

## Overview & Scrutiny Committee (CALL-IN), 28.01.2004

### DEPUTATION REQUEST FROM SOUTHWARK GROUP OF TENANTS ORGANISATIONS [SGTO]

SGTO has been approached by a number of tenant organisations reps over concerns relating to the decisions of Tenants Council and subsequently the Executive on the proposed changes to the Tenancy Agreement.

The Tenancy Agreement came to Tenant Council (T.C) in September there was concern over a number of issues and delegates wanted independent legal advice.

A working group of delegates was elected to meet with Harry Marshall and an independent Lawyer to examine these issues. When the group arrived at Larcom Street, there was no independent Lawyer but a Southwark one, many were unhappy about this.

At the next meeting many delegates and Tenants who attended the meeting were very unhappy about this, we ran out of time, due to having to take another lengthy document, but put forward some proposals, it was sent out to all tenants for consultation. A Tenant asked at that meeting if she could bring an independent Housing Lawyer to the next meeting to advise Tenants the Chair refused her permission! At the next meeting on the 15th December a number of concerns were raised about some estates not having received the document and some street properties as well, and also Tenants and TRA'S who had written in were having their concerns edited down to a couple of lines or completely ignored. At one point we were told it was irrelevant that Tra's had said it was not part of the consultation, yet many Tenants chose that way to consult, as is there norm!

The debate at this meeting was very heated and finally the Chair put a motion seconded by the vice-chair and passed unanimously. Part of this reads "further housing legal advice, which must be independent needs to be sought". This was to go to the Executive.

The Chair and Vice-Chair were subsequently called to a meeting at Larcom Street and following discussion reviewed this decision, stating "it did not accurately reflect the views of the meeting held in October". The matter was to be reviewed at the next meeting in January.

Our understanding was that the Chair had agreed to this on the proviso that an independent Legal Adviser was at that meeting. A few days before the meeting the Vice-Chair contacted me to say she had now been told by an officer that the Council was not prepared to pay for this. The comments made to her by the officer were not particularly pleasant, she advised me to try in the few days left to obtain some independent advice.

Myself and other Tenant reps begged some free independent advice, which basically told us not to pass anything without further advice, as there were a number of concerns.

At the meeting on the 12th January SGTO put a motion asking for further legal advice, which was immediately seconded. The chair at the request of an officer called an immediate adjournment and went off into another room with Cllr Bassom, officers and the Councils Legal Adviser. When the meeting resumed she read out a motion which was seconded and then declared she was moving to the vote. A delegate questioned the right to further debate the motions, but she refused to allow any questions, discussion or debate.

The basis of the motion centres around T.C. decision at its October meeting before the document was consulted on as per the law with Tenants, it also includes the fact that the handbook will now be incorporated into the Tenancy Agreement, BUT that document has yet to be written, and I believe under the law all Tenants should therefore be consulted on that also.

At the end of the meeting a couple of the delegates who had voted for the motion, thought that the Councils Legal adviser was in fact the independent adviser and were horrified when they realised what had happened, this is a classic example of what happens when people are not allowed to openly debate or discuss any issue.

We would like Overview and Scrutiny to look at this issue, with regard to the issue of consultation, and refusal to the Tenants movement for independent Legal Advice.

**Nancy Horwood**  
**Chair SGTO**