

**HACKNEY HOMES Ltd
Board Meeting**

**Tuesday, 26 July 2011 at 6.30pm to 8.10 pm
The Chief Executive's Conference Room, 1st Floor,
Christopher Addison House, 72 Wilton Way, Hackney E8 1BJ**

Part A Meeting (Open to the Public)

Hackney Homes Board Members:

Rupert Tyson (Chair)
Alice Burke (Vice Chair)
Alex Russell
Audrey Villas
David Larkin
Joseph Oshikoya
Karen Dodds
Mervyn Jones
Pam Lockley
Saleem Siddiqui
Samantha Lloyd
Susan Fajana-Thomas
Tom Tyson

Hackney Homes Executive Team:

Charlotte Graves (Chief Executive)
Neil Isaac (Director of Finance & Resources)
Neehara Wijeyesekera (Divisional Head of Tenancy and Leasehold Services)
Judith Morrison (Head of Leasehold and Right to Buy)
Jim Paterson (Head of Building Maintenance)
Jonathan Oxlade (Head of Asset Management)

Hackney Homes Officers:

Sunil Desai

John Newton

Trish Hail

Odile Anderson

Martin Weaver

Martin Long

Neville Elliott

Stakeholder Representatives:

Philip Glanville (Cllr)

Tim Shields

Ian Marriot

Bruce Devile

Michelle Patterson

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HACKNEY HOMES Ltd Board Meeting 65

Tuesday, 26 July 2011 at 6.30pm to 8.10pm

*The Chief Executive's Conference Room
1st Floor, Christopher Addison House
72 Wilton Way, Hackney E8 1BJ*

A AGENDA Part A (open to the public)

Item	Presenter	Subject	Pages	Status	Duration	Time
1.	Chair	Welcome/Apologies/ Introductions		Information	2 mins	6.30-6.32
2.	Chair	Declarations of Interests		Information	1 min	6.32-6.33
3.	Richard Capie(CIH)	Localism Bill and other housing matters		Presentation	30 mins	6.33-7.03
4.	Chair	Minutes of 24 May 2011 (Part A) and Matters Arising	1-8	Decision	5 mins	7.03-7.08
5.	C Graves	Chief Executive's Report - Strategic Overview	9-14	Information	10 mins	7.08-7.18
6	T Merrett	Action items for future meetings	15	Information	2 mins	7.18-7.20
7	Martin Long	Decent Homes Programme	16-20	Information	20 mins	7.20-7.40
8.	M Weaver	Fire Safety Policy	21-31	Decision	20 mins	7.40-8.00
9.	N Wijeyesekera/ N Elliot	Consultation process for the Draft Tenancy Agreement	32-43	Information	5 mins	8.00-8.05

10.	Chair	Any Other Business		Information	5 mins	8.05-8.10
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Future Board meetings

- Tuesday, 20 September 2011
- Monday, 31 October 2011
- Tuesday, 13 December 2011



Hackney Homes Ltd

ITEM 4

Part A minutes of Board of Directors, held at Christopher Addison house, 72 Wilton Way Hackney E8 1BJ

On 24 May 2011 at 6.30 PM

Present	Board Members Rupert Tyson Alice Burke Audrey Villas Tom Tyson David Larkin Samantha Lloyd Saleem Siddiqui	Hackney Homes Officers Charlotte Graves Neil Isaac Jim Paterson Jonathan Oxlade Faisal Pirbhai (Part) Neehara Wijeyesekera Alex Jarosy	Stakeholder Representatives (Hackney Council) Cllr Philip Glanville
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	Part A – Open to the Public	Action	Date
1. Welcome/ Introductions	The Chair welcomed everyone to the meeting and introduced Cllr Philip Glanville.		
Apologies	Karen Dodds, Jonathan McShane, Pam Lockley, Alex Russell		
2. Declarations of Interests	Cllr Saleem Siddiqui declared that he was a member of Clapton Park TMO should any reference to the TMO be made during the meeting.		
3. Questions received from the public	None		
4. Minutes of the meeting held on 1 March 2011.	The minutes of the meeting held on 12 April 2011 were agreed as a true record and signed accordingly.		

Hackney Homes Ltd

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Part A minutes of Board of Directors, held at Christopher Addison house, 72 Wilton Way Hackney E8 1BJ

On 24 May 2011 at 6.30 PM

Matters arising	The Board asked for a progress update on the digital aerial programme and any learning outcomes so far.	N Wijeyesekera	26.7.11
5. Youth Resident Liaison Group	<p>Neehara Wijeyesekera introduced the report and explained the background. The RLG had discussed ways of improving engagement with the youth of Hackney and the young people had given a very positive presentation to the Group. Faisal Pirbhai and Sonia Bradley were working closely with the youth groups on this. The Board asked whether the Youth RLG would then feed into the main RLG. Neehara Wijeyesekera confirmed that it would. David Larkin had been involved in this and said he was delighted that it had now come to fruition. The Board was wholly supportive of a Youth RLG but asked that a review mechanism was built in. Neehara Wijeyesekera said that a 12 month review mechanism would be included.</p> <p>The Board approved the establishment of a Youth RLG Board.</p>	N Wijeyesekera	May 2012
6 Chief Executive's Report - Strategic Overview	<p>Charlotte Graves introduced the report.</p> <ul style="list-style-type: none"> • Hackney Homes' general position was quite strong and our relationship with the Council was very good. The benefits of Charlotte Graves' twin-hatted role were now starting to come through. • The Universal Housing Project was now in its final stages and go live would happen very shortly • Cranston CHP. LBH would be taking a decision very soon on this and if agreed, matters would move forward very quickly. • Gas safety inspections. the injunction route was now the only option available for Hackney Homes to try and gain access to properties • FRAs. monthly meetings still were taking place to review progress. Charlotte Graves acknowledged the assistance given by the Fire 		

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Brigade. There was now a clearer position on the evacuation advice. If the fire was in a street property, the advice was to leave the property; if the fire was in a compartmentalised property and the fire was not directly affecting a resident, the advice was to stay put; if the fire was in a non-compartmentalised property, the advice was to evacuate.

- Dog Control; the Council were currently consulting on dog control proposals which would in turn affect Hackney Homes' tenancy agreements.
- Joint HH/LBH project on subletting. Officers from Hackney Homes and the Council were working closely on this project to tackle illegal sub letting.
- All the housing management staff had now transferred across and were settling in.

Charlotte Graves gave some information on the recent poor publicity generated by Shoreditch Citizens and the background to this. The Group were due to come into Christopher Addison House on 25 May 2011.

