

Open

Cabinet

Agenda

**6pm
Tuesday, 13th May 2014
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster**



Cabinet

The Cabinet Members and their responsibilities:-

Councillor M J Hart	Leader of the Council & Environmental Services
Councillor N J Desmond	Resources and Transformation
Councillor I Hardiman	Community Well-Being
Councillor A Hingley	Place-Shaping
Councillor J-P Campion	Economic Prosperity

Scrutiny of Decisions of the Cabinet

The Council has one Scrutiny Committee that has power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from this Committee.

In accordance with Section 10 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order 2.4 of Section 7, any item on this agenda may be scrutinised by the Scrutiny Committee if it is "called in" by the Chairman or Vice-Chairman of the Overview & Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is 5pm on 23rd May 2014.

Councillors wishing to "call in" a decision on this agenda should contact Sue Saunders, Committee & Electoral Services Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732733 or email susan.saunders@wyreforestdc.gov.uk

Urgent Key Decisions

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Sue Saunders, Committee and Electoral Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732733 or email susan.saunders@wyreforestdc.gov.uk

Documents referred to in this agenda may be viewed on the Council's website - www.wyreforestdc.gov.uk/council/meetings/main.htm

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If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

Wyre Forest District Council

Cabinet

Tuesday, 13th May 2014

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
3.	Minutes To confirm as a correct record the Minutes of the meeting held on the 22nd April 2014.	6
4.	CALL INS a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.	
5.	Items Requiring Urgent Attention To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
6.	Public Participation In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Friday 2 nd May 2014. (See front cover for contact details).	
7.	Leader of the Council	
7.1	Leader's Announcements	

8.	<i>Support you to live in clean, green and safe Communities</i>	
8.1	<p style="text-align: right;">Councillor A T Hingley</p> <p>Enforced Sale Policy</p> <p>To consider a report from the Director of Economic Prosperity and Place which asks Cabinet to approve the Enforced Sale Policy. To also consider the recommendations from the Overview & Scrutiny Committee meeting on 1st May 2014.</p>	9
8.2	<p style="text-align: right;">Councillor A T Hingley</p> <p>Community Housing Group – Appointment to Tenant Services Committee</p> <p>To consider a report from the Director of Economic Prosperity and Place that asks Cabinet to note the discussion that took place at the meeting of the Overview & Scrutiny Committee on 3rd April 2014 and to ask the Leader of the Council to respond to the letter of 11th April 2014, from the Chairman of the Tenant Services Committee/Central Tenants' Forum.</p>	15

9.	<i>Support you to live in clean, green and safe Communities</i>	
9.1	<p>Overview & Scrutiny Committee, 1st May 2014</p> <ul style="list-style-type: none"> • Recommendations from the Blue Badge Review Panel 	25

10.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
11.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

12.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
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**WYRE FOREST DISTRICT COUNCIL
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER
22ND APRIL 2014 (6.00 PM)**

Present:

Councillors: J-P Champion, N J Desmond, I Hardiman, M J Hart (Chairman) and A T Hingley.

Observers:

Councillors: G W Ballinger, E Davies and M Price.

CAB.65 Apologies for Absence

There were no apologies for absence.

CAB.66 Declarations of Interests by Members

No declarations of interest were made.

CAB.67 Minutes

Decision: The minutes of the Cabinet meeting held on 18th February 2014 be confirmed as a correct record and signed by the Chairman.

CAB.68 Call Ins

No decisions had been called in since the last Cabinet meeting.

CAB.69 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.70 Leader's Announcements

Members were informed that the Boundary Commission were carrying out a consultation on their initial draft recommendations on their proposals for new ward boundaries in the Wyre Forest District. Any submissions had to be in by June 2014. The Council's working group would now reconvene and make a recommendation to Council.

In response to a Member question, it was confirmed that the Boundary Commission had made it clear they would listen to any proposals put forward.

CAB.71 Recommendation from the Audit Committee, 24th March 2014

- **Corporate Procurement Strategy**

The Chairman of the Audit Committee drew Members' attention to paragraph 4.3 of the strategy and advised that this would be kept under review.

Members were informed that it had been 6 years since the strategy had been refreshed and it had been done so in line the Council's corporate objectives.

The Audit Committee were thanked for their work.

