



# TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM

**THURSDAY 27 JULY 2006  
7.30 PM**

**FORUM AGENDA (CONSULTATIVE)**

**COMMITTEE ROOMS 1&2  
HARROW CIVIC CENTRE**

**MEMBERSHIP (Quorum 3 Council Members)**

**Chairman: Councillor Marilyn Ashton**

**Councillors:**

**Don Billson**

**Bob Currie  
Phillip O'Dell**

**Representatives of Individual Housing Estate Tenants' and Residents' Associations**

**Reserve Members:**

1. –
2. Robert Benson
3. -

1. David Gawn
2. B E Gate

**Issued by the Democratic Services Section,  
Legal Services Department**

**Contact: Kevin Unwin, Committee Administrator  
Tel: 020 8424 1265 E-mail: kevin.unwin@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:  
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.  
IT WILL BE COLLECTED FOR RECYCLING.***

**HARROW COUNCIL**

**TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM**

**THURSDAY 27 JULY 2006**

**AGENDA - PART I**

1. **Appointment of Chairman:**

To note the appointment of Councillor Marilyn Ashton at the Cabinet meeting on 8 June 2006 as Chairman of the Tenants' and Leaseholders' Consultative Forum for the Municipal Year 2006/2007.

2. **Attendance by Reserve Members:**

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

3. **Declarations of Interest:**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

4. **Appointment of Vice-Chairman:**

To appoint a Vice Chairman of the Tenants' and Leaseholders' Consultative Forum for the Municipal Year 2006/2007.

5. **Arrangement of Agenda:**

To consider whether any of the items listed on the agenda should be considered with the press and public excluded on the grounds that it is thought likely, in view of the nature of the business to be transacted, that there would be disclosure of confidential information in breach of an obligation of confidence or of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

Enc. 6. **Minutes:** (Pages 1 - 6)

That the minutes of the meeting held on 2 March 2006, having been circulated, be taken as read and signed as a correct record.

- Enc. 7. **Matters Arising from the Last Meeting:** (Pages 7 - 10)  
Report of the Head of Housing Services.
8. **Public Questions:**  
To receive questions (if any) from local residents or organisations under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).
9. **Petitions:**  
To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).
10. **Deputations:**  
To receive deputations (if any) under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).
- Enc. 11. **Terms of Reference:** (Pages 11 - 12)  
To note the Terms of Reference of the Tenants' and Leaseholders' Consultative Forum.
- Enc. 12. **Performance of the Housing Service for the Year Ended 31 March 2006:**  
(Pages 13 - 20)  
Report of the Head of Housing Services.
13. **Open discussion with the Chairman of the Tenants' and Leaseholders' Consultative Forum:**
- Enc. 14. **Appointment of Independent Advisor:** (Pages 21 - 22)  
Report of the Head of Housing Services.
- Enc. 15. **Leasehold Services:** (Pages 23 - 28)  
Report of the Head of Housing Services.
16. **Any Other Urgent Business:**  
Which the Chairman has decided is urgent and cannot otherwise be dealt with.
17. **Date of Next Meeting:**  
To note that the next meeting of the Forum will be held on 30 October 2006.

**AGENDA - PART II - NIL**

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**TENANTS' AND LEASEHOLDERS'  
CONSULTATIVE FORUM**

**2 MARCH 2006**

Chair: \* Councillor Currie

Councillors: \* Margaret Davine \* Knowles  
\* Mary John (2)

\* Denotes Member present  
(2) Denotes category of Reserve Member

**Tenant and Leaseholder Representatives**

Representatives from the following Associations were in attendance:-

Alexandra Avenue Tenants' and Residents' Association  
Antoney's Close Tenants' and Residents' Association  
Brookside Close Tenants' and Residents' Association  
Cottesmore Tenants' and Residents' Association  
Eastcote Lane Tenants' and Residents' Association  
Harrow Federation of Tenants' and Residents' Association  
Miscellaneous Properties Residents' Association  
Woodlands Community Association

(In total, 13 representatives were in attendance.)

**PART I - RECOMMENDATIONS**

**RECOMMENDATION 1 - Leasehold Services**

The Forum received a report of the Executive Director (Urban Living), outlining plans to revise the structure of leasehold services, and to apply a new tariff to its administration. The Forum heard that tenants, through the Housing Revenue Account (HRA), currently subsidised services provided to leasehold properties, compensating for shortfalls in funding, stemming from the existing scheme of charges. Officers suggested that the Forum recommend to Cabinet a revision in these charges in line with the proposals listed in the report.