Neehara Wijeyesekera said that the Youth Engagement Team and the Travellers and Gypsy Team had both been nominated for the TPAS regional awards. On this occasion however, they did not win.

Alice Burke said that Housemark had awarded Hackney Homes an ASB accreditation and Hackney Homes was one of only 6 ALMOs in the country to achieve this. She congratulated Wayne Hylton and his team.

Charlotte Graves said that Hackney Homes had won two awards at the Chartered Institute of Housing and Inside Housing's Housing Heroes event.



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Denise Hill won Career Development Star of the Year and Rupert Tyson won Inspirational Board Member or Cabinet Member of the year. The Board warmly congratulated everyone for their achievements.

The Board asked what impact the delay with UH would have for Hackney Homes. Charlotte Graves said that there was a business impact as staff working on UH had been taken away from their day to day duties. As the Board recognised, there had been a specific impact on the Call Centre and Repairs and the delay meant that consultancy fees were still being generated. There was also the reputational impact of a 2 year project having been extended to 3 years. A review of the project would be taking place.

The Board asked for clarification on the joint working with the Council on illegal sub-letting. Charlotte Graves said that Hackney Homes and the Council had always worked together on this but a change of staff had generated this possibility of closer working with a joint funded post. The Council had stronger powers to deal with illegal sub-letting e.g. the Council could address matters such as benefit fraud which was something Hackney Homes could not do. It was noted that it often took a great deal of time to resolve illegal sub-letting issues. Charlotte Graves said that much of this was down to waiting for Court dates and the legal system around this in general. It was also noted that some illegal sub-lets were resolved informally and there were often indirect handbacks and abandonments. The Board asked if there was any scope for charging the legal tenants for illegally sub-letting. Charlotte Graves said that all money recovery routes would be explored.

The Board expressed its concerns over the proposed Cranston CHP project given that communal heating systems could potentially exacerbate rent arrears etc. Charlotte Graves said that the Council had thoroughly explored all these

	<p>issues and following an independent audit of this system and other systems, the Cranston System was cheaper. Neil Isaac said that the system at Cranston, unlike the old communal heating systems, was a pay as you go one with separate meters.</p> <p>The Board noted the report.</p>		
<p>7. Board actions yet to be implemented and not elsewhere on the agenda</p>	<p>Tess Merrett said that the Out of Hours Service Report would be presented at the September Board.</p> <p>The schedule of rates did include boilers and the Fire Risk Update should read Fire Risk Policy.</p> <p>The Board noted the items.</p>	<p>J Paterson</p>	<p>20.09.11</p>
<p>8. Business Critical Performance Summary Year End and Quarter 4 – 2010/11</p>	<p>Alex Jarosy introduced the report. Despite a year of significant upheaval, Hackney Homes had performed well in the critical core areas such as rents, repairs appointments, emergency repairs an estate environment. There had also been a marked improvement in the other areas. Officers were already in discussion with the Council regarding the Delivery Plan for 2012/13.</p> <p>The Board asked for clarification on rent arrears in particular</p> <ul style="list-style-type: none"> • Age profiling of the debt • At what point a debt was written off. 		



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	<p>Neil Isaac said that as a general rule, current tenants' debts were not written off. Former tenants' debts were only written off after all money recovery routes had been exhausted.</p> <p>Alex Jarosy said that there was further detailed information supporting the business critical indicators available and he would review this for age profiling data.</p> <p>The Board queried the voids indicator. Charlotte Graves said that there needed to be a direct question which matched the indicator.</p> <p>It as noted that the performance information on the website was out of date. Alex Jarosy acknowledged this and said that the new UH system and the fact that end of year data took longer to collate had contributed to the delay in up to date data being available on the website. However, Officers were working to rectify the matter.</p> <p>The Board queried how the re-let data was recorded as it was thought that it included everyone who viewed and recorded these as a refusal. Alex Jarosy said he would check this.</p> <p>The Board asked why the cases of legal disrepair had increased. Alex Jarosy said he was already looking into this.</p> <p>In respect of the worklessness indicator, Charlotte Graves said that the funding for this was no longer available and therefore this indicator would not be used next year. Neehara Wijeyesekera said that Hackney Homes had been a victim of its own success in this field as we had actually engaged with more residents than the initial target of 3,000. This in turn had affected the target of</p>	<p>A Jarosy</p>	<p>20.9.11</p>
	<p>The Board asked why the cases of legal disrepair had increased. Alex Jarosy said he was already looking into this.</p>	<p>A Jarosy</p>	<p>20.9.11</p>

	<p>residents who had been referred on to the ways into work programme.</p> <p>Alex Jarosy clarified that N/A in some of the month boxes referred to the fact that that particular indicator was collected quarterly not monthly.</p> <p>The Board queried the rising level of sickness. Neil Isaac said that there was one service area, Estate Management, which had not responded to all the sickness management strategies put in place. The sickness levels in all other service areas had been decreasing. There were several long term sickness cases which were still showing in the data even though sick pay was no longer eligible.</p> <p>The Board queried the Leaseholder and Right to Buy indicator on major works charges collected as a percentage of invoices raised and how this was affected if at all by multi year arrangements. It was noted that the indicator is based on every payment Hackney Homes received within the financial year (regardless of when the invoice was raised) as a percentage of what has been raised in the current financial year.</p> <p>The Board noted the report.</p>		
<p>9, Decent Homes Update</p>	<p>Jonathan Oxlade introduced the report. 28.9% of homes in Hackney were non-decent and 1,366 homes had now been made decent. The Board asked for clarification on why, if all the money had been spent, the decent homes target had not been met. Jonathan Oxlade said that there were some more expensive works involved and Connaught going into liquidation had affected Hackney Homes. Hackney Homes would be in formal dispute with Connaught and at the moment it looked as though Connaught owed Hackney Homes money.</p>		



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	<p>Charlotte Graves clarified the funding position. The funding for 2010/2011 was approved in 3 increments starting with £20 million. The moratorium on spending came into force in November and December 2010. However, the final spend was approved in January and £9m of work was completed by March 2011. The programme for 2011/2012 would be signed off very shortly by the Council.</p>		
<p>10, Board Member Update</p> <p>AOB</p>	<p>The Board approved the proposal to undertake the independent board member recruitment process once the Resident Election to allow for a full skills gap analysis to be undertaken.</p> <p>Audrey Villas handed round a report and said she had undertaken a site visit for Aids & Adaptations. The work was of extremely high quality and the residents were all delighted with everything. Alice Burke said that it was satisfying to know that the procurement process had worked so successfully.</p> <p>Saleem Siddiqui asked that when fitting new bathrooms, consideration be given to installing lavatories with a double flush system with a view to saving water.</p> <p>The meeting closed at 7.40 pm</p>		

Signed as a true record of this meeting _____ Chair Dated _____

Title of Report: Chief Executive's Report – Strategic Overview	
Decision Making Body: Hackney Homes Board	Date: 26th July 2011
Classification: FOR INFORMATION	Report of: Chief Executive – Charlotte Graves
Item Previously considered at: This is a monthly standing item	On Which Date: N/A
Report Author: - Charlotte Graves, Chief Executive	Appendices:

If you have any questions about this report, please contact Charlotte Graves on 0208 356 3671 or email charlotte.graves@hackneyhomes.org.uk

1.0 SUMMARY OF REPORT

1.1 The purpose of this report is to ensure that the Board have an overview of activity, performance and strategic issues at Hackney Homes.

