

TENANTS AND LEASEHOLDERS PANEL

To: Councillors Alison Butler, Sean Fitzsimons, Tony Harris, Patricia Hay-Justice, Michael Neal, Tony Pearson and Sue Winborn

A meeting of the **TENANTS AND LEASEHOLDERS PANEL** will be held on **Tuesday 23rd July 2013 at 6:30pm**, in **The Council Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**.

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12 July 2013

AGENDA - PART A

1. Disclosure of Interest

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality in excess of £50. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Business Manager at the start of the meeting. The Chairman will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

2. Welcome and Introductions

3. Apologies for absence

4. Minutes of the meeting held on Tuesday 30th April 2013

To approve the minutes as a true and correct record.

5. Elections

- Election of Chair and Vice Chair
- Elections to other groups:
 - a) Croydon Congress
 - b) Croydon Voluntary Sector Alliance
 - c) Election to London Tenant Federation (x2)
 - d) Election to ARCH

6. Repairs Re-procurement update

Dave Sutherland (Managing Director, Croydon Landlord Services) - verbal report

7. Review of Conditions of Tenancy

Mahmut Aydogan (Head of strategic programme and projects) - report attached

8. Estate Inspections update

Dave Sutherland (Managing Director Croydon Landlord Services) - verbal report

9. Sheltered Housing Declassification update

Leonard Asamoah (Head of Housing Solutions) - verbal report

10. Housing Scrutiny Panel update

Scrutiny Panel Members - verbal report

11. Summary report on resident involvement activities

Report attached for information

12. Feedback

- a) London Tenants' Federation – Michael Hewlett
- b) Mayor's Housing Forum - Michael Hewlett
- c) ARCH – Michael Hewlett
- d) Croydon Voluntary Sector Alliance (CVSA) – Guy Pile-Grey
- e) Croydon Congress – Marilyn Smithies
- f) All Ages Inter-generational Conference – Sian Foley
- g) Resident Involvement Champions – Chris Stock

13. Any Other Business

14. Dates of Future Meetings

all in the Council Chamber, Town Hall, Croydon at 6.30pm:
8 October 2013
5 February 2014
1 April 2014

AGENDA - PART B

None

**TENANTS AND LEASEHOLDERS PANEL
Notes of the meeting held on Tuesday 30 April 2013 in the The Council
Chamber, The Town Hall, Katharine Street, Croydon CR0 1NX**

Present: Michael Hewlett (Chair), Syed Ahmed, Marion Burchell, Ken Coates, Peter Cooper, Chris Crossdale, Bernard Daws, Robert Dean, James Fraser, Jim Mansell, Peter Mason, David Palmer, Guy Pile-Grey, John Piper, Stephen Pollard, Marilyn Smithies, Laurence Taylor, Kim Wakely, Oriol Weekes and Colin Wood

Councillors: Councillors Alison Butler, Sean Fitzsimons, Tony Harris, Patricia Hay-Justice, Michael Neal and Susan Winborn

Observers: Leonard Asamoah (Head of Housing solutions), Peter Brown (Director of Housing Needs and Strategy), Joy Gardner (Project Officer Asset Management), Tim Nash (Resident Involvement Co-ordinator), Margaret Padmore (Tenancy Manager), Chris Stock (Resident Involvement & Scrutiny Manager), Elaine Wadsworth (Head of Housing Strategy & Commissioning).

A15/13 Disclosure of Interest

None.

A16/13 Welcome and Introductions

The Chair welcomed all to the meeting. He announced that Bob Varney, a long term member of the panel, had passed away recently and a minute's silence was held in his memory.

A17/13 Apologies for absence

Apologies were received from Councillor Avril Slipper and Maureen Symes.

A18/3 Minutes of the meeting held on Wednesday 6th February 2013

The minutes of the meeting held on Wednesday 6 February 2013 were agreed as a true record of the proceedings.

A19/3 Matters Arising

There were no matters arising.

A20/13 Sheltered Housing Review (Proposed declassification of Gillett House)

Leonard Asamoah (Head of Housing Solutions) gave a summary of the report:

- Proposal consulted on with residents
 - To change use to allow for families to be housed

- Considerable pressure from homelessness
- Looking at options to reduce this
- Consultation concluded 8 April
- Looking at feedback
- 3 options:
 - Change use
 - No change
 - Move to another housing block

The following issues were raised:

Q: Consultation exercise – no papers at first session. Not in understandable language, not available in larger print.

A: Reprinted and sent to those who requested them. Liaised with a Welfare Association regarding language issues. Request for larger print - this was provided.

Q: Will you be looking at moving some of the tenants together, if they wish to - to keep with their neighbours and friends?

R: We will try to meet preferences where people want to stay together. Help with costs of moving, redirection of mail etc. will be provided. The objective is to minimise inconvenience.