Officers reported that service charge arrears in this area currently stood at £514,280, of which £125,933 was deemed to be 'historic' or old debt, and £93,900 of which could potentially be written off. The Forum heard that this debt was difficult to recover owing to leaseholders selling properties before disputes had been resolved, and that pursuing such debts through the judicial system was costly.

Members of the Forum expressed concern that leaseholders were not receiving invoices for works on a regular annual cycle, and that delays in this area contributed to the difficulty in collecting service charges. Supporting this, officers told the Forum that plans to retain the specialist Leasehold Services Team would mean that this would be monitored more effectively in future, and that efforts were currently underway to ensure that costs incurred were invoiced to leaseholders at the point at which the service had been provided and would include revised payment plans to ensure ability of leaseholders to pay the charges.

In response to a Member's question regarding the financial implications of writing off service charge arrears to leaseholders, the Forum was informed that the HRA budget would cover the cost. Regarding accuracy in the amount of debt to be written off, officers offered to confirm the levels to a future meeting. Concerns were also raised over the level of re-charge to tenants and leaseholders, which included contractors' costs and omitted the costs of the Council in undertaking the necessary works. Officers concurred with this, and stated that they would ensure that costs for managing and delivering the works would be re-charged.

Representatives of the Tenants' and Residents' Associations asked that they continue to be informed of scheduled works.

**Resolved to RECOMMEND: (to Cabinet)**

That future policy for the management of the Council's leasehold residential properties be approved and in particular that:

- (i) major works be invoiced separately;
- (ii) a separate management fee be levied against major works accounts to cover the fees in relation to all of the work carried out by the Asset Management and Design and Build Teams;
- (iii) a separate management fee for major works, to be quantified but currently envisaged to be 15%, be introduced; and
- (iv) all consultancy fees be recharged.

## **PART II - MINUTES**

### 271. **Attendance by Reserve Members:**

**RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Billson	Councillor Mary John

### 272. **Declarations of Interest:**

**RESOLVED:** To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

### 273. **Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
14. Leasehold Services	Production of the report was delayed owing to the need to include information from the 'Right to Buy and Leaseholder Management Exhibition', held on 6-7 February 2006. This exhibition contained details of local best practice relevant to the report. Members were requested to consider this item as a matter of urgency.

(2) all items be considered with the press and public present.

### 274. **Minutes:**

**RESOLVED:** That the Chair be given authority to sign the minutes of the meeting held on 5 January and 18 January 2006, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume.

### 275. **Matters Arising from the Last Meeting:**

The Forum considered a report of the Executive Director (Urban Living), which set out progress made on issues raised at the meeting held on 5 and 18 January 2006.

#### Eastcote Lane Estate

A representative of Eastcote Lane Tenants' and Residents' Association reiterated concerns that they were not informed of works to remove cobbles and replace them with concrete. Officers responded that they reserved the right to conduct work on health and safety grounds without prior notice, but stated that they would endeavour to inform Associations of scheduled work in future.

#### Petitions

A representative stated that information provided by the Council relating to the petition regarding dangerous dogs at Jordan Close had been misleading. Having spoken with the police, the representative stated that they had been advised it was not solely a police matter. Officers responded that they were seeking a date for a Court injunction, which would be confirmed shortly. They added that they would contact petitioners with further information once they knew this date. Members requested that they also be kept informed.

Tenants' and Residents' Associations

In addition to a list of existing Tenants' and Residents' Associations (TRAs) circulated at the meeting, officers informed the Forum that they were working to develop new TRAs as documented in the report.

Representatives queried the criteria set out to qualify as a TRA, citing the small membership and limited activity of some associations. Officers responded that whilst there were currently no definite criteria for TRA qualification, they were working to establish this more concretely, and to revitalise existing TRAs.

Matters Raised by the Harrow Federation of Tenants' and Residents' Associations

It was reported that an officer from the New Harrow Project Team would be present at Estate inspections in the new Municipal Year.

Minor Estates Improvement Performance and Programme for Future Years

The Forum heard that a hedge obstructing pavements had not yet been dealt with. Officers undertook to ensure that this would be addressed.

Access to Committee Rooms

The Chair informed the Forum that he would contact the resident concerned with a response.

Grounds Maintenance

The Forum heard the following:

- that issues surrounding wheelchair access in the Woodlands area had been resolved;
- that damage to grass verges by sanitation vehicles was being investigated by the Urban Living Infrastructure Group;
- officers had been alerted to the dumping of grass in Pinner Hill;
- pilot sites for the recycling scheme for flats had been identified;
- that an Estate Liaison Officer had been sent out to inspect the site of flooding in the Cottesmore area.