2.0 RECOMMENDATION

2.1 The Board is asked to note the contents of this report.

3.0 BACKGROUND

3.1 This is my regular report providing an update on key issues affecting Hackney Homes.

4.0 FINANCE & RESOURCES

4.1 Budget Setting 2012/13 and HRA Reform

The budget setting process for 2012/13 is now under way and Officers are working on savings. The HRA will go through a substantial change from the 1st April 2012 (i.e. those changes contained in HRA Reform proposals), the details of which are not yet fully finalised and assessed. However, once further details are available, Officers will report back to the Audit & Finance Committee and Board.

4.2 Hackney Homes joins the NFA Board

Hackney Homes has been appointed to the board of the National Federation of ALMOs. Chair of Hackney Homes Rupert Tyson MBE will represent Hackney Homes and he attended his first Board meeting which was held after the NFA Conference on 13 July. Hackney Homes will serve on the ALMO Board for a minimum of two years.

4.3 ASB Roadshows

Residents concerned about anti-social behaviour will be able to receive advice first hand as the 2011 Tackling Anti-Social Behaviour Road Show rolls into town. This year, Hackney Homes will be teaming up with Hackney Council and Hackney Police, and trained officers from all three organisations will be on hand to listen to the concerns of residents and offer help and advice. The events will also give residents the opportunity to report anti-social behaviour (ASB) and noise nuisance in confidence. Dates and times are available on the Hackney Homes website www.hackneyhomes.org.uk

4.4 Charity Dragon Boat Race

Hackney Homes' staff took part in a Dragon Boat Race in aid of CRASH, the construction and property industries' charity for homeless people. 39 teams in all took part in the 200m race and our team were crowned the champions setting the fastest time on the day. The team jointly raised over £12,000 for CRASH which will go a long way to help homeless people in London and across the South East.

4.5 Hackney Homes Resident of the year

Hackney Homes Resident of the year, Tony Osborne was one of just three residents shortlisted for the National Federation of ALMOs Awards. Tony was recognised and celebrated for his hard work and achievements on his estate and neighbourhood and the recognition was much appreciated by him.

5.0 TENANCY & LEASEHOLD SERVICES

5.1 Reorganisation of the Tenancy and Leasehold Services

The reorganisation of the Tenancy and Leasehold Services division incorporates the former Housing Management Partners, Resident Services, Leasehold and Right to Buy Services. The reorganisation will be in two stages:

- Phase one proposes changes to senior management posts and staff reporting lines within the division and commenced mid July 2011.

- Phase two will include changes to all other posts within the division and it is expected that consultation will begin in October 2011.

This reorganisation brings the need to vary the Organisational Change Policy, Redundancy Procedure and Redeployment Procedure to allow a fair and transparent integration of employees previously employed by four different organisations into to the new structure. The proposed variation will be presented to Hackney Homes HR Committee.

At this stage, 4 months after the transition extra resources have been allocated to front line services to ensure we enhance the existing service such as Home Check (Vulnerable visiting), estate inspections and customer services.

6.0 Universal Housing

Data issues continue to cause problems for the Universal Housing project, although progress is steadily being made and the number of issues is reducing. As of the 19th July it was not possible to run a 'period end' in the system – i.e. the process for raising rent debits on accounts – as this is reliant on the account data being 100% accurate. We expect to be able to run this by the end of week ending 22nd July, which will give us the confidence that the account data has been fixed. Validation on the Applicants, Homeless and Advice and Options data is ongoing. It is hoped that the validations will be complete and issues resolved to enable go live to commence before the end of the month.

7.0 ASSET MANAGEMENT

7.1 Shoreditch Heat Network

The Shoreditch Heat Network contract will be agreed and signed off on Friday 22nd July. The project encompasses a new heating system for approximately 500 homes in the Shoreditch area. This also means that Section 20 Notices can be issued to our leasehold residents. As the project benefits from CESP funding, the elements of the works that are funded by CESP, will not be recharged to the leaseholders. A series of consultation events will be arranged for all residents which will coincide with the issuing of the Section 20 notices and work should start in the middle of September.

8.0 ESTATE ENVIRONMENT

8.1 Estate Cleaning

Estate Cleaning has achieved the highest percentage of performance pass rates following inspections, for the last 12 months. The

percentage in June 2011 stands at 98.53% with a 1.47 failure rate, as opposed to a pass rate of 93.94% and a fail rate of 6.06.

There has been some local area passes of 100%, but the aim will be to improve borough wide on what is already a good pass rate.

Month	Total Passes	Total Fails	Total Inspected	% Pass	% Fail
Jul 2010	16419	1059	17478	93.94	6.06
Jun 2011	13570	202	13772	98.53	1.47

8.2 Preparations for Winter

We have just started the process of ordering 140 tonnes of salt for the cold weather which is 20 tonnes more than last year. We have discovered another large storage area which can be used to store the extra amount of salt, which means the store can be split into two loads, one in the North and one in the South of the Borough. The extra amount will allow for any unforeseen circumstances, such as assisting the TMOs which had run out of their own stock and were unable to purchase any more. We have 20 tonnes left over from last winter, so the total of 160 tonnes should be adequate for our consumption.

9.0 GROUNDS MAINTENANCE

9.1 General Update

Grass Cutting has been kept to the maintenance schedule, summer bedding has received good feedback from residents, Grounds Maintenance has also attended numerous open days throughout the spring and summer to promote the service.

9.2 Food Growing

The number of estates which are involved with "Grow Your Own" has increased from 28 to 33

9.3 Garden Sharing Scheme

The Scheme will commence in August 2011, this will be advertised shortly with assistance from the Communications team

9.4 Winter Programme

Grounds Maintenance are organising a schedule for leaf clearance

Programme for Tree Planting for the forthcoming winter which will commence in October 2011.