Q: Homelessness – how large a family is suitable for each apartment?

A: The intention is to offer other permanent accommodation to homeless families if this is not suitable long term. Size – all one-bedroom flats. There is no intention to overcrowd accommodation. Every council property has a permitted number.

Q: Designed for single people or couples. How can you possibly, even legally, accommodate families without it being overcrowded. What is the limit?

A: Typical household would be single parent with child. If an apartment can accommodate a couple, then it should be able to accommodate a single parent with one child.

Q: In terms of households, the usual representation of a single

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parent is surely with two children? Will the majority of families be one parent with one child? If living there for the short term – how long will that be?

A: The position in the future will be speculative. Not all homeless households have only one child but a significant number of households are a mother with one child. Permitted numbers – for one-bed it would probably be up to 3 adults.

Q: This is sheltered accommodation. Tenants have disabilities or are old. What assurance will there be that they will not be bothered by children being noisy, creating disturbances and going up and down in the lift?

A: Part of the reasoning is that, over the years, we have experienced difficulties in letting some sheltered blocks. In the past we had to advertise heavily to find tenants. Part of the package, if the recommendation is agreed, would include offering existing tenants opportunities to move. In the block itself, we will put mitigating arrangements in place to ensure any disruption is minimised or, if it happens, it will be dealt with quickly. For the communal space on the ground floor, we would have to consider intensive management to ensure it is looked after.

There has always been an age criterion applied to sheltered accommodation. When the status of the block is changed this will no longer be in place.

Q: Observing at the first consultation meeting, a lot of objections were put up by people – the proposal was very badly received. What is happening about the garden?

A: Gardens will be considered with the house management. Cannot offer specific response now.

Q: These concerns were echoed at a meeting at Cedar House. Can this panel be given feedback from people in Gillett House? We are worried about this leading to other sheltered housing in the borough being changed. A lot of other ones have been adapted for people who are vulnerable.

A: Part of the report will include feedback from the consultation.

Q: On Brigstock Road there is an empty block. Can that not be used?

A: That is going to be a primary school.

Q: Will the caretaker still be responsible for cleaning?

A: There will be no changes regarding management.

Q: It is a difficult situation helping the homeless. For existing residents who have paid rent and been there for years, the issue is that they are going to suffer. Will people be able to move with their neighbours? Will curtains and carpets be replaced? Will their new accommodation be as good? If we have smaller accommodation for older people – would it not be better to move people in properties

where they have too many bedrooms? How do we know this property will not be sold off to the private sector later, as has happened elsewhere?

A: There is a mismatch with supply and demand in Croydon. Consultation pack included section for questions and answers. If residents decide to move, they will receive compensation – moving costs, loss of carpets etc, reconnection of telephone etc. We anticipate the earliest the decision will be made will be at June Cabinet.

A21/13 Repairs - procurement update

Dave Sutherland (Managing Director Croydon Landlord Services) gave a verbal report:

- Due to relet contract from April 2014
- Involved in intensive procurement process
- 6-week period of competitive dialogue to assess bidders
- Aim to go from 5 to 3
- Further bids on 10 May
- By autumn aim to go from 3 to 1
- From April next year there will be just one contractor
- Easier to manage – one set of overheads
- But 'all eggs in one basket' to be considered
- Both existing contractors have been satisfactory but only one successful - Mears

A22/13 Estate Inspection Procedure

Margaret Padmore (Tenancy Manager) summarised her report:
Revision – service unified

- All teams unified – across the borough to manage estates consistently
- To encourage resident participation in the process
- To improve estate inspection procedure
- To identify responsibilities so individuals will be accountable
- Main changes are resident involvement monitoring score sheet to encourage residents to be involved

The following questions were raised:

Q: Had a similar form years ago. Spent hours on it and feedback previously was very poor.

A: Under the new system, there will be clear definitions of who is responsible for what. As Tenancy Managers we will look at the scores and take action where things are not working.

Q: We have not had a meeting with a Tenancy Officer (TO) for a long

time (Tonbridge House).

Action: Margaret Padmore will find out who is the Tenancy Officer and report back.

Response: The tenancy officer for Tonbridge House is Josephine Rennie.

Q: I am the Leaseholder Rep and had never heard of Estate Inspection. I am not sure whether tenants in my area are ever consulted.

Action: Margaret Padmore will find out and report back.

Response: Sonia Isaacs, North district tenancy manager, will arrange for the Leaseholder rep to be added to the list of attendees for the future St Marks Road estate inspection.

Q: Started inspection in January but it was cancelled before finished so there has been no paperwork.

Action: Margaret Padmore will investigate and make sure an inspection is scheduled.

Response: The Sunnybank estate inspection had to be curtailed as it had overrun the allocated time and the TO had to attend to an urgent matter in another area. Sonia Isaacs, North district tenancy manager, will advise the date of the next inspection.