Capital Programme

Members were informed that some properties in Brookside Close were to be surveyed in the next round of the condition survey. Officers stated that the properties sampled in the original survey had not been representative of the condition of all properties in the area, and that additional surveys were being arranged accordingly. Responding to a query regarding TRA involvement in the survey process, officers commented that they welcomed TRA input, but that this could not be included too early, as this would bias the survey's methodology.

The Forum also heard that whilst officers were currently experiencing problems with the readability of recent data, action was being taken to remedy this.

Options Appraisal

Officers clarified that the gap between available resources and the resources required to meet the Decent Homes Standard by 2010 was £7.185 million.

A Member queried the total cost of the project and officers agreed to respond in writing to the Member.

Matters Raised by Cottesmore Tenants' and Residents' Association

Regarding the issue of protected trees damaging a Church in the area, Officers told the Forum that they required further details from a representative of Cottesmore TRA to progress the matter.

In response to a representative's query as to the likely timescale of the trees being dealt with, officers stated that the next phase of work, including tree maintenance, was due to start in April 2006. A resident queried the delay in replying to the original complaint, a response to which was still to be received. Officers agreed to respond to the resident and the Chair with more details. Officers also agreed to look into similar complaints lodged in the Brook and Cottesmore estates.

A Member queried which budget funded works of this kind, when conducted on Health and Safety grounds. Officers responded that works were funded from the Grounds Maintenance budget.

**RESOLVED:** That the report be noted.

276. **Public Questions:**

**RESOLVED:** To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

277. **Petitions:**

**RESOLVED:** To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

278. **Deputations:**

**RESOLVED:** To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

279. **Internal Decorations Programme:**

The Forum received a report of the Executive Director (Urban Living), detailing the internal decorations programme, its funding and the existing internal decoration policy.

The Forum heard that owing to constraints on the budget, allocated from the HRA, the internal decorations programme was lower in priority than works considered relevant to Health and Safety or maintenance. No works under the programme were currently scheduled until 2007/8.

Members of the Forum queried the appropriateness of the policy behind the programme, which stipulated that only those over retirement age residing in a one-bedroom property would be eligible for the scheme. Residents raised concern that disabled tenants might suffer under this arrangement. Officers accepted that the policy needed adjusting, and stated that they were looking to undertake a review accordingly. A resident queried why works under the programme were fixed as a package, and did not allow for piecemeal decoration as required. Officers responded that they would examine this issue.

A Member queried the reason behind the report's claim that the programme had overspent in 2003/4. Officers told the Forum that this was because there had been a mistaken belief that surplus money from preceding years could be brought forward, but that had proved not to be the case.

**RESOLVED:** That the report be noted.

280. **Tenant and Leaseholder Handbooks:**

Officers presented a report of the Executive Director (Urban Living), updating the Forum on revisions to the tenant and leaseholder handbook. Originally produced in 1999, the handbook had been updated in 2003, and would now undergo further revisions to comply with legislative changes and new working practices.

Officers reported that they were amending specific sections of the handbook rather than the document as a whole, and that the new sections would be finalised by the end of March 2006, for distribution to tenants by May 2006.

A resident queried whether tenants under the Care in the Community scheme were subject to the rules of the tenant handbook, and by what method they were placed in housing. Officers responded that no Care in the Community tenants were placed by social services, as all tenants were placed through the Locata scheme. As a result, normal introductory tenancy agreements would apply. It was added that social services did not own any housing stock, but that residents with social care needs were given appropriate support.

A representative from the Resident Empowerment Working Group added that they had been consulted, and were satisfied with the revisions.

**RESOLVED:** That the report be noted.

281. **Leaseholder Survey Feedback:**

The Forum was presented with a report of the Executive Director (Urban Living), setting out findings gathered from the Leaseholder Satisfaction Survey, carried out in October/November 2005.



As a result of this feedback, officers commented that they were planning to investigate the establishment of a leaseholders focus group or forum, as sufficient numbers of leaseholders had expressed an interest. In addition, other action points included improving leaseholder satisfaction with final outcomes of queries, and examination of the possibility of an information newsletter, to be distributed quarterly.

**RESOLVED:** That the report be noted.

282. **Leasehold Services:**  
(See Recommendation 1 above.)

283. **Any Other Business:**  
A resident raised the issue of the Council's ability to control the buying and selling of leasehold properties, particularly in instances where leaseholders were letting properties and then buying elsewhere, particularly in view of anti-social behaviour by subsequent occupants. Officers responded that they were not in a legal position to control subsequent sales of leaseholder properties, as leaseholder agreements were connected with the ownership of a property. As a result, issues such as the behaviour of leaseholders or subsequent occupants of leasehold properties were beyond the remit of the Council. However, officers stated that they could protect the interests of tenants who were adversely affected by anti-social behaviour.