Preparation for spring 2012 will commence during the winter months to ensure all stock has been ordered in good time to enable a flourish of colour on the estates.

10.0 BUILDING MAINTENANCE

10.1 Building Maintenance

We are currently advertising for 3 new apprentices to join Property Services.

Daisy Clarke, who was nominated at the recent Women in Construction Awards, has just completed her probation period as a plumber.

10.2 Planned Maintenance

Structure - We are now implementing the final stages of the restructure with a number of posts being, or about to be, advertised. Most significantly this will establish the client role for responsive repairs within Planned Maintenance.

Hackney Alliance - Substantial levels of work are now beginning to be directed via the Hackney Alliance contracts. However, Planned and Reactive programmes will continue to be delivered via a mixed economy with HA Contracts running in parallel, with remaining external contracts and works undertaken in-house. Detailed partnering timetables have now been produced by the Constructors for the PM capital programmes and PM staff are now getting used to the different ways of working within these arrangements. Work is being undertaken to develop common supply chains and harmonised rates across all 3 constructors in the same way as has been successful for the Decent Homes programme. This should provide further savings and more flexibility within the contracts. We are currently working on Lifts and Door Entry which will be followed by Security and Fire Doors.

Fire Risk Assessments - FRAs are continuing on a cyclical programme with a maximum interval of 2 years between assessments. A large volume of work is being undertaken in response to the findings of the FRAs managed by NPS [our term consultants]. A very good working relationship has been established with Housing Management and this is showing great benefits in our response to items notified to us.

10.3 Repairs

Since April, 2011 the Call Centre has seen an improvement in the call handling and queuing times.

For the 1st quarter RCC has achieved:-

	89.4% Calls answered	Avg waiting times	01:26
April			
May	88.2% Calls answered	Avg waiting times	01:37
June	85.4% Calls answered	Avg waiting times	01:49

However, work is still continuing to ensure the RCC are able to improve the stats further and ensure that we are in a position to cope with the winter demand, particularly if faced with the same pressures as last year.

CHARLOTTE GRAVES
CHIEF EXECUTIVE
HACKNEY HOMES

Item 6
Board Actions yet to be implemented and not covered on this agenda

<i>Meeting</i>	<i>Action Agreed</i>	<i>Officer</i>	<i>Future Meeting</i>
10 January 2011 A&F Committee	Out of Hours Service Report	J Paterson	20.09.11
	Timetabling process for key documents e.g. Delivery Plan, Tenants' Scrutiny	Chrys Edwards	20.09.11
	Youth RLG 12 month review	N Wijeyesekera	May 2012
	Digital aerial programme progress update	N Wijeyesekera	20.09.11
24 May 2011	BCI <ul style="list-style-type: none"> • Voids indicator-need for direct question which matched the indicator • Explain increase in cases of legal disrepair 	A Jarosy	20.09.11

Title of Report: : 2011/12 DECENT HOMES PROGRAMME	
Decision Making Body: Hackney Homes Board	Date:
Classification: “For Information”	Report of: Head of Asset Management
Item Previously considered at: Regular information item	On Which Date:
Report Author: Jonathan Oxlade	Appendices: None

Report Outline:

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|---|
| <ul style="list-style-type: none"> • Paragraph: 1.0 - Summary of Report; • Paragraph: 2.0 - Recommendation(s) to the Board / Committee; • Paragraph: 3.0 – Background; • Paragraph: 4.0 - Impact Upon The Hackney Homes Business Plan; • Paragraph: 5.0 - Impact Upon The Hackney Homes Risk Register; • Paragraph: 6.0 - Consideration of the Hackney Homes Equality & Strategy 2006 and Action Plan 2007 - 2010; • Paragraph: 7.0 - Consultation Process & Findings; • Paragraph: 8.0 - ICT Implications; • Paragraph: 9.0 - Human Resources Implications; • Paragraph: 10 – Financial Implications; • Paragraph: 11 - Legal Implications / Advice; • Paragraph: 12 - Other Related Decisions / Guidance. |
|---|

1.0 SUMMARY

1.1 This report briefly describes the Decent Homes Programme for financial year 2010-11.

1.2 The full programme was approved by the Council in June 2011. Detailed programmes and cost estimates for each property are in the process of being agreed. Copies of the programme have already been sent to Neighbourhood Panels and TRAs, and details are also available on Hackney Homes web site.

1.3 The programme is summarised as follows:

- Receiving external work only
 - Number of blocks: 15
 - Number of individual properties in the blocks: 710
 - Number of street properties: 69

- Receiving internal work only
 - Number of blocks: 32
 - Number of individual properties in the blocks: 479
 - Number of street properties: 0

- Receiving both internal and external works
 - Number of blocks: 2
 - Number of individual properties in the blocks: 131
 - Number of street properties: 70

2.0 RECOMMENDATION

2.1 This report is for information only.

3.0 BACKGROUND

3.1 The full listing of the DH programme

Estate Properties

Block Name	Work Type (number of homes)		
	External only	Internal only	Both
Albion Drive	5		
Anderson Road		40	
Athelstan House		7	
Barretts Grove	1		
Baycliffe House		10	
Blandford Court		2	
Bletchley Court	49		
Bracklyn Court		1	
Brownlow Road		1	
Burt House		1	
Catherwood Court	40		
Chatsworth Estate		9	
Cranwood Court	30		
Cropley Court		3	
Daley Street		4	

Daniel House		24	
Dorset Court		1	
Evelyn Court		4	
Haggerston Road	3		
Heathcote Point	40		
Hensley Point	40		
kinder House		20	
Knebworth House		26	
Linale House	42		
Linford House		1	
Lordship Road		4	
Lushington Terrace		7	
Marcon Court			81
Marlborough Avenue		1	
Marshall House		50	
Monteagle Court	16		
Morris Blitz Court			50
Napier Court		3	
Nevitt House		57	
Nisbet House	327		
Ravenscroft Point	40		
Rosedale House		16	
Royal Oak Court	3		
Sandford Court		26	
Shaftesbury Court		6	
Sigdon Road		4	
St Johns Court		49	
Touchard House	34		
Trafford House		28	
Vanner Point	40		
Vinson House		16	
Warner House		2	
Wilkinson House		12	
Wrens Park House		44	
Total units	710	479	131

Street Properties

Street name	No.	Work type (number of homes)		
		External only	Internal only	Both
Barretts Grove	53	2		
	85	1		
Benthal Road	12			2
	34			2
	42			2
	52			2
	60			2
	64			2
	70			2
	72			2
	75			2
	76			2