Q: There seem to be a lot of issues with Tenancy Officers. We are all volunteers here and you get a lot of support so it is important that, when new TOs come into the area, the manager should come up and introduce them to the resident reps.

A: Agreed – we will take that back.

Q: At the last inspection we had trouble getting into Ashford Gardens – after 10am they will not allow anyone in. Don't TOs have keys to get in?

Q: Two inspections on Fieldway estate – sheltered housing and Applegarth up to Underwood which is an impossibly large area and needs to be split into two.

Q: We had an estate inspection 3-4 weeks ago but not yet had any paperwork.

Q: I am keen to have 2 more residents, preferably from blocks of flats, to accompany me with the team – takes off pressure if anyone off sick.

Q: We had a change of TO at the beginning of the year – we were never informed and it has taken a number of emails. We never had a schedule for this year and the last time we were only given about 10 days notice.

Q: Not had an estate inspection for some time at The Laurels.

Q: We have done inspections with caretaker managers and been notified by the new manager that there will now be inspections once a month but we were not advised by the TO.

A: Hopefully the new procedure will address these issues.

Q: Beech, Cedar and Ashford Gardens – no feedback.

Marilyn Smithies advised that she has shown photo to Lorraine Smout.

Q: Can all dates be circulated to all reps? Fire safety – important that inspections note the issues. Fire action notices etc. by front doors should be something residents are aware of. Suggest having separate section in report on fire safety. Is feedback coming back to the council into a database to identify borough wide issues?

Dave Sutherland: Fire safety – very up to speed on that. With all blocks there are organised regular risk assessment inspections. The council spends £3m per year to ensure we comply with safety requirements. Estate inspections – disappointed with the feedback. We need to get it right.

A23/13 Major Repairs & Improvements - Capital programme 2013/14

Elaine Wadsworth (Head of Housing Strategy and Commissioning) gave a brief summary:

- Maintaining and improving stock
- More resources
- Energy efficiency – lot of work – loft and cavity wall insulation, double glazing, wall overcladding, solar panels
- Kitchens & bathrooms – ongoing programme
- Health & safety – asbestos survey, smoke alarms etc
- Structural fabric – windows, external painting etc
- Door entrance systems
- CCTV
- Playgrounds for children
- Adaptations – ongoing programme

The following issues were raised:

Q: Asbestos removal – how long will it take before it is removed from all the properties?

A: There will be less and less over the years but it will take a while.

Q: The only asbestos on our estate is in roofs of garages but if it is not tampered with it is not a danger.

A: Eventually, when work is carried out, it will be removed.

A24/13 Welfare reform update

Elaine Wadsworth (Head of Housing Strategy and Commissioning) gave a verbal report:

- Changes: underoccupancy penalty
- 1300 council tenants affected - £15 for one spare room
- Can move to smaller property or take in a lodger
- Visited all these people – still some we have not been able to

contact

- 60% think they can afford to stay
- 10% want to move to somewhere smaller
- Lot of promotion – Open House, letters etc
- Two events – next event on 25 June
- Benefit cap – came in April – Croydon one of early boroughs in roll out – possibly October
- 40 council tenants affected
- Average loss is much more significant - £55 per week
- Options are: to find work; moving to smaller home or cheaper area
- Looking at individuals and assessing all options
- Want to avoid people getting into arrears

The following issues were raised:

Q: If residents are in council accommodation and are affected, where can they go? If we are building new council properties for families – what about families which cannot afford the rent?

A: We are looking at all kinds of solutions. They may need to move away to a cheaper area. We have commissioned work to look at the impact and possibilities of families moving to smaller homes.

Q: If people are evicted, what guarantee is there that they will be rehoused?

A: Providing they have not made themselves deliberately homeless, we have discretionary housing payments to top up rents and we are looking for longer term solutions. It is about people engaging and working with the council.

Q: When government makes individuals responsible for paying community charge, rents etc. the situation will get worse. Many will not pay rent but will buy things for the house and build up arrears.

A: We are also looking at money management to help people to cope better.

Dave Sutherland: We have increased the number of welfare benefit advisers to deal with the caseload to pick up those that will engage.

Marilyn Smithies advised that she is a member of the Residents' Network and is taking part in a member phone in to discuss how the first months of benefit reform has impacted on residents.

A25/13

Community Housing Panel (CHP) review

Tim Nash (Resident Involvement Co-ordinator) summarised the report:

- Attendance in decline
- Review over last 6 months
- Decided best option to continue panels meeting in similar vein

- but only 2 area based panels meeting 4 times a year
- Areas larger – north and south borough panel
- Will meet somewhere central
- Meeting with surgery beforehand – will continue surgeries if prove popular
- Rebranding – Forum rather than Panel?
- Constitution amended to reflect changes

Q: Will 30 minutes be long enough for surgeries as the areas will be larger?