A Member pointed out existing legislation that could be brought to bear on this issue, such as the European Convention of Human Rights, as well as the Crime and Disorder Act, and urged that residents experiencing problems with anti-social behaviour report such incidents.

The issue of a window replacement letter, which had been incorrectly sent out, was brought to the Forum's attention. Of particular concern was the letter's assertion that contractors would call without appointment, and potentially conduct work without resident approval. It was added that, after pursuing the letter, residents had been informed that it was out of date, and had been sent to properties that had recently had windows reinstalled. Officers responded that the situation was unsatisfactory, and that the error had occurred during a mail merge. Letters would be sent out to those residents affected. In addition, officers stated that it was unacceptable for contractors to call without appointment, and that this assertion would be investigated.

A resident requested that TRAs be informed of all scheduled works, as there had been recent issues surrounding the safety of vulnerable residents. Officers stated that they would endeavour to ensure that TRAs were kept informed of scheduled works.

A representative of Cottesmore TRA raised concerns over the timings of works to install kitchens and windows, with the schedule of works meaning that windows would be installed later, thus disrupting the earlier installation of kitchens and necessitating further work. Officers undertook to investigate.

Members of the Forum thanked the Chair for his work in leading the Forum over the past four years. The Chair in turn thanked residents and members for their valuable contributions to the Forum, and the progress that had been made as a result.

**RESOLVED:** That the above be noted.

284. **Date of Next Meeting:**

**RESOLVED:** To note that the next meeting of the Forum was scheduled to place on 19 July 2006.

285. **Extension of the Guillotine:**  
In accordance with Advisory Panel and Consultative Forum Rule 12.1 (Part 4E of the Constitution) it was

**RESOLVED:** At 10.00 pm to continue until 10.05 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.05 pm)

(Signed) COUNCILLOR BOB CURRIE  
Chair

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Meeting:	Tenants' and Leaseholders' Consultative Forum
Date:	27 July 2006
Subject:	Matters Arising from the Tenants' and Leaseholders' Consultative Forum Meetings held on 2 March 2006.
Responsible Officer:	Gwyneth Allen Interim Head of Housing
Contact Officer:	Gwyneth Allen Interim Head of housing
Portfolio Holder:	Marilyn Ashton Development and Planning (Strategic) Portfolio Holder.
Key Decision:	No
Status:	Part 1

## Section 1: Summary

### Decision required

1.1 We only need to note the report.

### Reason for report

This report gives information about issues raised at the meeting on 2 March 2006 – what has happened since. (Some of the issues are on the agenda as separate items.)

### Benefits

N/A

## Cost of Proposals

N/A

## Risks

N/A

## Implications if recommendations rejected

N/A

## Section 2: Report

### 2.1 Brief history

This report is about issues that were raised at the Tenants' and Leaseholders' Consultative Forum meeting on 2 March 2006. They all relate to how the council manages and maintains its permanent housing stock.

### **Matters Arising from the Last Meeting (Minute 275)**

#### **a) Eastcote Lane Estate**

A representative of ELTRA complained again that they were not told about works to replace cobbles with concrete. Officers replied that they reserve the right to do work on health and safety grounds without prior notice. However, they will try to tell associations about work in future, wherever possible.

**Action: There is no further comment about this matter.**

#### **b) Petitions**

A representative stated that the council gave misleading information about dangerous dogs at Jordan Close. The representative said that the police say that this is not, in fact, just a police matter. Council officers responded that they were seeking a date for a Court injunction, which would be confirmed shortly. They also added that they would contact petitioners with further information once they knew this date. Members requested that they also be kept informed.

**Action: The council has been granted an injunction, and the council did later take action when the injunction was breached. Harrow Council is working closely with the police to ensure that no further anti social behaviour takes place on this estate.**

#### **c) Minor Estates improvement performance and programme for future years**

There was a complaint about a hedge which obstructed pavements, and which had not yet been dealt with. Officers said they would deal with the problem.

**Action: Harrow Council inspected the area. The hedges causing concern belong to 14 and 20 Woodlands Drive, and therefore the council is exploring enforcement options as these are private properties.**

**d) Access to committee rooms**

The Chair informed the Forum that he would contact the resident concerned with a response.

**Action: The former Chair of TLCF has resolved this item**

**e) Options appraisal**

A Member queried the costs of the totality of the project; Officers agreed to respond in writing to the Member.