Decision: The updated Corporate Procurement Strategy, as attached at Appendix 1 of the report to the Audit Committee, be approved.

CAB.72 Recommendation from the Strategic Review Committee, 27th March 2014

The Vice Chairman of the Strategic Review Committee presented the recommendations and thanked the Officers for their help.

Cabinet noted the Committee's recommendations on Organisational Development and Cultural Change

1. **Setting the Standard for Consultation – the work delivered for the service and spending priorities consultation should be the minimum standard for all future consultation exercises.**
2. **Skills Audit – to roll out a skills audit in the form of a pen portrait across service teams and Councillors. The information will be used to better utilise the skills, knowledge and expertise of Councillors and officers across all areas of council activity.**
3. **Income Generation – to produce a clear plan of how the council intends to bring in new money and secure other funding streams and to regularly review and monitor the plan.**
4. **Implementation of Systems Thinking – to only implement those principles of Systems Thinking which are appropriate to the work being undertaken and to share the learning of delivering this methodology across all council activity.**
5. **Communication Issues**
 - a) **To ensure the style and language used in publications we produce is positive and embraces our target audience e.g. Grow, Save, Charge Business Plan (Wychavon Council).**
 - b) **Minimise the use of emails for making important announcements and, where possible, get staff or Councillors together even if the notice is very short to make the announcement.**

c) **Produce a monthly roundup of news for Parishes as per the Wychavon Model.**

6. **Engagement - ensure that all staff and Councillors are engaged and understand their role in the organisational development and cultural change journey.**

CAB.73 Exclusion of Press and Public

Decision: "Under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs 3 of Part 1 of Schedule 12A to the Act.

CAB.74 Disposal of Land

The Cabinet considered a report from Director of Economic Prosperity and Place which proposed the sale of the freehold of a plot of land to the existing leaseholder at the price mentioned in the report.

In response to a question from a Member, it was confirmed that the proposed sale price was in line with the market valuation of the land.

Decision: The freehold sale of the land as mentioned in the exempt section of the report to Cabinet be agreed.

The meeting closed at 6.20 pm.

WYRE FOREST DISTRICT COUNCIL

CABINET

13TH MAY 2014

Enforced Sale Policy

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Stronger Communities
CORPORATE PLAN PRIORITY:	Support you to live in clean, green and safe communities
CABINET MEMBER:	Councillor A T Hingley
RESPONSIBLE OFFICER:	Kate Bailey, Ext. 2560 Kate.bailey@wyreforestdc.gov.uk
CONTACT OFFICER:	Richard Osborne, Ext. 2564 Richard.osborne@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 - Enforced Sale Policy

1. PURPOSE OF REPORT

- 1.1 To outline the Enforced Sale Policy which sets out the approach the Council will take when considering whether to recover debt through an enforced sale of the property, setting out criteria to consider and the decision making process

2. RECOMMENDATION

The Cabinet is asked to:

- 2.1 **APPROVE the enforced sale policy set out in the appendix to this report.**
- 2.2 **Delegate authority to the Solicitor to the Council in consultation with the Strategic Housing Services Manager to determine which cases are suitable for action under the policy**

3. BACKGROUND

- 3.1 The Council has situations where property owners in the District have incurred debts and are not paying those debts. The Law of Property Act 1925 allows for the recovery of debts that have been registered as a charge on that property through an enforced sale of the property.
- 3.2 Debts that can be recovered this way are typically Council Tax debt (this requires an initial stage of legal action to be able to apply the debt as a charge) and costs incurred by the Council that can be directly applied to a property for example Housing Act notice costs and works in default.
- 3.3 Enforced Sale can be used on any property type providing the Council is able to attach a charge under a relevant statute.

