

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

6 NOVEMBER 2008

**REPORT OF HOUSING AND
COMMUNITY SAFETY
SELECT COMMITTEE**

CABINET DECISION

Housing and Community Safety – Lead Cabinet Member – Councillor Steve Nelson

SCRUTINY REVIEW OF REGISTERED SOCIAL LANDLORDS

1. Summary

This report presents the findings of the Housing and Community Safety Select Committee following a review of Registered Social Landlords (commonly known as Housing Associations) and their relationship with the Council. The review covered a range of issues including the operational relationship with the Council, local partnership arrangements, RSLs as regeneration partners, trends within the sector, and the future plans of RSLs.

2. Recommendations

The Committee recommend:

1. **that the communication exchange between RSL partners and the local authority is improved by:**
 - a) **drafting a protocol which the Council should encourage RSLs to use when communicating with Members, and for it to include reference to providing appropriate ward members with key RSL contact details (eg. patch managers/area managers) on an annual basis and request that these contacts are kept up to date,**
 - b) **including this up to date information in the induction packs of new Members as appropriate;**
 - c) **providing all RSLs with general information regarding the role/remit of ‘ward councillors’ as a means of general awareness raising of their roles within the local community and request this information is shared with their front line housing staff;**
 - d) **providing RSLs with key contact details including ward members and appropriate Council Officers on an annual basis, and encouraging RSL officers based within a local area to informally meet with the appropriate ward members as a matter of course;**
 - e) **SBC Housing Service advising ward members on the strategic role of the LA in dealing with complaints relating to RSLs.**

2. **that steps are taken to ensure all partner RSLs are active partners in the LSP, in particular, the thematic Housing and Neighbourhood Partnership.**

3. a) that the Council create a framework of RSLs who wish to develop within the Borough and this framework be used to identify those RSLs capable of working with the Council to secure future funding, and to assist private developers to identify suitable RSLs to work with them on the deliverability of affordable housing on s106 sites.
- b) that the criteria for RSLs on the framework include:
 - their role as developing organisations;
 - their role as a key local authority strategic partner in order to support agendas including homelessness, training and employment, and the physical and social regeneration of the Borough, for example by attendance at the Housing and Neighbourhood Partnership;
 - the standards expected in terms of service and presence within Neighbourhoods.
- c) that the criteria and membership of the framework be regularly reviewed, and an annual update be reported to Housing and Community Safety Select Committee.
4. that in order to ensure that non-developing RSLs are 'good landlords', promote tenant involvement, participate in community involvement, and that they attend the Housing and Neighbourhood Partnership, the Council should undertake an annual review, taking into account the views of tenants/Members/key stakeholders including relevant SBC services, and to work with appropriate regulatory bodies should this be necessary following the review. The results of this review should be reported to Housing and Community Safety Select Committee.
5. that following recommendations 3) and 4), the Council evaluate the work undertaken by RSLs specifically in relation to their 'community investment funds/activity' on an annual basis and to share best practice between partner RSLs and other housing providers, using the meetings of the Housing and Neighbourhood Partnership.
6. that in relation to planning obligations, building on the policy work already undertaken as part of the LDF process, officers of Housing and Planning Services (and other services as appropriate) should undertake joint work or training as deemed appropriate by the Heads of Housing and Planning Services to examine best practice in order to further develop experience and expertise when negotiating s106 agreements that contain provision for affordable housing, in order to promote greater understanding of the opportunities and constraints contained within and to maximise the number of units delivered through this method, and that the Housing and Community Safety Select Committee should receive an annual report stating what joint work or training has been completed.
7. a) that Members of the Housing and Community Select Committee (and all Members where appropriate) be provided with timely information relating to the 'housing market' (including for example key Government announcements and projects initiated within the Borough).
- b) that the Housing Service actively seeks to bid for/secure resources to deliver new housing initiatives (for example 'Mortgage Rescue Packages')

3. Reasons for the Recommendations/Decision(s)

The topic was identified at a meeting of the Scrutiny Liaison Forum in March 2008, and subsequently incorporated into the scrutiny work programme by the Executive Scrutiny Committee in April 2008. RSLs are key partners of the Council in order to deliver affordable housing, and to deliver the Borough's wider regeneration aims.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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COMMUNITY SAFETY SELECT
COMMITTEE**

CABINET DECISION

SCRUTINY REVIEW OF REGISTERED SOCIAL LANDLORDS

SUMMARY

This report presents the findings of the Housing and Community Safety Select Committee following a review of Registered Social Landlords and their relationship with the Council.