**Action: Officers have written to the Member giving the details.**

**f) Matters Raised by Cottesmore Tenants' and Residents' Association**

This was a problem where protected trees were damaging a church in the area. Officers told the Forum that they needed more details from a representative of Cottesmore TRA to do anything further.

A representative asked how long dealing with the trees was likely to take. Officers said that the next phase of work, including tree maintenance, was due to start in April 2006. A resident queried the delay in replying to the original complaint, still to be received. Officers agreed to respond to the resident and the Chair with more details. Officers also agreed to look into similar complaints lodged in the Brookside and Cottesmore estates.

**Action: Some of the trees are being pruned during July, as advised by the arboricultural officer. Further pruning works have been requested by residents and following a visit by Council Officers the work requested has been ordered.**

**g) Internal Decorations Programme (Minute 279)**

Members of the Forum queried the appropriateness of the policy behind the programme, which states that only people over retirement age, living in a one-bedroom property, are eligible. There was concern that disabled tenants might suffer under this arrangement. Officers agreed the policy needed adjusting, and they were looking to review the policy. A resident asked why works under the programme were fixed as a package, and did not allow for piecemeal decoration as required. Officers responded that they would examine this issue.

**Action: The policy for internal decoration is linked to the under occupation strategy, and is currently under review.**

**h) Any Other Business (Minute 283)**

Someone told the Forum about a window replacement letter, which had been incorrectly sent out. The major concern was that the letter said that contractors would call without appointment, and could do work without

residents' approval. Officers stated that it was unacceptable for contractors to call without appointment, and that they would look into the letter.

**Action: There was a mistake when a council officer did a computer mail merge. This meant that a number of incorrect letters were sent out. Letters of apology have been sent out to those people.**

**To confirm: all contractors must contact tenants before they visit.**

A representative of Cottesmore TRA raised concerns over the timings of works to install kitchens and windows. The schedule had meant that windows were installed after kitchens, making extra work and messing up the new kitchens. Officers said they would investigate.

**Action: The council will try to make sure that all work on a property will take place at one time, at a convenient time for the tenant, as far as possible. If, because of financial planning, work has to be split into more than one contract, they will try to make sure that external work is done separately from internal work.**

### **Section 3: Supporting Information/ Background Documents**

None

1. To consider and submit its observations to the Executive on:
  - (a) the annual Housing Revenue Account Budget, in particular, on the consequent rent implications, and
  - (b) such other specific issues as may be referred from time to time by the Executive.
2. To discuss items of major significance to all, or a significant number of, Associations concerning the management and ownership of the Council's Housing Stock.
3. Individual items and matters relating to particular Estates shall be considered by the Forum only if they have initially been referred to the appropriate division/department and, after an appropriate length of time has elapsed, the Association are not content with the Council's response.
4. The Forum shall meet four times (quarterly meetings) in the Municipal Year with representatives of recognised Tenants' Associations drawn from all the Council's Housing Estates. One meeting shall include discussion of the revenue budget proposals.
5. Meetings of the Forum with individual Tenants' Associations may be held only to discuss items of major significance relevant to a particular estate, such as a major refurbishment works etc., as necessary on an ad hoc basis (but not more than twice in a twelve month period). Such meetings may be held either (a) at the behest of the Council, or (b) upon a request by a Tenants' Association. Relevant ward members shall be advised of meetings of the Forum with individual Tenants' Associations.
6. Recognised Tenants' Associations shall be entitled to send two representatives each to the quarterly meetings. In the event that a vote is taken in order to gauge tenants' opinion on a particular issue, recognised Tenants' Associations shall be entitled to one vote each.
7. The Chair of the Forum shall be appointed annually by the Cabinet

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## Housing Performance 2005/06

Last year was a challenging one for Housing Services. We completed a major options appraisal of our stock, which involved many tenants and leaseholders. We asked you to choose the option you wanted and 90% of respondents said you wanted your homes to stay with the council.

Therefore we will keep our housing stock, and we are continuing to work hard to give you a good service.

Our performance last year:

### Voids and lettings

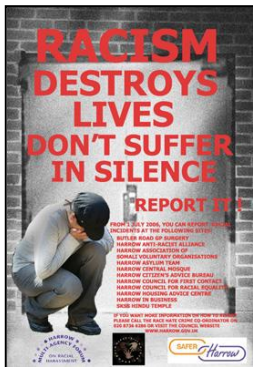
- Last year 282 properties became empty (void).
- We reduced our void turnaround time from over 45 days to just over 42 days. We're continuing to work hard to reduce this to our target of 35 days.
- We let 299 properties in total.
- 51 tenants also transferred to more suitable homes within Harrow.

