

APPENDIX 2

**Varying Southwark's 'Conditions of Tenancy' 2009
Summary of all consultation feedback**

TOTAL RESPONSES RECEIVED 379	
Agree all	105
No comments	83
Comments - neutral	26
Opposing specific clauses (see third column of table below)	68
Oppose all	2
Agreeing to specific clauses (see third column of table below)	6
Questions	18
N/A- casework	66

Individual TRA responses	
Hawkstone TRA	Oppose all
Mr Munu , on behalf of Rockingham Community Association	Oppose 3, 6, 13, 14, 15, 16, 20, 21, 22, 25, 26
East Dulwich TRA	Oppose 3, 6, 13, 21, 26

B & B – Borough and Bankside, **BE** – Bermondsey East, **BW** – Bermondsey West, **CE** – Camberwell East, **CW** - Camberwell West, **D** – Dulwich, **N&P** Nunhead & Peckham , **P** – Peckham, **R**- Rotherhithe, **WC** - Walworth Central , **WE** – Walworth East, **WW** – Walworth West. **TC** – tenant council

	Clause	Individual tenant responses	Tenants' working party	Area Housing Forums recommendations	Tenant Council (Based on recommendations made at a special meeting on 1 st September 2009)
1 & 2	Security of tenure, termination of tenancy and notices. (inc reference to introductory tenancies)	1 oppose 3 agree	APPROVE	Agree – BW, BE, D, P and WC Oppose – N&P (2.3), R (2.1 & 2.3) and WE and WW (2.3)	TC APPROVE B&B AHF's recommendations: 2.1 – to add 'once effective' to beginning of sub-clause 2.2 – to add 's relating to secure and introductory tenancies' to end of sub-clause.

3	Breakdown of Relationship (REMOVE –lettings policy)	5 oppose 2 approve	OPPOSE	Oppose – BE, BW, B&B, CE, CW, D, N&P, P, R, WC, WE and WW	OPPOSE
4	Termination of tenancy (REWORD – no substantive change)	1 oppose	APPROVE	Agree- BW, BE, B&B, CE, CW, D, N&P, P, WC and WW Oppose – R (4.1)	APPROVE
5	Departure of one of joint tenants (no substantive change)		APPROVE	Agree – BE, BW, B&B, CE, CW, D, P, WC, WE, WW	APPROVE
6	Rent (REMOVE reference to monthly statements)	22 oppose	OPPOSE	Agree – D, WE & WW – quarterly. Oppose – BE, BW, B&B, CE, CW, N&P, P and R.	OPPOSE.
7	Variation of rents and other charges (NO CHANGE)	2 approve	APPROVE	Agree- BE, BW, B&B, CE, CW, D, N&P, P, WC, WE and WW Oppose – R	APPROVE

8	<p>Nuisance</p> <p>(REWORD – spilt into four separate clauses – 1. nuisance/antisocial behaviour 2. Security 3. Pets and animals 4. Health & Safety</p> <p>Add dog chipping sub-clause and make clearer H&S obligations)</p>	3 oppose 5 approve	APPROVE	<p>Agree – BE, BW, CE, CW, D, N&P, P, WC, WE, WW</p> <p>Oppose – B& B (not X.1-2, X.3 (c) & 8.3) and R (X.2, Y.3, Y.4, Z.2, Z.5, 8.2 and 8.3)</p> <p>Southwark Group of Tenant Organisations proposed an amendment to the health and safety section of this clause.</p> <p>It was supported by: Bonamy-Bramcote Tenants Association Buchan Tenants and Resident Association Decima Street Tenants & Residents Association Brayards Estate Tenants and Residents Association Borough & Bankside North TRA and 2 individual tenants</p>	<ul style="list-style-type: none"> ▪ TC APPROVE B&B AHF’s recommendations: <ul style="list-style-type: none"> X.1 – add ‘s’ to damage. X.2 – look at language – term ‘colour’ outdated. X.3(c) – tighten up wording regarding parties/ pay parties. – to read “Must not hold or permit to be held any pay party whatsoever, or any party which is excessively noisy” ▪ TC APPROVE N&P AHF’s recommendation: <ul style="list-style-type: none"> Ban on feeding pigeons should be in updated Tenant’s Handbook, not tenancy agreement. ▪ TC APPROVE R AHF’s recommendations: <ul style="list-style-type: none"> Y.3 – Council should look at wording – what constitutes a stranger? Y.4 – Restricted areas should be marked, if not- can’t hold tenant responsible for family member/ guest entering. H&S 8.2 – Council to reword as tenants cannot be held responsible for the communal fire doors. ▪ TC APPROVE COUNCIL PROPOSAL to introduce compulsory dog chipping.
9	<p>Domestic Violence</p> <p>(NO CHANGE)</p>	2 approve	APPROVE	<p>Agree- BE, BW, B&B, CE, CW, D, N&P, P, R, WC, WE and WW</p>	APPROVE