RECOMMENDATIONS

The Committee recommend:

1. that the communication exchange between RSL partners and the local authority is improved by:
 - a) drafting a protocol which the Council should encourage RSLs to use when communicating with Members, and for it to include reference to providing appropriate ward members with key RSL contact details (eg. patch managers/area managers) on an annual basis and request that these contacts are kept up to date,
 - b) including this up to date information in the induction packs of new Members as appropriate;
 - c) providing all RSLs with general information regarding the role/remit of 'ward councillors' as a means of general awareness raising of their roles within the local community and request this information is shared with their front line housing staff;
 - d) providing RSLs with key contact details including ward members and appropriate Council Officers on an annual basis, and encouraging RSL officers based within a local area to informally meet with the appropriate ward members as a matter of course;
 - e) SBC Housing Service advising ward members on the strategic role of the LA in dealing with complaints relating to RSLs.
2. that steps are taken to ensure all partner RSLs are active partners in the LSP, in particular, the thematic Housing and Neighbourhood Partnership.
3.
 - a) that the Council create a framework of RSLs who wish to develop within the Borough and this framework be used to identify those RSLs capable of working with the Council to secure future funding, and to assist private developers to identify suitable RSLs to work with them on the deliverability of affordable housing on s106 sites.
 - b) that the criteria for RSLs on the framework include:
 - their role as developing organisations;

- their role as a key local authority strategic partner in order to support agendas including homelessness, training and employment, and the physical and social regeneration of the Borough, for example by attendance at the Housing and Neighbourhood Partnership;
 - the standards expected in terms of service and presence within Neighbourhoods.
- c) that the criteria and membership of the framework be regularly reviewed, and an annual update be reported to Housing and Community Safety Select Committee.
4. that in order to ensure that non-developing RSLs are 'good landlords', promote tenant involvement, participate in community involvement, and that they attend the Housing and Neighbourhood Partnership, the Council should undertake an annual review, taking into account the views of tenants/Members/key stakeholders including relevant SBC services, and to work with appropriate regulatory bodies should this be necessary following the review. The results of this review should be reported to Housing and Community Safety Select Committee.
5. that following recommendations 3) and 4), the Council evaluate the work undertaken by RSLs specifically in relation to their 'community investment funds/activity' on an annual basis and to share best practice between partner RSLs and other housing providers, using the meetings of the Housing and Neighbourhood Partnership.
6. that in relation to planning obligations, building on the policy work already undertaken as part of the LDF process, officers of Housing and Planning Services (and other services as appropriate) should undertake joint work or training as deemed appropriate by the Heads of Housing and Planning Services to examine best practice in order to further develop experience and expertise when negotiating s106 agreements that contain provision for affordable housing, in order to promote greater understanding of the opportunities and constraints contained within and to maximise the number of units delivered through this method, and that the Housing and Community Safety Select Committee should receive an annual report stating what joint work or training has been completed.
7. a) that Members of the Housing and Community Select Committee (and all Members where appropriate) be provided with timely information relating to the 'housing market' (including for example key Government announcements and projects initiated within the Borough).
- b) that the Housing Service actively seeks to bid for/secure resources to deliver new housing initiatives (for example 'Mortgage Rescue Packages')

DETAIL

1. The attached report presents Cabinet with the findings of the review of Registered Social Landlords (RSLs) undertaken by members of the Housing and Community Safety Select Committee. The review covered a range of issues including, the operational relationship with the Council, local partnership arrangements, RSLs as regeneration partners, trends within the sector, and the future plans of RSLs. Members have made recommendations in order to secure further improvements where necessary.
2. Following consideration by Cabinet an action plan will be submitted to the Select Committee setting out how approved recommendations will be implemented detailing officers responsible for action and timescales.

FINANCIAL IMPLICATIONS

3. There are no new financial implications emanating from this report.

LEGAL IMPLICATIONS

4. There are no specific legal implications although the proposed framework will improve the Council's ability to robustly choose, and then monitor, those RSLs acting as development partners.
5. RSLs themselves currently operate subject to the Housing Corporation's Regulatory Code, and are placed under various statutory duties, including the duty to assist Local Authorities with the discharge of their responsibilities under homelessness legislation (specifically the Housing Act 1996).

RISK ASSESSMENT

6. This review of Registered Social Landlords is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

7. This report and the issues contained within (including housing provision and development, homelessness, community safety, community investment, community involvement, partnership arrangements, extra care facilities) impacts upon various themes of the Community Strategy including:

Economic Regeneration and Transport

Children and Young People

Health and Wellbeing

Environment and Housing

Older Adults

Safer Communities – RSLs will continue to be key partners of the Safer Stockton Partnership when tackling the issue of Anti-Social Behaviour

EQUALITIES IMPACT ASSESSMENT

8. Recommendations 3, 4 and 5 are concerned with ensuring that RSLs play a full role in the physical and social regeneration of the Borough, and the communities within which they operate. This includes ensuring the sustainability of new neighbourhoods.

9. Recommendation 5 explicitly refers to sharing best practice with regard to community investment schemes; these are projects that demonstrate that RSLs are active in the communities in which they operate. These have included training projects aimed at reducing economic inequalities, including one successful example aimed at increasing BME representation in the workforce of local housing providers.

CONSULTATION INCLUDING WARD/COUNCILLORS

10. The Group received evidence from a range of internal and external stakeholders including representatives from appropriate Registered Social Landlords, and the Housing Corporation. A survey of those RSLs operating in the Borough was conducted for the purposes of the review.
11. Senior officers within DNS, and the Cabinet Member responsible for Housing and Community Safety, were consulted on the scope of the review, and the findings and recommendations.

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Committee Membership:

Councillor Allison Trainer (Chair)

Councillor Julia Cherrett (Vice-Chair)

Councillor Jackie Earl

Councillor Suzanne Fletcher

Councillor Robert Gibson

Councillor Mohammed Javed

Councillor Liz Nesbitt

Councillor Bill Noble

Councillor Bill Woodhead

Background Papers None

Ward(s) and Ward Councillors: Not ward specific

Property None