### Rents

We collected over £20 million in rent, nearly 98% of the rent owed to us. Just over 15% of tenants owed us more than seven weeks rent.

### Tenancy management

During 2005/06 we evicted seven secure tenants for rent arrears. We also served an injunction and demoted two tenancies (the tenants have lost their rights as secure tenants) for anti-social behaviour.



We had three cases of racial harassment reported to us last year, which we dealt with thoroughly and carefully. Third party reporting is being launched this year, which means you can report racial harassment at 11 different sites across Harrow if you prefer not to visit a police station.

Our tenant participation team worked with tenants over the last year to create three new tenants and residents associations (TRAs), with a further three currently in development. Nearly either formal or informal tenant groups represented 55% of tenants.

### Estate Management

Each year we have a budget to carry out minor estate improvement works. Individual residents and Tenants and Residents Associations (TRAs) request works and these are prioritised. During 2005/06 we completed over 35 different projects, from marking out parking bays and providing storage for buggies, to replacing walls and fencing, installing new lighting in communal areas and laying new paths.



In 2006/07 we have already completed four projects.

## Repairs

Nearly 17,000 repair orders were placed during 2005/06 – that's over 1,400 per month! Most were for plumbing, heating, electrical and carpentry. Over 71% of orders were classed as urgent, but we still completed over 96% within the time limits – better than our target of 95%. A key aim for this year is to reduce the number of urgent repairs.

## Decent homes and planned maintenance

Last year we brought 475 homes up to the decent homes standard. We installed:

### 257 kitchens



### 266 bathrooms



### New windows to 398 homes



### 141 new heating systems

We also rewired 265 homes, and we completed adaptations to 216 homes to meet tenants' specific needs, spending nearly £650,000.

## So what's in store for 2006/07?

We're continuing to work hard to make further improvements to the services we provide to you. 'Access Harrow' and our new one-stop shop, will make it easier for you to contact us. There have been start up difficulties but we expect these to have improved by the time the formal launch takes place at the end of July. The contact number for Housing is 0208 420 5611.

## Allocations and lettings

We are reviewing the way in which we provide temporary accommodation for households who are homeless and who are waiting for their case to be assessed. We hope to be able to work closely with the YMCA in Roxeth in providing care and support for single vulnerable young people.

We will continue to work with our Local Authority and Housing association partners who use Locata to offer a choice based letting scheme for the allocation of new tenancies of rented accommodation.

Our enabling team will ensure that the 150 new homes for rent and shared ownership are well designed and accessible

## **Rents**

During the year we will be working on the structure of the rents charges to separate service charges from rent. This process is referred to as de-pooling and enables us to move towards ensuring that the service charge element of the rent reflects the services we provide. We aim to complete this exercise to ensure that the outcome of the review is included in the rental charge review effective from 1<sup>st</sup> April 2007.

## **Tenancy management**

We have started work on reviewing the tenancy agreement to ensure that the agreement is in line with current legislation. The agreement was last reviewed in 1992 and recent changes in law need to be included in the new agreement. The tenancy agreement sets out the contract between the Council and its tenants. We expect to complete the review during the year.

The revisions to the tenancy agreement and the changes to the contract for delivering repairs mean that the tenant handbook will be reviewed to reflect those changes.

## **Repairs**

We have recently made changes in the way in which our repairs and improvement service is delivered and it is now being delivered as part of the property maintenance service to all building owned by the Council. This provides an improved technical assessment of property matters.

New partnering arrangements will come into effect through partnering arrangements, which should be in place by next summer... The new contract will deliver improvement to your homes and deliver the day-to-day repairs service. This should ensure that we can introduce a booking system for appointments to carry out any repairs needed, introduce diagnostic approach into access Harrow to ensure that we have a clear picture of the repair required and therefore ensure that your repairs are correctly carried out during the first visit. The new contract is also intended to reduce the costs of the service provided.

We will bring xxx homes up to decent homes standard during the year and we will work with tenants to ensure that we meet their requirements when working in your homes.

We will be working with tenants and leaseholders at Mill Farm and Grange Farm to consider the possibilities for regeneration of these two estates.

The list of properties that will receive improvement works during 2007/8 and 2008/9 will be published later this year and will be available to ensure that the detailed consultation with individual tenants starts well in advance of the next financial year.

We are carrying out a review of the care taking service to improve the services we are able to provide. We will review the use and access to the Centres by TRA's and groups active in our community.

### **Tenant and leaseholder participation**

The involvement of an independent tenant adviser will enable us to work together to consider our approach to TLCF, HFTRA and the tenants and Residents Associations, as we need to ensure that the communication we have with you is effective and provides an opportunity to influence service improvement.