4. KEY ISSUES

- 4.1 In a time of financial pressure the Council needs to ensure that any outstanding debt is cleared in reasonable time. In order to have the option to pursue debt using this mechanism the Council needs to have a policy in place.
- 4.2 The legislation covering enforced sale can only be undertaken when a charge has been applied to the property itself in a limited range of circumstances so will only be considered in those circumstances. The policy also sets out a timescale to ensure any debtor has reasonable time to resolve those debts prior to such action.
- 4.3 Having a policy sets out the circumstances when the Council would deem it appropriate and ensures that we have regard to any potential housing need issue that could arise. It is proposed that the decision to instigate enforced sale be taken by the Solicitor for the Council in consultation with the Strategic Housing Services Manager.
- 4.4 The focus of the policy is relevant long-term empty properties and would not target vulnerable people. It would normally be used where significant debts have accumulated due to for example council tax arrears, works to secure the property etc. An enforced sale would not normally be undertaken on an owner-occupied property unless there are compelling reasons and any residents are able to move to alternative accommodation. Other mechanisms exist to recover council tax arrears from residents.
- 4.5 The debt will need to be at least 6 months old before any legal action is considered.
- 4.6 Where the owner can be contacted and has expressed a willingness to make payments to clear the debt either in full or by instalments a longer timescale of 12 months will be given before commencing any legal action.
- 4.7 Officers have identified up to five properties at present that have either Council Tax debt and/or debt that has arisen following enforcement action being taken under a relevant statute.
- 4.8 The Overview and Scrutiny Committee considered the proposed policy at its meeting and the recommendations will be reported to this Cabinet meeting.

5. FINANCIAL IMPLICATIONS

- 5.1 Some staffing resources and court costs will be required to bring cases. However these will be offset by the ability to recover outstanding debts.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 This policy is required for the Council to be able to utilise the enforced sale aspect of the Land of Property Act 1925.
- 6.2 The Council will also need to be mindful of the provisions of the Human Rights Act (Article 8) and the Limitations Act 1980 in enforcing a sale.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An initial equality needs impact assessment has been undertaken as part of an equality needs assessment for general enforcement action undertaken by the Private Sector Housing team.

8. RISK MANAGEMENT

- 8.1 Not applicable.

9. CONCLUSION

- 9.1 The policy will be used in certain circumstances where other opportunities for recovering debt or bringing empty properties back into use are not available. The approval of the Solicitor of the Council will need to be sought before commencing legal action.

10. CONSULTEES

- 10.1 Legal and Finance colleagues.
10.2 Overview and Scrutiny Committee, 1st May 2014.

11. BACKGROUND PAPERS

- 11.1 None.

Wyre Forest District Council Enforced Sale Policy 2014

Introduction

The purpose of this policy is to outline the circumstances in which Wyre Forest District Council will undertake an enforced sale of a property. It is anticipated that this will only be used in exceptional circumstances when other legal powers are not appropriate and/or available to the Council to resolve a problem / debt that has arisen.

The benefits of using an Enforced Sale include:

There are some particular benefits of the enforced sale policy that can't be easily realised through other legislation available to the council.

In practise, the Council will recover the outstanding debt either from the proceeds of sale or by way of the payment of the debt being made before the sale is completed.

The benefits of using the enforced sale to resolve empty properties are as follows;

1. If a property is empty it is hoped that following a sale the new owner will carry out such renovation as would allow it to be occupied again. By change of ownership the Council is less likely to be burdened with additional costs arising from action against the property conditions that may be affecting others.
2. The application of this policy may encourage other property owners throughout the district to pay their debts and keep their properties in a reasonable state and condition.

When can the Council apply the Enforced Sale Policy

Where the Council has incurred costs in relation to a property, and where statute permits (i.e. there are numerous statutory provision which such costs are capable of being registered as a Local Land Charge pursuant to a specific statutory provision), the Council may recover the costs by an Enforced Sale of that property.

Specific Criteria that WFDC will use

Subject to complying with the relevant legislation, where:

1. such debts are in excess of £1000;
2. have been outstanding for at least 6 months;
3. the owner of the property has either refused to pay (even by agreed instalments within a reasonable timescale, normally 12 months), is unable to pay or cannot be located; and
4. any equality and diversity issues or human right issues relating to the Enforced Sale can be overcome,

the Council may seek to use an Enforced Sale Procedure to recover the debt from the proceeds of sale.

The decision to instigate an enforced sale will be taken by the Solicitor for the Council based upon the above principals where it is deemed to be in the interests of the Council's financial wellbeing and local residents and help the Council meet its Strategic Housing Objectives.

An enforced sale would not normally be undertaken on an owner-occupied property unless there are compelling reasons and any residents are able to move to alternative accommodation.

Conclusion

The enforced sale policy is only likely to be used in exceptional circumstances when other methods of dealing with the problem / recovering a debt have been exhausted or aren't appropriate and the debt will need to be at a reasonable level.