A: The issue is whether people will come from far flung distances to register small complaints, so the surgery time may not need to be so long. We will monitor and adjust, if needed.

Chris Stock advised that the first meeting will be June/July - date to be decided.

A26/13 Your Housing, Your Questions proposal

Chris Stock (Resident Involvement & Scrutiny Manager) summarised the report:

- Trying to combine 'Your Question Time' and annual tenants' conference (attendance falling)
- Mini-conference – Fairfield Halls or somewhere more local
- 4 times a year with 2 topics
- Any resident to listen to presentations and then ask questions
- May be a few stands displaying literature
- One of meetings to be for leaseholders – instead of Leaseholders' Panel
- To pilot a couple during the summer

The following issues were raised:

Q: Reducing meetings, surely gives fewer opportunities for residents to raise issues?

A: By combining panels, there will be more meetings taking place (CHP had 3 meetings a year and now there will be 4 meetings). If people want local meetings, we will organise local events.

Q: Is there a Tenants' Housing panel in my area? (St Marks Road, South Norwood)

A: There are very few residents' associations – we have trouble getting people to fill committee roles. Everybody will be invited to join the new panels.

Q: Why is the annual conference being stopped? We need more people to get involved.

A: Last year the conference attracted only 50. Now we will have 4 mini-conferences so hopefully more people will get involved.

A27/13 Housing Panels Summary report

Chris Stock (Resident Involvement & Scrutiny Manager) summarised the report:

- At every future meeting will give summary (written) of what is happening
- Change to Sheltered Housing Panel constitution – brought in line with other panels

The constitution change was agreed by the panel.

A28/13 Feedback

London Tenants' Federation (LTF) – Michael Hewlett

- Now formed as charity
- Drawing up new constitution

Mayor's Housing Forum – Michael Hewlett

- Next meeting July

ARCH – Michael Hewlett

- Bringing out pamphlet on welfare reform
- Annual conference at Yarmouth IN September

Croydon Voluntary Sector Alliance – Guy Pile-Grey

- New strategy to present to council
- Report – voluntary sector done well

Croydon Congress – Marilyn Smithies

- No meeting since 8 November 2012 and no feedback on what has happened since
- Next meeting on 16 May 2013
- Discussion to focus on how we do more to encourage people to take responsibility for their own health

All Ages Inter-generational Conference – Sian Foley

- (Sian Foley was not available)

London Tenants' Scrutiny – Chris Stock

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- 60 people came to successful day in Croydon
- Another event in July
- Group will be deciding on next scrutiny area at next meeting
- New recruitment exercise – interviews shortly for new members
- The Panel now has co-opted a tenant from Amicus Horizon Housing Association

A29/13 Any Other Business

John Piper complained that the 6100 Council number still asks for an internet PIN number to get onto Housing.
Jim Mansell requested page numbers to be added to Agenda front sheets.

A30/13 Dates of Future Meetings

all in the Council Chamber, Town Hall, Croydon at 6.30pm:
23 July 2013
8 October 2013
5 February 2014
1 April 2014

There being no further business the meeting closed at 8.34pm

TENANTS' AND LEASEHOLDERS' PANEL
23 July 2013

Lead Officer: Head of Strategic Programmes and Projects-CLS

Wards: All

Agenda Item: 7

Subject: - REVIEW OF THE CONDITIONS OF TENANCY

1. SUMMARY

- 1.1 This report advises residents of the proposals to introduce a number of changes to the Conditions of Tenancy for existing lifetime secure tenants following consultation with resident representatives at review group meetings held in April 2013.

2. RECOMMENDATIONS

- 2.1 The Panel is asked to note the proposed amendments to the Conditions of Tenancy, and the proposed timetable for their introduction.

3. BACKGROUND

- 3.1 In May 2007, a new set of Conditions of Tenancy was introduced following consultation with a group of resident representatives and a report to the Tenants and Leaseholders Panel. There were a number of important changes made at this time to ensure that tenants were aware of the council's responsibilities to them and their responsibilities to the council.
- 3.2 A number of clauses were changed to set out these responsibilities in more detail including the clause relating to anti social behavior, a new schedule giving examples of anti social behaviour, gaining access for repairs, Improvements and parking to name but a few. Improvements were also made in the use of plain English, the general presentation of the document and so far as possible the document was checked to ensure compliance with the Office of Fair Trading (OFT) guidance on unfair terms in tenancy agreements.
- 3.3 Since these changes were introduced the Localism Act 2011, has introduced a requirement for the council to have a housing tenancy strategy. As part of the strategy the council developed a tenancy policy and has been granting 5 year fixed term (in certain circumstances 2 fixed term) flexible tenancies to all new tenants from April 2013.