We have started the review of the tenant compact and it will provide a clear framework for the way in which we work with you and keep you informed about the performance of the housing service. The compact also sets out the ways in which you can influence the service all tenant and leaseholders receive.

The tenant compact is being up dated and provides a clear framework for the way in which we work with you and keep you informed about the housing service. It also sets out ways in which you can influence the service all tenants and leaseholders receive

### **Satisfaction survey**

In September we expect to have the results of the tenant survey that we are sending out shortly. Through the survey you can let us know what you are pleased with and you can let us know where we need to improve.

### **Communication**

A current contact list is provided so that you know whom to contact and we will re-issue this form time to time to ensure that you can reach us when you need to.

Gwyneth Allen  
Interim Head of Housing  
14<sup>th</sup> July 2006

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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#### ITA update for TLCF report

The Council proposes to appoint an Independent Tenant Adviser (ITA) to review and strengthen the current resident engagement structure to ensure that it is representative, effective and makes best use of resources. This follows on from the work on resident empowerment carried out as part of the Options Appraisal in 2005.

The scope of the review will include;

- TLCF, HFTRA, the TRAs' formation and accountability and the means by which they are supported e.g. delegated budgets.
- Communication structures and methods
- The means by which resident representatives may move towards establishing a Tenant Management Board, as expressed in the conclusion of the Options Appraisal 2005.

The ITA's role will include:

- Encouraging and enabling representatives of all groups, but particularly the often-excluded groups, to participate in the Review
- Agreeing and organising a programme of training and development for resident representatives to support and equip them to participate in the Review and ongoing resident engagement
- Representing and supporting resident representatives in discussions with the Council on the review.

Housing are currently consulting HFTRA on a draft brief for appointment of the ITA and the REWG has been similarly consulted. It is proposed that both HFTRA and REWG nominate resident representatives to participate in the selection of the ITA, supported by officers. The invitation to tender will be issued within the next 4 weeks.

Jane Fernley  
12 July 06

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<b>Meeting:</b>	Tenants' and Leaseholders' Consultative Forum
<b>Date:</b>	27 July 2006
<b>Subject:</b>	Leasehold Services
<b>Responsible officer:</b>	Gwyneth Allen, Interim Head of Housing
<b>Contact Officer:</b>	Sally Thompson
<b>Portfolio Holder:</b>	Marilyn Ashton Portfolio Holder for Development and Planning (strategic)
<b>Key Decision:</b>	No

## Section 1: Summary

### Decision required

- 1.To recommend that TLCF consider the increased charges set out in 2.2.1(a) and 2.2.1(b) of this report.
- 2.To recommend that TLCF note the consultation in respect of the proposed increases in charges to council leaseholders.

### Reason for report

To agree a clear framework for charging leaseholders for services provided.

### Benefits

The key benefits will be an improved service for the council's leaseholders, and a fair distribution of the costs of providing leaseholder management services.

### Cost of proposals

The costs of making the changes are negligible. They can be contained within the existing budgets for 2006-2007. and income will be increased.

### Risks

The council's leaseholders may not welcome the changes in charges.

## **Implications if the recommendations are rejected**

If the recommendations are not accepted, there will be less money coming into the Housing Revenue Account. The current system will continue, which means that the distribution of the costs of providing services is not fairly distributed between tenants and leaseholders.

## **Section 2: Report**

### **2.1 Brief history**

Harrow Council has 1099 leaseholders. The Home Ownership Section provides a management service for the council's leaseholders, including answering questions, consulting about major works, and managing the Right to Buy process.

We invoice leaseholders at the end of each year for ground rent and service charges. For most people, there is a ground rent of £10 per year. In addition leaseholders are charged the costs of repairs and improvements, and services such as looking after the grounds, together with a 10% fee to meet the costs of running the Home Ownership Section.

When we reviewed the way we manage Housing, we found that a 10% fee doesn't cover the full cost of providing the leasehold service. We are currently reviewing the costs of providing this service to leaseholders and will implement any changes on a phased basis.

### **2.2 Options considered**

#### **2.2.1 Charges**

##### **(a) Costs of providing the service**

We have a duty to collect the cost of providing our leasehold services. The Housing revenue account has to pay for the shortfall and therefore we need to increase our charges.

We can either do this by charging a higher percentage for administration within the service charge and/or by charging each leaseholder a flat fee. The leases provide capacity for Harrow to take either route.

