



## **HOUSING SCRUTINY SUB-COMMITTEE**

MINUTES of the OPEN section of the meeting of the HOUSING SCRUTINY SUB-COMMITTEE held on 3<sup>rd</sup> NOVEMBER 2003 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor Anne YATES (Chair)  
Councillor Fiona COLLEY (Vice-Chair)  
Councillors Abdul MOHAMED, Dr Abdur-Rahman OLAYIWOLA,  
and Charlie SMITH

**CO-OPTED  
NON-VOTING  
MEMBERS:** Mr Al-Issa Munu [Tenant Co-optee]  
Mr Lionel Wright [Tenant Co-optee]

**OFFICER  
SUPPORT:** Harry Marshall – Divisional Housing Manager  
Hakeem Osinaike – Housing Needs Manager  
Miny Jansen – Housing Options Manager  
Glen Egan – Assistant Borough Solicitor [Community Services]  
Monica Daley – Legal Services  
Louise Gardiner – Scrutiny Team

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Jonathan HUNT.

### **CONFIRMATION OF VOTING MEMBERS**

The Members listed as being present were confirmed as the Voting Members.

### **NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMED URGENT**

The Chair agreed to accept the following items which had not been available for circulation with the main Agenda, i.e.

- Item 1: Housing Allocations Review – Session 2
- Choice Based Lettings Scheme - Officer Briefing
- Item 2: Review of Secure Tenancy Agreement [STA] – Consultation Update
- Minutes of Tenant Council meeting 27<sup>th</sup> October 2003
  - Updated table detailing current/proposed clauses in STA
- Item 5: Anti-Social Behaviour – Background Information
- Southwark Housing Strategy Conference [22/10/03] Workshop Pack – Anti-Social Behaviour & Community Safety

## **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were no interests declared nor dispensations notified.

## **RECORDING OF MEMBERS' VOTES**

Council Procedure Rule 1.17(5) allows a Member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Sub-Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

## **MINUTES**

**RESOLVED:** The Minutes of the meeting held on 7<sup>th</sup> October 2003 were agreed as a correct record of the proceedings.

### **1. HOUSING ALLOCATION REVIEW – SESSION 2** [see pages 1-34 & 101-112]

Members received a presentation from Miny Jansen on the Housing Allocation Review. The draft proposals are due to go to the Executive in March 2004. There will then be a period of community consultation on the proposals.

Ms Jansen advised the Homeswap scheme would continue alongside any new allocations scheme.

Members asked how the proposed new allocations scheme would deal with stigmatised estates. Officers suggested the proposed scheme treated tenants and potential tenants like adults able to exercise choice. Experience in other boroughs showed that people on the register became more realistic about their housing options. Pilot schemes in other London boroughs found that initially the numbers of people on the register initially increased when the new allocations policy was introduced, but that numbers decreased as people became more realistic about their chances of being allocated a property and sought other options, including in the private sector.

Officers advised the Council list/register would still exist under the proposed scheme, and that applicants would need to be accepted onto the list before being considered for a property. A small number of people may still need to have a property allocated to them. In some other boroughs, not all vacant properties were advertised for this reason (for instance in Newham, 70% of vacant properties were advertised). Some properties were reserved for emergencies, personal safety, decants and so on. The Allocations Review Board favoured advertising 100% of properties but a decision had not yet been made on this aspect of the proposals.

Mr Wright was concerned that vulnerable groups of people, such as the disabled and those with learning problems, might suffer under the new scheme. He suggested the non-passive nature of Choice Based Letting could lead to injustice for these groups.

Officers agreed Choice Based Letting required more active participation from applicants. Experience from other local Authorities suggests that this is empowering. The scheme offered choice to applicants who might not be in a position to access the private housing market. However, it was acknowledged that there also must be an effective safety network, and there would be facilitation available to those who needed it.

Mr Munu was concerned that there must be safeguards to protect vulnerable people and the Council's statutory responsibilities with respect to homelessness and housing for asylum seekers. He asked what would happen when the Council had no more properties to let.

Officers said the number of properties available goes down each year, but the Council works with other providers to identify suitable properties, including nominations to Housing Associations. This would continue under the proposed scheme. Officers directed members to the list of safeguards noted in the report on pages 101 and 102.

Mr Munu asked why there was only one new scheme proposed. Cllr Smith said that the Choice Based Letting proposal was the only option on the table, recommended by the Allocations Review Board, whose membership includes tenants.

Members queried the cost of the proposed scheme. Officers reported there were a number of ways Southwark could buy in to existing schemes. The cost profiles vary (up front costs vs ongoing). The Board has decided none of the existing schemes were ideal for Southwark and have asked officers to explore the option of joining with other local authorities in South East London. Those discussions have begun, but are not yet completed. Officers said the annual costs of the proposed scheme might not be greater than the current scheme.