- 3.4 The need to prepare new fixed term tenancy agreements has provided an opportunity to review the Conditions of Tenancy for existing secure lifetime tenants as well as making changes to the new fixed term agreements.
- 3.5 The Conditions of Tenancy have been updated to strengthen the council's position on taking positive enforcement action in appropriate cases. A summary of the proposed changes including a tenant's questionnaire is set out in the attachment to this report.

4. CONSULTATION

- 4.1 A group of tenants was drawn from chairs of the Community Housing Panels from across the borough, Housing Sounding Board members, and officers. Two meetings of the group took place in April 2013, when the group reviewed the proposed changes to update the Conditions of Tenancy.

5. KEY AMENDMENTS WITHIN THE CONDITIONS OF TENANCY

- 5.1 We have also provided information about the agreement and Tenancy rights including the changes affecting the succession rules for tenancies granted after 2nd April 2013
- 5.2 The proposed changes have taken in consideration changes in the ways the Council undertakes its repairing and redecoration responsibilities, the changed arrangements for managing retirement (sheltered) housing, changes in anti social behaviour, proactive action regarding data protection and fraud prevention and increased action to control parking, misuse of balconies, dogs and dog fouling on housing estates.
- 5.3 Other changes as a result of the review group's work included:
- Adding the maintenance of carbon monoxide detectors as a landlord repairing responsibility
 - Adding restrictions on the parking of mopeds and motor bikes in entrance lobbies and walkways
 - Upgrading the code of guidance for balconies to include the hanging of wet washing, duvets and rugs over balcony rails or walls.

A full set of the revised Conditions of Tenancy together with a summary of the changes is attached to this report. (**Appendix**)

6 FURTHER ACTION

- 6.1 Before the new Conditions of Tenancy can be introduced it will be necessary to issue all secure tenants with a preliminary Notice of Variation explaining proposed changes and their effect. The Council is then required to consider any comments before serving a Notice of Variation to introduce the changes. Tenants will be able to make comments on a questionnaire form or they can complete the questionnaire on line.

- 6.2 It is proposed that a preliminary Notice of Variation is issued to all secure tenants by 30 August 2013, and the Managing Director of Croydon Landlord Services consults with the review group when considering any comments received from tenants within the appropriate response date.
- 6.3 All tenants will be served with a Notice of Variation during October 2013, to bring in the new Conditions of Tenancy from the beginning of December 2013.

7. COMMENTS OF THE SOLICITOR TO THE COUNCIL

- 7.1 The Solicitor to the Council comments that the Council needs to ensure that the terms of its tenancy agreement comply with the provisions of the Unfair Terms in Consumer Contracts Regulations 1999 (SI 1999/2028) and to follow the Guidance on Unfair Terms in Tenancy Agreements issued by the OFT. These regulations require that terms satisfy a reasonableness test and furthermore that contracts are phrased, in so far as is possible, in plain English. Where a term of the contract is found to be unfair, the term is not binding on the tenant.
- 7.2 The Council has a statutory obligation to issue secure tenants with Notices of Variation to notify them of the ways in which their tenancy will be changed and to effect changes in the terms of the Conditions of Tenancy.

8. FINANCIAL CONSIDERATIONS

- 8.1 There will be some expense in the production of a new Conditions of Tenancy booklet as well as the necessity to consult with all Council tenants by writing to them. This expense can be contained within the Housing Revenue Account.

9. EQUALITIES CONSIDERATIONS

- 9.1 The Conditions of Tenancy enable the Council to address complaints of racial and other forms of harassment as well as anti-social behaviour. Perpetrators of such behaviour will often target individuals who are disadvantaged. Any amendments to the Conditions of Tenancy that enable the Council to respond but additionally be more proactive in these areas will benefit all Croydon tenants.

Report author: Mahmut Aydogan, Head of strategic programmes and projects, Ext: 60543

Background Documents: Office of Fair Trading guidance on unfair terms in tenancy agreements.

Summary of Changes to Conditions of Tenancy 2013 and Tenant's Questionnaire - **Secure Tenancies**

We are proposing changes to the conditions of tenancy for all secure "lifetime" tenants.

We have set out below a summary of what we are proposing to change, why the change is proposed and the difference that it will make.

We have asked you to say whether you agree or disagree with the proposed changes by ticking the appropriate box. There is also space if you have any comments.