Approval to instigate an enforced sale must be obtained from the Solicitor for the Council.

WYRE FOREST DISTRICT COUNCIL

**Cabinet
13th May 2014**

**Overview and Scrutiny Committee
1st May 2014**

Enforced Sale Policy

The Committee considered a report from the Principal Environmental Health Officer (Housing) which set out the approach the Council would take when considering whether to recover debt through an enforced sale of property.

Recommend to Cabinet:

That the Enforced Sale Policy, as set out at Appendix 1 in the report to the Overview and Scrutiny Committee, be approved.

Background papers:

Report to the Overview and Scrutiny Committee 1st May 2014:

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7427>

WYRE FOREST DISTRICT COUNCIL**CABINET**
13TH MAY 2014**Community Housing Group – Appointment to Tenant Services Committee**

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME	Stronger Communities
CORPORATE PLAN AIM:	Support you to Live in Clean, Green & Safe Communities
CABINET MEMBER:	Councillor A T Hingley
RESPONSIBLE OFFICER:	Director of Economic Prosperity and Place
CONTACT OFFICER:	Mike Parker, Ext. 2500 mike.parker@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – Future proposals Appendix 2 – Letter to Leader of WFDC of 11 th April 2014

1. PURPOSE OF REPORT

- 1.1. To consider the recommendations of Overview & Scrutiny Committee of 3rd April in the light of a letter of 11th April 2014 from the Chairman of the Tenant Services Committee/Central Tenants' Forum to the Leader of the Council.

2. RECOMMENDATION**2.1 that Cabinet NOTES:**

the discussion that took place and recommendation of the Overview & Scrutiny Committee at their meeting on 3rd April.

2.2 and DECIDES:

that the Leader of the Council responds to the letter of 11th April 2014, from the Chairman of the Tenant Services Committee/Central Tenants' Forum, acknowledging that the agreement of Council is not required for them to change the way in which tenants become members of their Tenant Services Committee (TSC).

3. BACKGROUND

- 3.1. The Community Housing Group (CHG) governance restructure in 2012 required the agreement of the Council as it needed a 75% majority decision at its AGM at which the Council exercises a third of the vote. At Full Council in June 2012, it was decided that the CHG governance arrangements would be agreed with the proviso that the selection process for tenants to be part of the new Tenants Services Committee (TSC) would be subject to an Overview & Scrutiny review to help shape it.

- 3.2. At the Overview & Scrutiny meeting on 8th August 2012 a series of recommendations was made to Cabinet based on an election process that would be open to all tenants to participate in, both as potential candidates for the TSC and as voters.
- 3.3. The recommendations of Overview & Scrutiny were agreed by Cabinet on 18th September 2012 and the first proper election process took place in 2013.
- 3.4. In March 2014 the Chairman of the Tenant Services Committee/Central Tenants Forum wrote to the Chairman of Overview & Scrutiny requesting that they attend the 3rd April meeting of Overview & Scrutiny so that the tenants could report on their review of the election process.
- 3.5. Overview & Scrutiny considered the presentation from the tenants at their meeting on 3rd April, together with a report setting out the tenants' review of the election process and proposals for the future method of tenants becoming members of the TSC (Appendix 1).

4. ISSUES

- 4.1. Having considered the report and presentation from the tenants at their meeting on 3rd April, at which the tenants proposed to undertake a consultation of the wider CHG tenants on whether to retain the election process for 2014 or to switch to a process of selection which is more aligned to the process for selecting tenants to other CHG Boards, Members of Overview & Scrutiny recommended:

“that appointments to the Tenant Services Committee continue to be made by an election process”

- 4.2. The tenants were disappointed with this outcome from the Overview & Scrutiny meeting and wrote to the Leader of the Council on 11th April (Appendix 2) seeking “views on the matter” and a way forward “in the best interest of all parties concerned”.
- 4.3. Although previously in 2012 the CHG required Council's approval to the changes in its governance structure, the proposed changes to the process by which tenants become members of the TSC only requires a change to the constitution of the TSC, not the memorandum and articles of the CHG. Although the tenants requested an opportunity to present their proposed changes to Overview & Scrutiny, it is not the case that the consent of the Council is required for the changes to be made. In the interests of continued partnership working and co-operation, officers of CHG have urged the tenants to take into consideration the views of the Council. However, strictly they do not require the approval of the Council to move from an election to a selection process of appointing tenants to the TSC.