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10	Parking (REMOVE outright ban on crashed damaged vehicles and 30 min waiting if causing obstruction)	2 oppose 2 agree	APPROVE	Agree – CE, CW, D, WC, WE and WW Oppose – B&B (removal of 30mins), BE, BW (10.10 (e)), P (removal of 30mins), R (10.2 d-e)	<ul style="list-style-type: none"> ▪ TC REQUEST the Council look at wording of new 10.2 d (reference to obstruction of garages/bike sheds/bins) and 10.3 (30mins grace period before clamping)
11	Use of dwelling house (TWO MINOR ADMINISTRATIVE CHANGES)	1 oppose 3 approve	APPROVE	Agree – BE, BW, CE, CW, D, N& P, P, WE, WC, WW. Oppose – B&B (11.2) and R (11.1).	APPROVE
12	Lodgers, Subletting and assignment (REWORD and REMOVE list of circumstances under which assignment can occur –put in handbook)	1 oppose 2 approve	APPROVE	Agree – BE, BW, CE, CW, D, N&P, P and WW Oppose – B&B (not 12.1), R (12.1, 12.4, 12.5) and WC & WE (not 12.1)	<ul style="list-style-type: none"> ▪ TC APPROVE B&B AHF recommendation: 12.1 – to add ‘which will not be unreasonably withheld’ to the end To read “The tenant must obtain the Council’s written permission, which will not be unreasonably withheld”. ▪ TC APPROVE WC & WE AHF’s recommendation: 12.1 – to include definition of lodger ▪ TC APPROVE COUNCIL PROPOSAL (inc above AHF recommendations).

13	Death of tenant Succession (REMOVE SECOND RIGHT TO SUCCESSION) -	28 oppose	OPPOSE	Agree – CE, CW and WW (if generational succession) Oppose – BE, BW, B&B, D, N&P, P, R, WE and WW.	<ul style="list-style-type: none"> ▪ TC REQUEST further discussion to be held on issue of succession- finding balance.
14	Access (REWORD and REMOVE reference to appointment time and missed appointment fee)	9 oppose 3 approve	OPPOSE	Oppose -BE, BW, CE, CW, D, N&P, P, R WC WE and WW.	OPPOSE
15	Tenant's duty of care REWORD	3 approve	APPROVE	Agree – BE, BW, CE, CW, D, P, WC, WE and WW. Oppose – R (15.1, 15.2 15.3)	<ul style="list-style-type: none"> ▪ TC REQUEST council look at issues around 'wilful act' ▪ TC APPROVE COUNCIL PROPOSAL (NB above request)

16	<p>Cleaning & Decorating & New Rubbish Clause</p> <p>(REWORD and REMOVE reference to exterior decorations being carried out every 5-7 years)</p>	2 oppose 2 approve	OPPOSE	<p>Agree – WC, WE</p> <p>Oppose removal of 16.5 (a-b) –BE, BW, CE, CW, D, N&P and P.</p> <p>R 16.1 (a) should include 'except where this is covered by integrated cleaning contract' 16.2 does not reflect old 16.4 – attempt to remove council's obligation to mow and cultivate lawn and flower beds.</p>	OPPOSE
17	<p>Notification of defects and time for repairs</p> <p>(REMOVE reference to appendix and replace with our services standards)</p>	3 oppose 2 agree	APPROVE	<p>Agree – BE, BW, B&B, CE, CW, D, N&P, P, WC, WE and WW.</p> <p>R – Appendix 2 out of date- should look at Appendix 1 of the Responsive Repairs and Repairs to Voids 12/7/07. Use of 'service standards' – Council avoiding obligations.</p>	APPROVE

18	Council's obligation for repair of the dwelling house (COMBINE WITH 19)	3 oppose 1 approve	OPPOSE	Agree – CE, CW, WC and WE. Oppose – D, N&P, P and R	<ul style="list-style-type: none"> ▪ . TC APPROVE COUNCIL PROPOSAL to amalgamate clauses BUT REQUEST full list of items included (Eg lifts, aerials, refuse facilities etc)
19	(Council's obligation for repair of the common parts, maintenance of facilities and repair of the estate (COMBINE WITH 18 and reduce list of items council is responsible for repairing)	2 oppose 1 approve	OPPOSE	As clause 18	As clause 18
20	Standard of repair, making good and inspections (REMOVE)	7 oppose 1 approve	OPPOSE	Agree – B&B, Oppose – CE, CW, D, N&P, P, R, WC, WE and WW. R- TA should explain rights, duties etc in excess of statutory.	OPPOSE
21	Compensation for failure by council to repair (REMOVE)	8 oppose	OPPOSE	Agree – 0 Oppose - BE, BW, CE, CW, D, N&P, P, R, WC, WE and WW.	OPPOSE

22	Major Works (REMOVE)	5 oppose	OPPOSE	Agree – 0 Oppose – CE, CW, D, N&P, P, R and WW.	OPPOSE
23	Improvement by tenant (REWORD and make specific reference to floor coverings)	4 oppose 5 approve	APPROVE	Agree - BE, BW, B&B, CE, CW, D, N&P, P, WC, WE, WW. Oppose – R (23.5- 23.9) – Satellite dishes require planning permission – referencing them in TA legitimises their erection. 23.2 – unfair where landlord isn't making repairs tenant may have no option but to do the work. 'Improvement' should be 'change'. No structural changes should be made, even with permission.	APPROVE
24	Information for tenant (REWORD)		APPROVE	Agree – BE, BW, CE, CW, D, P, WC, WE and WW. R- 24.5 Council should delete word secure so as to apply to all tenants	APPROVE

25	Arbitration (REMOVE 25.2 - 25.8)	1 oppose	APPROVE	Agree – BE, BW, CE, CW, WC, WE and WW Oppose – B&B, D, N&P, P and R	OPPOSE
26	Variation of Agreement (REMOVE SUB-CLAUSE 26.4)	3 oppose	OPPOSE	Agree – D, WC, WC, WW. Oppose – BE, BW, CE, CW, N&P, P and R	OPPOSE
27	Definitions		APPROVE	Agree – BE, BW, CE, CW, D, P,	<ul style="list-style-type: none"> ▪ Definition of 'lodger' to be added.
New Clause	Our right to carry out major works and works of improvement	5 oppose	N/A	N/A	N/A