Please take the time to let us know your views by completing the questionnaire and returning it to us in the enclosed prepaid envelope. If you would prefer to complete the form on line you can do so by going to www.surveymonkey.com/s/tenancy-conditions

Content Clause numbers	Summary of Main Changes and Questionnaire
Introduction	<p>What? We have added under your responsibilities that this includes the way you behave towards Council employees, the Council's agents or people acting on the Council's instruction</p> <p>Why? We provide our services through others who are not our staff</p> <p>Difference? We're giving a clear message that respect needs to be shown to everyone who contacts you.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
About your tenancy agreement	<p>What? We have made a feature of providing this information under a new heading.</p> <p>Why? We want to highlight the importance of you understanding the terms and conditions.</p> <p>Difference? We have added advice so that your housing officer can help explain the terms</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
Tenants rights	<p>What? This is a new section which advises you of your statutory rights.</p> <p>Why? To help you know your rights as a secure tenant.</p> <p>Difference? By being more aware of your rights it will help you fully enjoy the benefits of being a secure tenant</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>

<p>Contents</p>	<p>What? We have revised the numbering of clauses and added new clauses relating to:</p> <ul style="list-style-type: none"> - Use of balconies - Retirement housing - Data Protection - Contract rights for third parties <p>And we have added a schedule 3 relating to the code of guidance for the use of balconies</p> <p>Why? To help us respond to the different ways in which our housing is used and to help us tackle housing related issues</p> <p>Difference? We are saying that the new clauses are important additions to the agreement.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Definitions</p>	<p>What? We have made some minor changes including updating the reference to District housing office, as the service is now centrally based, and adding the new address for Bernard Weatherill House, our new office.</p> <p>We have removed the definition of a demoted tenancy.</p> <p>Why? To make sure the content is up to date.</p> <p>Difference? The definitions will only contain relevant information.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Important Notice</p>	<p>What? This information is now shown at the beginning of the document.</p> <p>Why? To draw your attention to its importance</p> <p>Difference? The message is clear at the beginning of the document and repeated in the information about your agreement.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Complaints</p>	<p>What? We have included the link to the council's website.</p> <p>Why? To enable you to find out more information about the council's complaints procedure.</p> <p>Difference?</p> <p>To help your understanding of how seriously we take your complaints.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>

<p>Clause 1 Rent Payment</p>	<p>What? We have added a paragraph about paying your rent by direct debit and one concerning telling us about changes in circumstances, if you receive government benefits to help you pay your rent. Why? Paying by direct debit is an easy way of ensuring that your rent payments are made regularly on time. We want you to be aware that it is your responsibility for telling the authority about changes in your circumstances. Difference? We are encouraging more tenants who have bank accounts to pay by direct debit. When new tenants sign their tenancy agreements we will ask them to set up direct debit payments. Your responsibility for telling the authority about changes is clearer. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 3 Ending the Tenancy</p>	<p>What? We have added advice that if one joint tenant ends the tenancy then this has the effect of ending the tenancy for all joint tenants. We have updated the named officer for the service of notices on the council. Why? To help joint tenants understand the consequence if one of them ends the tenancy. Difference? To give you a better understanding of your tenancy agreement. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 4 Leaving the Property</p>	<p>What? We have updated the address and added a requirement that any cookers or appliances provided by us must be left in the property. Why? Our address will be changing. We provide appliances in some properties. Difference? We are giving a clear message that appliances are to be left for the benefit of the new tenants. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 8 Obtaining a tenancy by deception</p>	<p>What? We have added “or having been convicted of fraud” to the heading and stated that possession action will be taken against any tenant found guilty of housing benefit or other financial fraud against the council.</p>

	<p>Why? We want to ensure that our homes are only let to people who have been honest in their dealings with us and they have not gained their home through behaving fraudulently.</p> <p>Difference? We are giving a clear message about the risk of losing your home if you are convicted of fraud.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Clause 12 Our responsibilities for repairs and maintenance</p>	<p>What? We have changed the wording relating to reglazing and we have added that it is our responsibility for maintaining carbon monoxide detectors where we have provided them.</p> <p>Why? To make it clear that we will board up broken external glazing to make it safe and that we need to know if carbon monoxide detectors are faulty.</p> <p>Difference? To help you understand our repairing responsibilities and to stay safe in your home.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Clause 14 Access</p>	<p>What? We have added the right to enter your home to inspect for pests and apply the necessary treatments if we have given you a written warning of our intention to seek a warrant to enter premises in accordance with the Public Health legislation.</p> <p>Why? To help us effectively deal with pest infestations in our homes, especially where the infestations are likely to spread to your neighbour's home and cause a health risk.</p> <p>Difference? We are giving a clear warning that we will have the right to enter your home to treat pest infestations.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Clause 15 Your Responsibilities for Repairs and Decoration</p>	<p>What? We have made some minor changes to your responsibilities, including: your responsibility for cupboards, clearing blocked internal waste pipes and traps, replacing strip lighting and light bulbs in sealed bathroom units, replacing internal door frames, skirting boards and architraves, and any cracked or broken glass to the interior and exterior of the property unless you can provide a crime reference number from the police.</p> <p>We have added a requirement not to obstruct flues to gas appliances.</p>