5. FINANCIAL IMPLICATIONS

None.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There are no policy implications arising; the legal position is set out in paragraph 4.3 above.

7. RISK MANAGEMENT

7.1. There are no direct risks to the Council as a result of this proposal.

8. EQUALITY IMPACT ASSESSMENT

8.1 This is not necessary for the Council to undertake as a result of this proposal but will be a matter for CHG and their tenants to ensure that it is fully addressed.

9. CONCLUSION

9.1 As the agreement is not required from the Council for the tenants to change the way in which tenants are selected, rather than elected, to the TSC, it is recommended that this be conveyed to the CHG and the Chairman of the TSC/Central Tenants Forum.

10. CONSULTEES

10.1 CLT.

11. BACKGROUND PAPERS

- 11.1 Council June 2012.
- 11.2 Overview & Scrutiny August 2012.
- 11.3 Cabinet September 2012.
- 11.4 Overview & Scrutiny April 2014.

TENANT SERVICES COMMITTEE/CENTRAL TENANTS FORUM

**Report to Wyre Forest District Council Overview & Scrutiny Committee
Meeting on 3rd April 2014**

UPDATE ON THE DEVELOPMENT OF TENANT INVOLVEMENT & FUTURE PROPOSALS PURPOSE

- (i) To update the Committee on developments in the implementation of TCHG's new Tenant Involvement structure
- (ii) To inform the Committee of the outcomes of a tenant led review of the process for electing tenants on to the Tenant Services Committee and subsequent proposals to consult tenants and key stakeholders on moving away from election to a selection process in the filling of future vacancies.

1.0 Background

- 1.1 From transfer TCHG supported an involvement structure that focused on a hierarchy of formal tenants committees and associated meetings. Whilst attracting new members of varying age ranges in to the structure was always a challenge, the committees worked well during the delivery of the Tenants Guarantee and the early years following the move to Group Structure.
- 1.2 With the introduction of the Localism Act, the move to co-regulation (which brought a greater role for tenants in scrutinising the performance of their landlord) and new models of best practice in tenant involvement emerging, TCHG recognised the need to support tenants to adapt Involvement structures to match how tenants want to engage with their landlord and to adopt a less formal, more flexible and inclusive approach.
- 1.3 In 2011/12, a task and finish group of tenants, working with a Chartered Institute of Housing acknowledged independent tenant advisor, led a major review of TCHG's tenant involvement structure. To inform their review, the group visited and spoke to tenants in other Housing Associations about their experiences and models for involvement. This included South Oxford Housing Association (SOHA) and Trent and Dove, both nationally recognised as examples of best practice.
- 1.4 Emerging from the review was a series of recommendations for a more streamlined core involvement structure based around a Central Tenants Forum responsible for informing policy and strategy development, monitoring landlord performance and co-ordinating involvement activity across the Group. They would be informed and supported by a framework of more flexible and diverse opportunities for involvement including electronic surveying (via survey monkey & text messaging) on-line consultation panels, focus groups, local neighbourhood groups, mystery shopping exercises, road shows and events etc.
- 1.5 Once the review was complete, the Tenants leading it discussed their proposals with other involved tenants, staff, Directors and Members of TCHG, and with the support of the Involvement Team, organised and attended a series of open

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meetings across the district to 'test' their recommendation with the wider tenant constituency. Feedback was in support of proposals to restructure and the new structure was adopted in 2011/12.

- 1.6 Running alongside this was TCHG's governance review, a requirement of the Housing Regulator as part of the co-regulation agenda and revisions to the National Housing Federation Code of Governance.
- 1.7 This new governance structure was formally agreed at the Company's AGM in September 2012. It included a new Tenant Services Committee (TSC) comprising of the existing 5 tenant board members. This was to be an interim arrangement for the first twelve months after which it was agreed with the Council that a new committee of 9 members would be elected in accordance with the requirements set out in appendix 1&2 attached, three of whom would hold positions on TCHG Boards; the remaining 6 being 'Committee Members'
- 1.8 In September 2013 following the election the new Tenant Services Committee was appointed.

