touch Organisation" priority in the Corporate Plan.

4. HAS THERE BEEN ANY CONSULTATION?

4.1. These proposals centre around the consultation for the project, so there has been no consultation so far with tenants - that will be the outcome of this paper.

5. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

5.1. Equality of Opportunity implications: An Equalities Impact Assessment has been undertaken for these proposals and no significant implications have been identified.

5.2. Financial and commercial implications: There are financial implications of these proposals for consultation on these two projects, but any costs associated with the consultation will be met from existing agreed budgets within the HRA. £100,000 of HRA funding is already included in the ASB & Community Safety Team budget to cover these costs.

5.3. The **implementation** of either / both of the projects following consultation will be subject to funding being agreed, and the financial implications resulting from such, including the costs and the funding available, will be set out in a future executive report seeking approval when the consultation has been completed.

5.4. Legal implications: The general power of management of its housing is vested in the Council by section 21 of the Housing Act 1985. There is wide discretion as to how the Council may exercise that power, but there is a duty under section 105 of the Act to consult its secure tenants when they are likely to be substantially affected by certain matters of housing management which involve a change to practice or policy, including arrangements for the management, maintenance, improvement or demolition of its housing stock, or the provision of services or amenities. The duty therefore applies to the projects that are the subject of his report. There is no prescribed form of consultation but it must include arrangements for tenants to be informed of the Council's proposals and to make their views known and the Council must consider any representations made. The consultation proposals set out in this report meet the statutory duty.

In making the decisions about any draft proposal to be put out to consultation, and again when considering the results of the consultation and the final proposals the following principles of consultation must be satisfied:

- (i) consultation must take place when the proposal is still at a formative stage;
- (ii) sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;
- (iii) adequate time must be given for consideration and response; and
- (iv) the product of consultation must be conscientiously taken into account.

The outcomes of these consultations, and the final proposals taking account of the consultation, will be the subjects of further executive reports. The legal implications of the

implementation of the final proposals, including any prescribed process to be followed, will be set out in detail in those reports.

6. ALTERNATIVE OPTIONS CONSIDERED

6.1. The option to consult separately on each of the projects was considered but for the reasons described above in 1.4 this was not felt to be the best option.

7. REASONS FOR RECOMMENDATIONS

7.1. The consultation plan described above will achieve the best outcomes in terms of reaching a wide audience - not just the 'traditional' participants but, by making best use of online channels and social media, also younger tenants who traditionally don't always engage in consultations.