	<p>We have clarified that we are not responsible for the maintenance of battery powered smoke detectors that have been gifted to you.</p> <p>In the note to this clause we have changed the way we list the items which tenants, who are disabled or living in retirement (sheltered) housing, do not have to repair.</p> <p>Why? We want to clarify your repairing responsibilities for example that you are only responsible for kitchen cupboards and all tenants are responsible for clearing blocked internal waste pipes and traps.</p> <p>Difference? The changes will make it easier for you to know your responsibilities and for reporting repairs; for example knowing that we will reglaze windows if you can provide us with a police crime reference number.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Clause 21 Blockages</p>	<p>What? We have added nappies and wipes to the items that should not be placed in toilets etc.</p> <p>Why? We have found that these items cause blockages to toilets and drains.</p> <p>Difference? It should help you understand your responsibilities and avoid the inconvenience of experiencing blockages to drains.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Clause 23 Trees</p>	<p>What? We have stated that fast growing conifers include Leylandi, and we have placed a restriction on the growing of Japanese knotweed .</p> <p>Why? These particular trees and plants can cause serious structural damage to foundations and paths.</p> <p>Difference? We are clarifying which trees and plants are restricted.</p> <p>What do you think? Comments</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p>
<p>Clause 25 Anti-Social Behaviour</p>	<p>What? We have added the "do nots" listed in the code of guidance on balconies (new schedule 3) as examples of anti social behaviour.</p> <p>Why? To help improve tenants' enjoyment of their balconies and to reduce anti social behaviour.</p> <p>Difference? Tenants' responsibilities concerning the use of balconies are clearer.</p>

	<p>What do you think?</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p> <p>Comments</p>
<p>Clause 29 Assignment subletting and lodgers</p>	<p>What? We have added reference to the Localism Act 2011. Why? The Localism Act 2011 introduced changes in the way some mutual exchanges are carried out by surrender of the tenancy rather than by assignment of the tenancy. Difference? The change will affect you if you want to exchange your home and your tenancy started before 1st April 2012. We will provide you with guidance if you are considering exchanging homes.</p> <p>What do you think?</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p> <p>Comments</p>
<p>Clause 31 Residence</p>	<p>What? We have added a requirement to allow your photograph to be taken as part of our occupancy check and a requirement for you to co operate in letting us know about changes in your household circumstances. Why? We want to be sure that our homes are occupied by the people we let them to and that our information about your household circumstances is up to date. This will help us when giving you advice and prevent people fraudulently gaining access to council housing. Difference?</p> <p>What do you think?</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p> <p>Comments</p>
<p>Clause 34 Parking</p>	<p>What? We have added “motorised caravan” in the description of vehicles where restrictions apply to parking. We have added a restriction on the keeping of mopeds and motor bikes or their parts inside your home. We have added a requirement not to park any motorised scooters, buggies or other vehicles within communal entrances, balconies or corridors to blocks of dwellings. Why? This will help us manage parking on estates and prevent fire and Health and safety risks. Difference? We are giving a clear message on the keeping and parking of vehicles.</p> <p>What do you think?</p> <p>Agree <input type="checkbox"/></p> <p>Disagree <input type="checkbox"/></p> <p>Comments</p>

<p>Clause 36 Use of balconies</p>	<p>What? We have added a new clause requiring you to comply with the code of guidance if your property has access to a balcony. Why? To help us respond more effectively to complaints from tenants and to manage our flats. Difference? We are giving a clear message that not complying with the code will be considered anti social behaviour and action can be taken for breach of the conditions of tenancy What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 39 Keys and fobs</p>	<p>What? We have added “fobs” to the heading and renumbered this clause. Why? To be clear about your responsibilities for replacing keys and fobs. Difference? We have clarified that you will be responsible for the cost of replacing lost keys and fobs. We have also clarified that if we agree to replace any locks or keys to allow you to regain entry to your home you will be responsible for our reasonable costs. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 40 Pets</p>	<p>What? We have renumbered this clause and added a requirement for you to have your pet micro chipped if it is a dog and we have added that your dog must not cause harm to other residents or their pets. We have added a requirement that the person in control of your dog will also be responsible for clearing up any fouling. Why? To make it clear what is expected of responsible dog owners. Difference? We will take action against tenants, including enforcement action by Neighbourhood Wardens. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 41 Communal Areas</p>	<p>What? We have renumbered this clause and added a requirement not to abuse or cause damage to lifts. We have added a requirement that, where you have the use of communal rooms, these facilities must not be misused by you or your guests and that they are kept secure from intrusion by non residents.</p>