2.0 Current position

- 2.1 It became apparent to Tenant Representatives at an early stage following the election, that the aims and objectives of the Tenants Services Committee and Central Tenants Forum were very similar. Both groups worked together to avoid duplication but it became increasingly obvious that we could operate more effectively and efficiently as one body. This resulted in us making a formal request to the Company to join forces and operate under the name of the Central Tenants Forum.
- 2.2 Our joint focus is on issues that are important to tenants and ensuring that tenant's views are understood and represented at the highest level within TCHG.
- 2.3 Aligned to us is a more modern and responsive involvement structure intended to encourage wider tenant engagement across the district. Local tenant and community groups continue to provide strong links into neighbourhoods and clear escalation procedures have been developed to ensure that tenant's views are escalated to the Central Tenants Forum and TCHG is held to account.
- 2.4 Tenants not involved with TCHG previously have come forward to take up these new opportunities. For example a series of summer road shows about TCHG services last year identified 40 new tenants wanting to get involved with the Company. They have taken part in mystery shopping exercises for the Tenant Scrutiny Panel, completed on-line surveys about policies and services and supported our Tenant Communications Panel to review and comment on company publications.
- 2.5 The Tenant Scrutiny Panel and team of Customer Inspectors have gone from strength to strength. They have agreed their own programme of reviews based on tenant feedback and changes to landlord services and report their findings directly to the Company's Audit Committee. The Panel is working closely with the Tenant Participation Advisory Service (TPAS) to attain the Quality Assured Scrutiny Accreditation which will demonstrate compliance with best practice across the

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sector and from April 2014 will be working in partnership with internal Auditors Mazars to contribute to their annual audit timetable.

- 2.6 Minutes of our meetings are available on the Company website and we are working with Officers to develop a new Tenant Portal on the website which will increase opportunities for tenants to request services on line and participate in consultation/involvement activities.
- 2.7 Last year we held a planning day to agree the priorities we wanted WFCH & WFSH to focus on in their 213/14 business plan'. We met with the relevant Chairs to present them and to seek assurance that we would receive quarterly reports on progress. This proved very successful and was repeated for 2014/15.
- 2.8 Our representatives on WFCH & WFSH Boards report to us quarterly and improved opportunities to shape policy and strategy at an early stage enable us to make sure our views are built in to reports and our Board Member Representatives reinforce our views at meetings.
- 2.9 We have recently supported the Tenants Federation to develop their role as an independent body supporting all tenants across the district and they too attend and report in to our meetings.
- 2.10 As Chair of the new body I sit on the Parent Board and Remuneration Committee of the Group and am pleased to report that every effort has been made to support me in my role. I give a full report on involvement activities and concerns of Tenants at each Parent Board meeting and can confirm that tenant's views are listened to and acted upon.
- 2.11 Tenant training programmes and induction processes have been reviewed and expanded to ensure the Company is offering the right support to tenants who want to be involved and aspire to Board/Committee Membership and we are currently piloting a formal Governance qualification that has been successfully achieved by involved Tenants in other Housing Associations.
- 2.12 We have built strong links with our neighbouring Housing Associations in Worcestershire and have carried out mystery shopping exercises on each other's services, arranged shared training and conferences and participated in best practice visits to each other's organisations

3.0 Review of the Election Process

- 3.1 Following last summer's Tenant Services Committee elections we asked to review the process. This review highlighted a number of issues and concerns set out below:
- 3.2 The process was extremely time-consuming and costly - £24,500 excluding staff time, videos, photographs and web site updates. Our collective view as Tenant Representatives is that this did not represent good value for money particularly in times when there are significant financial constraints on tenants and across the housing sector.
- 3.3 The process was considered a means of ensuring proportional representation across the district. However, this did not happen as candidates from Stourport and

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Appendix 1

Bewdley were not forthcoming. Further campaigns had to be carried out in an attempt to encourage nominees from these areas which meant additional time and cost. We still have no candidates from these areas.

- 3.4 Our discussions with active tenants whom we would have expected to put themselves forward for election highlighted that they did not do so for fear of the election process and receiving a low number of votes and this being known by their neighbours and communities.
- 3.5 We are also concerned that the process is not effective in deterring candidates who simply want to pursue their own issues rather than act in the best interests of all tenants
- 3.6 Finally the process did not reflect the best practice we have observed in other organisations where Tenant Board/Committee Members are recruited in the same way as other members in the structure with due regard being given to their skills, knowledge and experience.