	79			2
	81			2
	83			2
	85			2
	87			2
	97			2
Bethune Road	39			2
Brooke Road	59			2
	68			3
	78			2
	86			2
	88			3
	90			2
	100			2
	125			2
	133			2
	207			2
Brookfield Road	22	3		
Carysfort Road	104	1		
Church Crescent	23	1		
Eleanor Road	109	1		
Evering Road	24	2		
	30	2		
	38	3		
	43	2		
	55	2		
	134			4
	148			4
	155			3
157			3	
Glyn Road	62	1		
	271	1		
	281	1		
Malvern Road	71	4		
	73	4		
Mountgrove Road	24	2		
Nevill Road	92	2		
Paragon Road	70	1		
	76	1		
Parkholme Road	11	1		
	13	1		
	5A	1		
	5B	1		
Pemberton Place	2	1		
	3	1		
	6	1		
Princess Crescent	12	4		
	16	4		
	24	4		
Princess May Road	51	2		
	73	2		
	89	1		

	91	1		
Queensbridge Road	210	2		
Sharon Gardens	10	1		
Stoke Newington High St	52	3		
Victoria Park Road	165	1		
Total units		69	0	70

4.0 IMPACT UPON THE HACKNEY HOMES BUSINESS PLAN

- This is a regular update report on Decent Homes objectives in the business plan.

5.0 IMPACT UPON THE HACKNEY HOMES RISK REGISTER

- No impact from this update report.

6.0 THE HACKNEY HOMES EQUALITY & DIVERSITY STRATEGY 2006 ACTION PLAN 2007 – 2010

- No implications.

7.0 CONSULTATION PROCESS & FINDINGS

- N/A

8.0 ICT IMPLICATIONS

- N/A

9.0 HUMAN RESOURCES IMPLICATIONS

- N/A

10.0 FINANCIAL IMPLICATIONS

- A detailed cash-flow estimate on the 2011/12 programme is to be submitted to Cabinet in September.

11.0 LEGAL IMPLICATIONS / ADVICE

- N/A

12.0 OTHER RELATED DECISIONS / GUIDANCE

- N/A

Title of Report: Fire Safety Policy	
Decision Making Body: Hackney Board	Date: 26 July 2011
Classification: FOR INFORMATION AND APPROVAL	Report of: Head of Building Maintenance
Item Previously considered at: N/A	On Which Date: N/A
Report Author: - Martin Weaver x1658	Appendices: Appendix 1: Draft Fire Safety Policy. Appendix 2: LFB Home Fire safety Guide.

If you have any questions about this report, please contact Martin Weaver on 0208 356 1658 or Martin.weaver@hackneyhomes.org.uk

1.0 SUMMARY

This report presents a draft Fire Safety Policy for comments and approval by the Board. An agreed policy will resolve a number of outstanding recommendations or actions from the Fire Risk Assessments which have been undertaken on properties within the remit of Hackney Homes. It is suggested that this document be regularly updated as more information is available and aspects of our approach are clarified or revised

2.0 RECOMMENDATION(S)

That the Board approve the draft policy for use as Hackney Homes Fire Safety Policy Version 1, subject to future periodic revision.

3.0 BACKGROUND

The Regulatory Reform (Fire Safety) Order 2005 placed new responsibilities on Landlords for fire safety including the obligation to undertake Fire Risk Assessments. All properties requiring an assessment have been assessed at least once and actions arising from these assessments are prioritised and being progressed according to that priority.

A significant number of items arising from the assessments can be resolved through agreement of a fire safety policy.

4.0 IMPACT UPON THE HACKNEY HOMES STRATEGIC PLAN 2008 - 2013

N/A

5.0 IMPACT UPON THE HACKNEY HOMES RISK REGISTER

The risk register recognises that Fire Risks that have been identified cannot all be dealt with immediately. Hence we are taking a planned approach working in line with the priorities identified by the specialist Fire Risk Assessors we have employed to undertake the assessments, dealing with the highest risks first. Agreement of this policy will clarify a number of issues and deal with a significant number of identified risks or actions.

6.0 CONSIDERATION OF THE HACKNEY HOMES SINGLE EQUALITY SCHEME 2010-2013

An Equalities Impact Assessment on this policy is underway. Any revisions required to the policy arising from this will be incorporated and brought forward as Version 2 of the policy.

7.0 CONSULTATION PROCESS & FINDINGS

Monthly meetings on Fire Risk are convened and chaired by the Chief Executive and representatives of all relevant sections of the organisation attend. The Policy has been reviewed and revisions made on several occasions in order to achieve the version presented for agreement.

8.0 ICT IMPLICATIONS

N/A

9.0 HUMAN RESOURCES IMPLICATIONS

N/A

10.0 FINANCIAL IMPLICATIONS

There are significant costs associated with both the Fire Risk Assessment process and in dealing with the actions arising from them. Responsibilities are placed on us under the Regulatory Reform [Fire Safety] Order and we are obliged to meet these. However, the Policy itself has no additional financial implications.

11.0 COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

There are no specific legal implications arising from this proposed first version of the Fire Risk Policy which is relatively general in application. It is likely that as future versions are drafted the policy will contain more specific proposals that may have a specific legal implication.

12.0 OTHER RELATED DECISIONS / GUIDANCE

It is expected that once the report is published on the enquiry into the fire at Lakenal House in South London in 2009, the Government will issue further guidance, and even legislation. Draft Guidance on fire safety in purpose-built blocks of flats is currently subject to a consultation exercise.

Version

1



Fire Safety Policy

Scope:	This policy applies to Hackney Homes Ltd working on behalf of the London Borough of Hackney
Effective Date:	July 2011
Review Date:	July 2012
Signed Off by:	Hackney Homes Board
Author:	Martin Weaver, Head of Planned Maintenance
Policy Owned by:	Charlotte Graves Chief Executive Hackney Homes
Statute/Regulatory Codes:	Regulatory Reform (Fire Safety) Order 2005

Fire Safety

1 Scope

- 1.1 This policy applies to housing stock managed on behalf of the London Borough of Hackney by Hackney Homes. It sets out our approach to mitigating the risks associated with fire in communal areas of domestic properties managed by Hackney Homes.
- 1.2 Staff health and safety with reference to fire safety is covered by the Hackney Homes Health and Safety Policy.

