

**Wyn Marshall  
Chairman  
Tenants and Leaseholders Panel  
Epping Forest District Council**

Following the meeting of the Tenants and Leaseholders Panel, set out below is their views on the two documents which were discussed at their meeting on 12 September 2018. The purpose of these notes is to assist the Chairman of the Panel to put forward their views to the Communities Select Committee at their meeting on 24 September 2018.

The Panel has requested that the Council submits one response to the Ministry of Housing Communities and Local Government (MHCLG) but confirms that the response has been framed following consideration of the views of the Panel.

**Response of the Tenants and Leaseholders Panel to the MHCLG Green Paper “A New Deal for Social Housing”**

***Chapter 1 – Ensuring Homes are safe and decent***

*The Panel considered the statement made that residents should be given information about Building Safety and should have the right to access this information such as Fire Risk Assessments. Landlords should have an engagement strategy for their buildings which sets out how they will share information and engage with residents on fire safety – how can this happen?*

Under this Chapter, the Panel concluded that Fire Risk Assessments are public property anyway. However, they felt that it is crucial that tenants are given a voice but made the point that our Council is very proactive in these matters and do engage tenants, indeed, there was an Item on our Agenda this evening around Fire Safety. The Panel feels that the practices of this Council should be rolled out nationally. The Panel felt that Fire Risk Assessments and other associated information should be on councils websites and updated on an annual basis and available in different languages and set out in a simple and plain manner.

***Chapter 2 – Effective Resolution of Complaints***

*The Panel considered the matters raised in the Green Paper where it seeks to gain views on how current in-house complaints processes can be better, and how consumer’s awareness can be raised. It asks what other ways can complaints be resolved; should there be a single Ombudsman service? Can mediation services be strengthened and can the democratic filter be removed?*

The Panel’s view is that the timescale for complaints being referred to the Ombudsman should be reduced from 8 weeks to 4 weeks and the democratic filter should be removed. The Panel was unsure about how to “strengthen” mediation. Our Council offers mediation but the main difficulty it encounters is the willingness of both parties to enter into this arrangement.

***Chapter 3 – Empowering Residents and Strengthening the Regulator***

*The Green Paper asks should residents be able to compare performance easily and should performance indicators be publicised?*

The Panel considers Tenant Selected Performance Indicators and monitors the Council’s performance against these targets. The Panel feels this arrangement to be an effective way of tenants managing performance and could be rolled out nationally. The Panel is against the introduction of league tables as they are concerned that it is extremely difficult to compare like-for-like services across different authorities. The Panel considers that performance indicators should be publicised.

*Should there be a performance indicator on complaints, should performance be compared with other landlords and should performance on complaints influence what funding a landlord receives and how can landlords be incentivised to use best practice when dealing with complaints?*

The Panel considers that the number of complaints should have no effect on funding received by landlords. It considers that if the landlord receives less funding for this reason it would mean a lesser service being provided and therefore even more complaints being received. The Panel also considers that many complaints are received by councils from people who believe that it may influence their council in providing them with services which they may not be eligible for.

*Are resident engagement strategies effective – how can there be stronger representation nationally for residents?*

The Panel considers that this Council's engagement strategies are effective. However, although the Council is a member of ARCH, it considers that there may be scope for all Chairs of Resident Panels in Essex to meet up on a 6 monthly basis to share good practice.

*The Panel considered if there would be an interest in a program to promote the transfer of local authority housing to a community based housing association or a tenant management organisation?*

The Panel considers that there would be no interest at all in the Epping Forest District and observed that those that have transferred to a Housing Association or TMO have regretted taking this course.

#### **Chapter 4 – Tackling Stigma and Celebrating Thriving Communities**

*The Green Paper says that it offers an opportunity “for a change in the way residents are treated”. It also asks how stigma can be tackled?*

The Chairman explained that the Council is a member of ARCH who is undertaking some work on tackling stigma in terms of social housing. The Panel believed that stigma comes from the top and the problem rests with “the elite” and should not be left at the door of local councils. The Panel also discussed the reducing police numbers which is not assisting housing estates.

*In response to the Green Paper's question, what performance indicator can be produced to measure whether a landlord is providing good neighbourhood management and should landlords report on the social value they deliver?*

The Panel concluded that it would be difficult to measure this and believe that the Green Paper should set out what they consider to be “social value”.

The Panel felt that performance indicators can and should be used to measure how landlords are tackling anti-social behaviour.

#### **Chapter 5 – Expanding Supply and Supporting Home Ownership**

The Panel felt that not all councils can afford to meet with these requirements and in addition it's very difficult to identify available land but they consider there will always be a need for social housing.

(The Tenants Panel noted that the implications of the Green Paper may require them to revisit their own Tenant Participation Agreement with the Council).

#### **Response of the Tenants and Leaseholders Panel to the Consultation on use of receipts from Right to Buy sales**

The Panel considered the following aspects of the Consultation Document:

##### ***Timeframe for using receipts***

*Currently, all receipts from Right to Buy sales are to be used within 3 years. The Government is not minded to extend the three-year deadline for all receipts, but is considering allowing authorities to hold receipts they currently retain for up to 5 years*

The Panel's view is that receipts currently held should be retained for up to 5 years as this will give more time to get developments completed.

### **Cap on expenditure per replacement unit**

*Currently, Right to Buy receipts can be used to fund no more than 30% of the cost of a replacement home with the balance funded from borrowing repaid from rents. The Consultation Paper proposes to increase the cap to 50% of build costs for homes for social rent in areas eligible for the Affordable Homes Programme where there is a need for social rent rather than affordable rent.*

The Panel considers that the cap should be increased to 50% for the build costs of both social and affordable rented properties in all areas.

### **Use of receipts for acquisitions**

*The Consultation Paper is concerned that some acquisitions represent poor value for money compared with new build. It suggests either a price cap per dwelling or allowing acquisitions in certain areas only. The Government's preference is for a price cap.*

The Panel favoured the option of a price cap.

### **Tenure of replacement home**

*The Government is considering whether to allow authorities additionally to use receipts to provide homes for shared ownership?*

Wyn – Not discussed by the Panel.

### **Changing the way the cost of land is treated**

*The Government is considering allowing authorities to gift land from their General Fund to their HRA provided such land has been held in their General Fund for a number of years.*

The Panel considers that Council land is Council land.

### **Transferring receipts to a Local Housing Company**

*Authorities are currently able to grant fund Housing Associations to build. This cannot be done by an ALMO. The Government believes that affordable housing should predominantly be provided in the HRA but is considering whether there are circumstances where it is appropriate to provide it through a company.*

Wyn – Not discussed by the Panel.

### **Reforming the replacement commitment**

*The Consultation Paper asks whether the Government should drop the current 1-1 replacement target in favour of a wider measurement of the net increase in social and affordable housing?*

The Panel's view is that the 1-1 target is not always achievable.