##### **(b) Legal enquiries**

If someone sells or sublets a leasehold property, we have to deal with the solicitor's enquiry – we get about 200 enquiries per year. It takes at least three hours, and up to two days, to deal with each enquiry, including:

- Getting lease and ground rent information
- Changing records
- Photocopying
- Checking legal information
- Checking financial information

At the moment, the most we charge is £64.25. That just doesn't cover the costs, which are usually between £100 and £200. Other London boroughs charge more, so we propose putting

up our prices in line with Camden, which runs its services in the same way to Harrow. Camden provides a three star service.

<b>Transaction</b>	<b>Current Harrow</b>	<b>Camden</b>	<b>Proposed Harrow</b>
Assignments	£64.25	£200 for pre assignment enquiries, including preparation of documents and serving the Notice	£200
Solicitors' enquiries	£64.25	£90	£90
Notices for Land Registration	£42	£45	£42
Re-mortgages	£42	£90	£50
Postponement	£49.35 + VAT	£100	£60 + VAT
Registering a sub-letting	No charge	£20	£10

The proposed charges for Harrow are based on the time spent by leasehold services and the legal section in dealing with an enquiry, which we have compared to Camden for best practice.

### **c) Major works**

We currently charge leaseholders costs plus a 10% administration fee for any work done. But this doesn't include the internal cost of designing and arranging the work. We propose to charge leaseholders that have work done to their property, the amount it costs the Council to carryout that work. We intend to charge leaseholders separately for major work, as soon as the final figures are available, not grouped with the annual service charge.

### **2.2.2 Collection of charges**

We intend to bring charging up to date and make it easier to understand. We will separate the estimated costs from the actual costs. We will introduce these changes incrementally over two years.

The proposed timetable is set out below:-

#### **July 2006**

Invoice actual costs for year ended 31 March 2005 and estimated costs for year ended 31 March 2006. All invoices have now been sent out.

#### **September 2006**

Invoice actual costs for year ended 31 March 2006

#### **March 2007**

Invoice estimated costs for the year ended 31 March 2007

## **July 2007**

Invoice estimated costs for the year ended 31 March 2008

## **September 2007**

Invoice actual costs for year ended 31 March 2007

This is a catch-up to achieve good practice, and it will mean that leaseholders receive three invoices over a two-year period.

This change is not intended to cause hardship. If it does put some leaseholders in a difficult financial situation we will ensure that leaseholders that have problems are able to make payment by installments.

We are in the process of setting up a leaseholders' forum. This forum will enable us to discuss the proposals set out in the report with the people who are going to be directly affected by the changes. This forum will also enable us to address the other issues that were mentioned in a recent leaseholder survey.

## **Debts**

Total leaseholder debts billed and not collected are £325,507.68.

Of this, £219,000 relates to charges invoiced before October 2005.

We have made considerable progress in the collection of outstanding debt. This time last year (£718,290) was outstanding. We have a policy of collecting arrears, and our home ownership team is working hard to collect all outstanding service charges.

In 2005/6 we wrote £37,000 off as bad debts – we didn't write any bad debts off in earlier years. A debt review is now undertaken at the end of each financial year in line with good practice.

## **2.3 Consultation**

We'd like TLCF to discuss this report at its meeting on 27 July. There after full consultation with leaseholders will take place.

## **2.4 Financial Implications**

The financial implications are laid out within the body of the report. Information has been collated from different sources within Harrow Council.

All costs included in implementing these proposals will be met from within existing Housing Management budgets. The proposed changes will help to ensure a fairer distribution of the costs of providing leasehold and management services.

Additionally, the proposed timetable for Collection of Charges should ensure that charging is brought up to date as well as making it easier to understand.

## **2.5 Legal Implications**

**2.5.1** The Local Government Act 2000 gives the Council power to do anything that they consider likely to achieve one or more of the following objects: (a) the promotion or

improvement of the economic well-being of their area;(b) the promotion or improvement of the social well-being of their area, and(c) the promotion or improvement of the environmental well-being of their area.

**2.5.2** The Landlord and Tenant Act 1985 imposes a general requirement of reasonableness in relation to service charges. Costs may only be taken into account in determining the amount of a service charge if they are reasonably incurred and, where the costs relate to services, if the services are of a reasonable standard. Where a service charge is payable before the relevant costs are incurred, no greater amount than is reasonable is so payable.

**2.5.3** In circumstances where the service charge relates to works on a building or agreements for a term greater than 12 months (see section 20 of the Landlord and Tenant Act 1985), then tenant contributions are limited to a prescribed amount unless consultation requirements specified in the Service Charges (Consultation Requirements) (England) Regulations 2003 have been complied with.

**2.5.4** An application may be made (including by a tenant or leaseholder) to a leasehold valuation tribunal for a determination whether a service charge is payable.

## **2.6 Equalities Impact**

None

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