2 Policy Statement

- 2.1 Hackney Homes is committed to mitigating the risks associated with fire in its properties. We will work to comply with all relevant legislation, particularly:
 - The **Regulatory Reform (Fire Safety) Order 2005** (from now on referred to as the Fire Safety Order) which introduced the current system of people centred risk assessment of properties
- 2.2 Other relevant legislation includes:
 - The **Gas Safety (Installation and Use) Regulations 1998** (our compliance with this is set out in our Gas Safety (Heating Installations) policy and procedure)
 - The **Electrical Equipment (Safety) Regulations 1994**
 - The **Construction Design and Management Regulations, 2007**
- 2.3 We will also comply with the relevant Building Regulations and, wherever reasonably practicable, Approved Document B (Fire Safety) 2006, and relevant British Standards. In general if premises have been designed and built in line with the applicable building regulations (and are being used in line with those regulations), structural fire precautions will be acceptable. Any proposed structural / upgrade / alterations programme should identify in advance the Contractors and Designers responsibilities in relation to, making good, and maintaining the structural integrity of the property and the on going safety during all stages of the project. However, a fire-risk assessment will be carried out after completion of any major works and fire precautions and maintenance routines continued, as set out in this policy.
- 2.4 We will take account of best practice guidance and wherever possible comply the advice contained in the following publications:
 - CLG Guidance on fire safety risk assessments in Sleeping Accommodation

- CLG Guidance on Means of Escape for Disabled People existing housing

2.5 We will work in partnership with the Fire Authority and the London Borough of Hackney, including complying with any orders they may issue on us.

3 Policy

3.1 Hackney Homes is committed to minimising the risks associated with fire in its properties in line with its duties acting on behalf of the landlord and property owner.

3.2 In summary we will:

- Take general precautions, including carrying out planned programmes of work in all of our properties.
- Comply with the requirements of the Regulatory Reform [Fire Safety] Order 2005, including:
 - Carrying out fire risk assessments of communal areas of the stock Hackney Homes is responsible for, and removing or reducing any risks as far as reasonably practical, including ensuring that flammable or explosive materials are appropriately stored.
 - We will draw resident's of our homes attention to the London Fire Brigade's guidance on evacuation.
 - Carry out regular safety checks in communal areas and keep a record of these checks.

3.3 We will nominate responsible people to manage and carry out fire safety obligations. Relevant staff will receive appropriate training to carry out the work they are required to do under this policy.

3.4 Contractors and subcontractors working on our behalf are required to be appropriately qualified to do the work they are carrying out, and will be required to meet our health and safety standards.

3.5 A significant proportion of properties in Hackney Homes blocks are on long leases. Hackney Homes is responsible for fire safety in communal areas where the dwellings are a mixture of leasehold and tenanted tenures.

3.6 We will publicise the importance of fire safety to all residents, regardless of tenure.

4 Responsible Persons

4.1 The Responsible Person, either on their own or with any other responsible person, must as far as is reasonably practical make sure that everyone on our premises, or nearby, can remain within their dwelling or escape safely if there is a fire.

- 4.2 Responsible Persons are those defined as owing a duty to the occupants of their premises and receiving a rent, not necessarily the owner. At Hackney Homes the overall responsible person is the Chief Executive.
- 4.3 The Chief Executive may delegate responsibility to a nominated staff member to fulfil the organisation's duties. In addition managers and other staff carrying out estate inspections covering relevant communal areas have delegated responsibility to carry out regular checks as set out in the procedure.
- 4.4 All staff members with responsibilities for aspects of fire safety in any premises will receive necessary training to equip them to fulfil their role.
- 4.5 Any person who has control of the premises is also obliged to comply with the duties within the order. Therefore, buildings leased to others, are to be assessed by the operators of that building. They are designated as the Responsible Person under the Order and will be responsible for setting and monitoring management plans. Where a risk assessment produced by 'other persons' is issued to Hackney Homes, we will share relevant fire risk assessments we have undertaken to ensure appropriate integration of needs and safety of all relevant persons.
- 4.6 Where Hackney Homes has some properties in a building where another organisation also owns or manages properties we will liaise with other owners and managers to ensure that the requirements of relevant legislation are fulfilled.

5 General Precautions

- 5.1 It is intended that Hackney Homes dwellings will have mains operated fire/smoke detection systems installed when void or as part of electrical rewiring programmes. For dwellings not so equipped, Hackney Homes encourage the issue and installation of battery operated smoke detectors, which are issued free of charge by the Fire Brigade.
- 5.2 Where alarms are identified as a requirement to reduce risks by fire risk assessments, Hackney Homes will install suitable systems.
- 5.3 Where alarm systems are to be installed and we are made aware of specific difficulties, we will consider the additional needs of residents who tell us they have a relevant disability such as a hearing impairment, and, where reasonably practicable, install appropriate equipment to ensure they are alerted in the event of a fire.
- 5.4 In addition :
- All Hackney Homes tenanted properties with Landlord owned gas appliances will receive an annual gas safety check, thereby reducing the risk of fire from gas faults.

- All Hackney Homes tenanted properties will be on a five year cyclical programme to undertake a periodic electrical safety test, thereby reducing the risk of fire from faulty electrical systems.

6 Resident responsibilities

- 6.1 The actions of residents may affect the fire safety of a building. In general residents of leasehold properties are responsible for their own fire safety, including carrying out regular tests of any individual fire detection system they may have.
- 6.2 To ensure that flats are compartmentalised thereby providing protection to slow the spread of fire to other areas and protect the dwelling itself, all doors of individual properties which open into internal communal areas should be fire doors designed to prevent the escape of fire for at least 30 minutes (in some areas a 1hr specification may be used). Where doors have sidelights the complete installation should be fire rated. Leaseholders are responsible in some cases for their own front entrance doors. Hackney Homes will develop a plan to ensure that all Leaseholder doors are compliant and do not compromise the safety of others in the block. Residents should not change these doors without consulting with their landlord, and we will develop methods of ensuring that replacement doors comply with these requirements.
- 6.3 Resident's goods left in communal areas can be a source of ignition or combustible material. The Tenants Handbook includes a clause prohibiting the storage of goods in communal areas. Such clauses in future will be included in new tenancy agreements.
- 6.4 Inappropriate goods, such as motorbikes and mobility scooters can present a hazard by blocking important access and escape routes and being a source of ignition or fuel. Motorbikes and Scooters and other such goods will not be permitted in communal areas.
- 6.5 Where residents are storing inappropriate goods in communal areas and the owner is known, we will contact them to request removal. To deal with a general problem a range of creative approaches will be considered, including putting up signs, or carrying out mail shots to residents. Where residents persistently store goods in communal areas it may be possible to take appropriate legal action.