4.0 Proposal

- 4.1 Having given this matter considerable thought over the past months and discussed it with all Tenant Representatives we consider it is timely for tenants to be consulted on alternative models for their voice and interest to be represented within the Company's Governance structure.
- 4.2 We therefore wish to go back to all tenants to consult on a proposal to move to a selection process
- 4.3 The new regulatory requirements mean that appointment onto TCHG boards has to be through a skills based selection process. We believe that tenants should be selected in the same way to ensure parity, and that those individuals representing tenants at the highest levels within the organisation should have the right skills, experience and knowledge.
- 4.4 To ensure that all tenants are given every opportunity to apply for the positions we will continue to offer interested tenants the opportunity to observe meetings and undertake shadowing and mentoring.
- 4.5 As with other Board/Committee Member vacancies we would wish to agree a succession plan based on the terms of office that apply to other Board/Committee Members (i.e. a maximum of 2x3 year terms as Chairs and 3x3 year terms as Members with total service not exceeding 9 years) and make it widely available so that tenants are aware of emerging vacancies and can prepare for application by signing up for refresher training, collecting evidence to support their application etc.
- 4.6 Our intention would be to advertise vacancies well in advance and we will work with communities to identify the best places to display the advertisements to ensure the maximum coverage.
- 4.7 The key selection criteria will be based on experience of TCHG's landlord services and skills relating to community representation and communication.

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4.8 We will follow the Companies equality policy in all recruitment and selection processes

The proposed process for appointing new members will be by application and interview.

It is proposed that the selection Panel includes:

- Chair of the TSC/CTF (or his/her designated representative)
- Representative from the Tenant Scrutiny Panel
- Tenant from a partner registered housing provider
- Member of TCHG Human Resources team.

4.9 If Tenants support the move to a selection process and approval is given, a new detailed recruitment and selection procedure will be put into place based on the above. This will be developed with tenants and relevant officers from TCHG, to include a representative from Human Resources to ensure that the new process is fair, open and transparent.

4.10 All members of the Selection Panel will receive recruitment and selection training.

5.0 Consultation Process

5.1 The CTF/TSC met with TCHG membership 29th January 2014 to discuss outline proposals and seek their views. We received a positive response to our presentation

5.2 On 24th February 2014 we consulted all involved tenants and received their support to move forward.

5.3 The next steps in our consultation plan are set out below:

- Report to WFDC Overview & Scrutiny Committee 3rd April 2014
- Consultation with **all** tenants in April/May 2014 (via Streets Ahead publication)
- Update report to WFDC Overview & Scrutiny Committee 1st May 2014 as required.
- Reports on the outcome of the consultation to the TSC/CTF, WFCH, WFSH and TCHG Boards May/June 2014.

5.4 In our planning we have allowed time to receive the results of our consultations and still be able to run an election campaign before September 2013 should we need to.

Report prepared by Gill Smith Resident Involvement Manager on behalf of the Tenant Services Committee/Central Tenants Forum

WYRE FOREST DISTRICT COUNCIL

Cabinet 13th May 2014

**Overview and Scrutiny Committee
1st May 2014**

Recommendations from the Blue Badge Review Panel 28th April 2014

The Blue Badge Review panel was convened to scrutinise the allocation, procedure and effectiveness of the scheme and investigate the possible misuse / abuse of Disabled Parking Permits throughout the District.

The aims of the group were to:

- Examine and understand the policy and procedure for the application of a blue badge.
- Understand the allocation criteria and eligibility for blue badges.
- Ensure effective communication to residents and interested parties.

Recommend to Cabinet:

- 1. A publicity campaign via the Media Team be produced to promote the correct use of permits and to help prevent public misconception of the scheme.**
- 2. The Benefits Fraud Hotline telephone number be published and guarantee of anonymity.**
- 3. The continued efforts by the Kidderminster Hub and Worcestershire County Council to improve the application process and streamlining of issuing permits be endorsed.**
- 4. The Civil Enforcement Officers continue with the work they are doing to combat misuse of permits.**

Background papers:

Report to the Overview and Scrutiny Committee 1st May 2014:

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7427>