	<p>We have added a requirement for household waste to be placed in the recycling containers. Why? We want to be able to tackle more effectively problems of communal facilities being abused. Difference? We are giving a clear message. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 46 Retirement (also known as Sheltered) housing</p>	<p>What? We have added a new clause that will only apply if you live in retirement (Sheltered) housing. This clause confirms that all the other clauses in the Conditions of Tenancy apply equally to tenants living in retirement housing. It also places a requirement on you to comply with all reasonable requests of Croydon Careline Plus response workers relating to use of communal facilities and alarm systems and to provide access to a duplicate key if you use the Careline plus service. In the interests of gas safety we place a restriction on using mains or calor gas for cooking in retirement housing without our consent. Why? To help us manage our retirement housing more effectively and to help keep the residents safe and secure. Difference? To make clear the specific responsibilities of tenants who live in retirement housing What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Clause 47 Data Protection Act 1988 and National fraud initiative</p>	<p>What? This new clause requires you to agree that we are able to release personal information where there is a legal obligation to do so. It also refers to our policy on data protection including the holding and sharing of data relating to your tenancy for up to 6 years after it has ended. Why? There are good management reasons why it is useful to share information, for example when working with the police to resolve anti social behaviour or when working with other councils to identify fraud. Difference? We are clarifying what we do under the Data Protection Act. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>

<p>Clause 48 Contract Rights for Third Parties</p>	<p>What? This new clause relates to the rights of third parties. Why? We think it important that tenants understand that third parties, for example lodgers, do not have contractual rights with us. Difference? We are clarifying that a person who has not signed up to the Tenancy agreement does not have any contractual rights to enforce the terms of the agreement. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Schedule 1 Examples of anti Social behaviour</p>	<p>What? We have extended the examples of anti social behaviour to include:</p> <ul style="list-style-type: none"> - Parking motorised scooters or vehicles within communal entrances, balconies or corridors to blocks of dwellings. - Interfering or obstructing the Police, emergency services and other official personnel who are carrying out their lawful duties on the estate or in the local area. - Smoking within internal communal areas of blocks of dwellings where smoking is prohibited - Rioting and Looting - Committing housing benefit or other financial fraud against the Council. <p>Why? We want to be able to deal more effectively with anti social behaviour and improve the quality of life for our residents. Difference? We are giving a clear message that we will take action against perpetrators of anti social behaviour. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>
<p>Schedule 3 Code of Guidance Balconies</p>	<p>What? This is a new schedule to include a code of guidance for balconies. Why? We want to be able to take action against tenants who use their balconies in an anti social manner. Difference? To clarify that doing things that are listed as not OK will be considered anti social behaviour. What do you think? Comments Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p>

July 2013



**Resident involvement & scrutiny
team activity sheet:**

April – June 2013



Activity	What has happened?
<u>Housing services forums</u>	Preparation taking place for first of these two meetings which will take place in July. One forum covers properties in the North and the other for those in the South.
<u>Your housing, your questions</u>	Preparation taking place for next event in September. Working group with around 10 residents set up to discuss future course of action for this initiative.
<u>Specialist panels</u>	<ul style="list-style-type: none"> • Sheltered housing tea party was organised, but unfortunately had to be cancelled due to lack of support. • Disability panel has not met this quarter, next meeting July. • Leaseholders have been consulted and it has been agreed the panel will not continue to meet. Other methods will be used to involve leaseholders and these will be promoted as widely as possible.
<u>Housing Sounding board</u>	Membership at 417. Queries run for: estate inspections, rent account testing, disability panel, complaints focus group, yhyq focus group, housing services forum invites.
<u>Adult social services involvement</u>	Croydon adult social services user panel (CASSUP) recruited and officially launched with an event for panel members, service users and senior social services officers. The Inclusive Forum conference took place in June with 82 residents attending. CASSUP Network membership at 70 people
<u>Surveys</u>	Adult social care Quarterly repairs satisfaction Addington Vale residents survey
<u>Scrutiny panel</u>	Meeting fortnightly. Service area (housing income) selected and work schedule agreed. The exercise will start in late July.
<u>Neighbourhood voice</u>	95 forms completed by 43 residents NV newsletter written.

Agenda Item 11
Tenants' & Leaseholders' Panel
23 July 2013

Mystery shoppers	Report from spring exercise on welfare reform has been completed. Due to assist with next Scrutiny project
Housing services inspectors	Due to assist with next Scrutiny project
Residents' training	A new programme of training will be developed in the coming months for release in the early autumn
Residents associations/forums	College Green – meeting held in block was poorly attended so a survey is being conducted to establish interest in an RA. North Downs RG is planning a coach trip for members. 3 other groups in sheltered units meet regularly with little intervention from the team.
Complaints working group	Set up to look at options for a complaints panel, to meet requirement of Localism Act. Met twice with 6 residents attending.
E- newsletter	Comprehensive issue sent out late April. Small issue advertising Housing services forum prepared end June.
Other activities:	<ul style="list-style-type: none"> • Speedswap event run in June, attended by several hundred residents