7 Contractors

- 7.1 We will monitor the performance of our contractors; compliance with requirements such as scaffolding/access, maintaining existing fire

escape routes at all times, protecting fire escape routes with particular regard to single routes, no storage of combustible materials etc in communal areas or close to the building, and hot works only by agreement. All works contractors are reminded of the need to maintain and make good fire compartments when penetrations are made

8 Evacuation Policy

- 8.1 Hackney Homes advise residents to follow the guidance of the London Fire Brigade on what to do in the event of a fire, a copy of the London Fire Brigade's Home Fire Safety Guide is contained in the appendices.
- 8.2 We will issue a leaflet on Fire Safety to all current residents in relevant premises. Future tenancies will have the leaflet included as part of the sign up pack. This will cover; not obstructing means of escape, combustible materials in communal areas, evacuation advice, installation of door grilles, risk of smoking in communal areas etc.
- 8.3 All relevant staff will receive cascaded training on general fire safety awareness covering the main risks and their responsibilities. All staff with premise management responsibility will receive detailed and specific fire safety awareness training including evacuation principles and fire fighting techniques.

9 Equality and Diversity

- 9.1 It is essential to recognise that customers of all races, ages, religions, gender, sexual orientation, literacy levels and disability should be treated equally and fairly.
- 9.2 All customers will have access to this document upon request or from our website www.hackneyhomes.org.uk.
- 9.3 This document can be translated or provided in alternative formats (e.g. Braille, large print, audio) upon request.

10 Publicising the Policy

- 10.1 Hackney Homes publicises its policies and procedures on Fire Safety to residents and staff in a number of ways:
- Website
 - Newsletters
 - Hackney Today

Home fire safety guide



PREVENTING FIRE

Prevent a fire starting in your home:

- Never smoke in a chair if you think you may doze off, never smoke in bed.
- Do not leave a lit cigarette, pipe or candle unattended.
- Use deep ashtrays so that cigarettes can not roll out, and don't throw hot ash into a waste paper basket.
- Keep matches and lighters well out of the reach of children.
- Sit at least three feet away from heaters. Never put a heater near clothes or furnishings.
- Don't overload electrical sockets.

REMEMBER

Don't smoke in bed.

Keep matches safe.

Don't sit too close to a fire.

Don't overload electrical sockets.

Avoiding damage and injury from fire at home:

- Fit a smoke alarm, this gives extra time for you and others to get out safely.
- A smoke alarm is cheap and simple to install. Make sure it is a good one and complies with the British Standard or equivalent type of international standard. They are widely available from DIY and hardware shops.
- If you have difficulties, local voluntary organisations or the fire brigade may be able to fit the alarm for you.
- Some smoke alarms for people with poor hearing set off a vibrating pad or flashing light. The vibrating pad is particularly useful for deaf-blind people.

REMEMBER

Fit smoke alarms.

Check it is an approved standard.

BEDTIME ROUTINE

Before going to bed:

- Make sure the cooker and heaters are turned off.
- Rake out open fires and put a fire guard in place.
- Switch off and unplug all electrical appliances except those that are meant to stay on, like a video or fridge.
- Ensure you have access to a phone.
- Empty ashtrays, making sure the contents are cold.
- Close all the doors as this prevents fire spreading.
- Always turn underblankets off when you get into bed and never use an electric blanket and hot water bottle together.
- Have your electric blankets checked by an expert at least every three years.

REMEMBER

Check everything is safe before you go to bed.

Switch off electric blankets when in bed.

Have electric blankets checked regularly.

KITCHEN SAFETY

Prevent a fire starting in the kitchen:

- Never fill a pan more than one third full of fat or oil.
- Never leave the pan unattended with the heat on.
- Dry food before placing it in the hot oil – wet food will cause the oil to bubble up and possibly spill over the edge of the pan.

If the pan does catch fire:

- Don't move it or throw water on to it.
- Turn off the heat if it is safe to do so.
- If in any doubt, leave the room, close the door, shout a warning to others and call the fire brigade.

REMEMBER

Don't overfill pans and deep fat fryers.

If the oil catches light – turn off the heat.

ESCAPING FROM FIRE

Planning your escape:

- You will only have a short time to get out, so plan your escape route rather than waiting until there is a fire.
- Think of another way out in case the normal one is blocked.
- Keep the escape routes clear of obstructions at all times.
- Tell everyone in the house where the door and window keys are kept.
- Keep valuable documents in a metal fire-proof box.

Escaping from fire:

- Fire can strike when you least expect it, often during the night.
- If your smoke alarm goes off while you are asleep, don't investigate. Shout to wake everyone up, and get them out as quickly as possible. Never assume that it is a false alarm.
- Dial 999 if you have time.
- Check closed doors with the back of the hand. If they are warm do not open because this means there is a fire on the other side.

- Smoke and fumes can also kill. If there is a lot of smoke, get down as near to the floor as possible where the air will be cleaner.
- Don't rush, keep calm and get everyone out as quickly as possible.
- Don't stop to pick up valuables.
- If your escape is blocked by fire it may be safer to stay put until the fire brigade arrives. Close the door and use towels or sheets to block any gaps to stop the smoke. Go to a window, call for help and wait to be rescued.

REMEMBER

Make an escape plan.

Keep keys to window locks by the windows.

Get everyone out as soon as possible.

Dial 999.

Crawl under smoke and fumes.

Block gaps around doors if trapped by fire.

ESCAPING FROM FIRES IN FLATS AND MAISONNETTES

If you live in a flat or maisonette please follow this extra advice:

- Flats and maisonettes are built to give you some protection from fire. Walls, floors and doors will hold back flames and smoke for a time. If there is a fire elsewhere in the building you're usually safer staying in your flat unless heat or smoke is affecting you.
- If there is a fire in your flat, leave the building closing the door to your flat behind you.

- If there is a lot of smoke, crawl along the floor where the air will be clearer.
- If you live in a building with a lift, do not use it if there is a fire, go down the stairs instead.
- Call 999 from any phone. Give them the address including the number of your flat, and tell them which floor the fire is on.

REMEMBER

Communal staircases, corridors and balconies should be kept clear of all combustible material, ie prams, bicycles.

Domestic waste, ie rubbish should be removed to the appropriate refuse area immediately and not stored in communal areas.

Everyone can be a fire safety champion

KEEP YOUR COMMUNITY SAFE & SOUND

www.london-fire.gov.uk

Title of Report: Consultation Process for the Draft Tenancy Agreement	
Decision Making Body: Hackney Board	Date: Tuesday 26 July 2011
Classification: FOR INFORMATION AND NOTING	Report of: Divisional Head of Tenancy & Leasehold Services
Item Previously considered at: Resident Liaison Group	On Which Date: 10th September 2009
Report Author: Neville Elliott 0208356 8802	Appendices: Appendix 1: Summary of Changes to the Conditions of Tenancy 2004.

