

Meeting:	Overview and Scrutiny Committee.
Date:	9 th December 2008
Subject:	The Right To Manage - Challenge Panel Update
Responsible Officer:	Tom Whiting Assistant Chief Executive
Portfolio Holder:	Cllr Barry Macleod-Cullinane Adults and Housing Services Portfolio Holder
Status:	Part I

SECTION 1 – SUMMARY

This report sets out the background (including the discussion that was held on 18th November 2008) to the decisions made by the Overview and Scrutiny Committee on 25th November 2008 to hold a Challenge Panel to investigate the progress on the Right to Manage.

RECOMMENDATION:

The Overview and Scrutiny Committee is asked to

- Note the background to the decision to hold a Challenge Panel.
- Note progress on the establishment of the Right to Manage Challenge Panel

SECTION 2 - REPORT

On 18th November 2008 the Policy and Performance Scrutiny Lead members met to consider implementation of tenants Right to Manage legislation in the borough and concerns that had been raised with regards to the performance of the Independent Tenant Advisor.

The Policy and Performance Scrutiny Leads explained that at the Overview and Scrutiny Committee meeting held on 4th November 2008, item 12 of the agenda regarded the Right to Manage (RTM) process. Members of the Committee agreed at that time that Scrutiny should examine the concerns of residents that had been raised in relation to the Right to Manage and discussed how this ought to be done. There was general agreement that, in the first instance, the issues be referred to the relevant Scrutiny Lead Members to investigate and report back.

The councillors considered the information presented at the Overview and Scrutiny Meeting on 4th November as well as a briefing paper that had been prepared. The Divisional Director of Housing also attended the meeting.

She advised the meeting that as FIRST Call are an independent Tenant Advisor (ITA) and that as the RTM process (legally) requires this, the council has no control in / of the way in which the process is conducted nor are the council able to steer tenants and leaseholders in either direction regarding the matter. She informed the councillors that FIRST Call were selected to *investigate* the possibility of setting up TMOs as well as other options.

Councillors raised a number of concerns that had been expressed by tenants and leaseholders. The Divisional Director informed the meeting that given the level and nature of the concerns the Housing Department had received she had written to the Housing Corporation stating that Harrow Council does not feel able to sign the required grant applications to progress to the next stage. Moreover, the Housing Corporation has advised that an independent body should consider the capacity to take the TMO option further within the borough.

The councillors felt that it is vital to the investigation to hear the views and concerns of the tenants and leaseholders and also from FIRST Call about their processes in terms of communicating with residents, the nature and method of their consultation process and the complaints that have been levelled against them by residents. They also felt that the validity of existing TMOs within the borough should be included in the investigation. It was agreed therefore that the best method by which to investigate the issue further would be via a Challenge Panel. To be conducted as follows:-

Part 1 of the Panel will speak to Tenants and Leaseholders (first day) Part 2 will be to speak with and question the 3 area TMOs (first day). After considering the information and evidence given in Parts 1 & 2 there will be a request for information from FIRST Call and a formal invitation to attend the Challenge Panel (second day). After meeting with FIRST Call there will be a drawing together and evaluation of the information received and a conclusion to the Panel

SECTION 3 – FURTHER INFORMATION

None

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

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Background Papers

None