Officers advised that the Council would still be required to operate a scheme even if it owned no properties. Such a scheme would nominate people for RSL properties.

Mr Wright sought an assurance that people on the register who did not make bids for properties would not be removed from the list.

Cllr Colley said people on the waiting list seeking transfer to another property made up 50% of her casework. They are often unhappy, confused and mistrustful of the system. She said she was keen to see a more transparent scheme in place. Training on the new scheme should include Members because of their role in providing housing advice to constituents, and Councillors should receive copies of the magazine that will advertise available properties.

**RESOLVED:**

1. Housing Scrutiny Sub-Committee notes:
  - The low level of satisfaction with the current allocations system;
  - The high level of refusals of offers to existing Council tenants;
  - The success of pilot Choice Based Letting schemes in other London boroughs.
2. The sub-committee therefore endorses the Allocation Review Board's decision to recommend Choice Based Lettings as the best option to empower people to make decisions over where they live and to exercise choice.

3. Furthermore the sub-committee recommends:

- That the Council explores the opportunity to develop a scheme with boroughs in the south-east London Sub-Region;
- That particular attention is paid to developing high quality support to vulnerable applications;
- Recognising the role of Members in providing housing advice, that training is provided to Members as well as staff.

2. **REVIEW OF SECURE TENANCY AGREEMENT [STA] – CONSULTATION UPDATE** [see pages 48-100]

Harry Marshall provided Members with an update on the position in respect of proposals for changes to the STA arising from Tenant Council 27<sup>th</sup> October 2003.

Mr Marshall said the intention was to send each individual tenant the summary of the Secure Tenancy Agreement together with a cover letter explaining the process, and invite tenants to submit comments in writing, email, or in person by the first week in December. The Housing Department will then consider tenants' feedback in advance of preparing firm proposals to go to the Executive in January, and notice to tenants in April 2004. A handbook for tenants will accompany the changes.

Cllr Yates was concerned that the scrutiny sub-committee wouldn't have the opportunity to review the outcome of the Tenants Council meeting in the 2<sup>nd</sup> week of December. Mr Marshall offered to write to all members of the sub-committee regarding the outcome of that meeting.

Mr Munu stressed that human rights issues should not be ignored in preparing the new secure tenancy agreements. Mr Marshall advised that legal advice had been received and that detailed account of the Human Rights Act had been taken.

Glen Egan advised that the Human Rights Act didn't guarantee a tenant's right to a home. It does say that the Council cannot interfere with a right of occupation unless through the legal process. He was satisfied the draft agreement met the requirements of the Act and that it struck the right balance. A clause in the draft agreement relating to eviction for abuse of a Councillor had been removed at the request of Tenants Council.

Mr Munu took issue with the parking clauses in the draft agreement. He said a number of estates had parking schemes, and that it should be up to individual estates to put schemes in place.

Mr Marshall undertook to ensure there was a member of staff in each area office able to answer questions about the new secure tenancy agreements. Interpreters would be available to help tenants with the agreement.

The Sub-Committee requested that a copy of the Audit Commission's recent publication on human rights be obtained for each Member of the Sub-Committee.

3. **EXECUTIVE INTERVIEW – PREPARATORY WORK**

Members considered possible areas of focus for the forthcoming Executive interview.

Members agreed that it would be O.K. for the Strategic Director of Housing to attend the meeting, but on the understanding that the focus of the meeting was on the Executive Member and that there would not be a joint interview.

**RESOLVED:**

1. That the chair writes to the Executive Member for Housing inviting her to attend the next meeting of the sub-committee.
2. That the Executive Member for Housing be advised in advance of the meeting of the following areas of focus for that meeting:
  - Housing vision and policy;
  - Decent homes standards on various estates;
  - Housing Repairs Call Centre;
  - Best Value Review of Housing Management, including stock options;
  - Future of Neighbourhood Housing Offices;
  - Tenants Fund; and
  - SGTO funding.

**4. PRE-SCRUTINY – ANTI-SOCIAL BEHAVIOUR [see pages 35-47]**

Members briefly discussed its approach to the joint scrutiny on anti-social behaviour.

**RESOLVED:**

1. That Cllr Hargrove, Chair of the Environment and Community Support Scrutiny Sub-Committee be invited to attend the next meeting to discuss the joint scrutiny.
2. That this item be first on the agenda at the next meeting.

**6. WORK PROGRAMME PLANNING**

Members considered the work programme for the next few months.

**RESOLVED:**

- That the 'Monitor of Major Works' item scheduled for the December meeting be deferred to January 2004.

Members wished Cllr Yates luck in her new role as Deputy Mayor.

The meeting ended at 9.40 p.m.

**CHAIR:**

**DATED:**