Report Outline:

- **Paragraph: 1.0 - Summary of Report;**
- **Paragraph: 2.0 - Recommendation(s) to the Board / Committee;**
- **Paragraph: 3.0 – Background;**
- **Paragraph: 4.0 - Impact Upon The Hackney Homes Strategic Plan 2008 - 2013;**
- **Paragraph: 5.0 - Impact Upon The Hackney Homes Risk Register;**
- **Paragraph: 6.0 - Consideration of the Hackney Home Single Equality Scheme-2010-2013.**
- **Paragraph: 7.0 - Consultation Process & Findings;**
- **Paragraph: 8.0 - ICT Implications;**
- **Paragraph: 9.0 - Human Resources Implications;**
- **Paragraph: 10.0 – Financial Implications;**
- **Paragraph: 11.0 - Legal Implications / Advice;**
- **Paragraph: 12.0 - Other Related Decisions / Guidance.**

If you have any questions about this report, please contact Neville Elliott on 0208 356 8802 or email Neville.elliott@hackneyhomes.org.uk.

1.0 SUMMARY

1.1 The purpose of this report is to inform the Hackney Homes Board of the review of the Conditions of Tenancy affecting all secure and introductory tenants of Hackney Council.

1.2 Following the review process and the statutory consultation period we will aim to implement the new tenancy conditions by April 2012.

2.0 RECOMMENDATION

2.1 That the board notes the report.

3.0 BACKGROUND

3.1 The Conditions of Tenancy for all secure and introductory tenants were last reviewed in 2003. The current tenancy agreement has been in place since 2004.

3.2 Since 2004 there have been a number of issues that have become a significant problem, particularly relating to Anti-Social Behaviour (ASB) and the keeping of animals. The current tenancy agreement is insufficiently robust to allow effective action to deal with these matters.

3.3 The aims of the review are to strengthen and simplify the tenancy agreement, and to enable effective action to be taken for the benefit of all residents.

3.4 Another desired outcome of the review is to ensure that the resulting tenancy agreement addresses key organisational priorities such as:-

- recharging for damage to properties caused by tenants;
- improving access to properties to carry out gas servicing
- to stop leaks causing damage.

3.5 It should also reflect what our tenants have said are important issues which they wish to be tackled, for example ASB and noise nuisance. Consequently we have looked to implement stricter conditions relating to floor coverings to prevent unnecessary noise nuisance to other residents.

3.6 Domestic violence is also addressed in the review of the conditions with the aim of enabling effective possession action to be taken against perpetrators.

3.7 Some of the conditions have previously been criticised for being unclear leading to inconsistency of interpretation. The review

addresses these in order to make them clearer and stronger. A summary of the main changes is attached at Appendix 1.

- 3.8** The review has considered guidance published by the Office of Fair Trading (OFT-2005 and 2007) highlighting unfair terms in tenancy conditions. This guidance reiterates the importance of producing this information in a “plain” and intelligible way to “ordinary” people.
- 3.9** Consultation is a key element to this review. As well as being a statutory requirement to consult on changing the tenancy agreement we value the input from tenants and this is reflected in the consultation arrangements.
- 3.10** We benchmarked with other local authorities particularly with similar London Authorities. We have adopted conditions that other authorities currently use to improve the tenancy agreement. More about the consultation process can be found in section 7 of this report.
- 3.11** Consultation has also taken place with various organisations noted for their expertise within their specified fields. For example, we have taken advice from The Pets Advisory Council (the management of dogs and other pets for housing providers) and the RSPCA.

4.0 IMPACT UPON THE HACKNEY HOMES STRATEGIC PLAN 2008 – 2013

- 4.1** An up-to-date set of tenancy conditions which reflects current legislation, best practice and tenant priorities is fundamental to improving housing management in general and enforcement in particular. It helps clarify the rights and responsibilities of both Hackney Homes as a managing agent and that of tenants.

5.0 IMPACT UPON THE HACKNEY HOMES RISK REGISTER

- 5.1** The changes to the tenancy conditions have no negative impact on the Hackney Homes Risk Register.
- 5.2** The review will result in increased clarity of tenancy conditions and reduce areas of confusion.

6.0 CONSIDERATION OF THE HACKNEY HOMES SINGLE EQUALITY SCHEME 2010-2013

- 6.1** The Equalities Impact Assessment (EIA) carried out on the proposed changes to the conditions of tenancy will be followed up with an additional assessment following the review of the document by Council Cabinet in September 2011.
- 6.2** The EIA considered whether the current draft conditions of tenancy have a negative impact on any section of the community and how it

might be mitigated. This information will be used in the redraft of the new conditions during the consultation period.

- 6.3** The opportunity to address the issues that are specific to some of our vulnerable tenants, such as hoarding of various items in the properties leading to health and safety concerns, have been included with a new condition and additional support will be provided for the housing managers in this area.
- 6.4** It is intended that plain English and Easy Read guides are produced in addition to translations in the main languages used in the borough.
- 6.5** Any negative impact identified during the EIA will be addressed before issuing the final document.
- 6.6** As part of the EIA presentations were made to the: Disability Forum, Asian Women's Group, African Caribbean Consultative Forum, Older Persons Group and any feedback from these groups will be fed back into the review.
- 6.7** Further information on consultation with relevant groups is contained in section 7 of this report.

7.0 CONSULTATION PROCESS & FINDING

- 7.1** In line with the statutory requirement to consult, tenants and other key stakeholders will be consulted and therefore involved in the development of the revised tenancy agreement.
- 7.2** To date we have informed Neighbourhood Panels of the review and invited them to identify any areas where they would like to see changes. This will be followed up by a detailed consultation process involving all tenants being written to for their views. Consultation will take place through traditional consultation arrangements e.g Panels, Tenant and Resident Associations (TRAs) and our Alternative Forms of Engagements e.g. Black and Minority Ethnic (BME) and Disability Forums.
- 7.3** As part of the EIA we consulted the groups referred to in 6.6 above. We have currently received feedback from the Asian Women's group who requested that operatives wear coverings on their shoes when working within the home has been referred to Property Services.
- 7.4** In addition to this a tenants' reference group has been organised to allow interested tenants an opportunity to consider options in greater depth. TRAs have been notified and asked whether any of their members would like to take part in addition to the TRAs submitting their own written comments.

- 7.5** Publicity is being planned to include articles on the website and in the newsletter. A press release to local newspapers and the minority publications will outline the aims of the review and say how people can give their views.
- 7.6** To enable a mass variation of the tenancy conditions so that all existing secure (and introductory) tenants are affected by the proposed variation it will be necessary to comply with section 103 of the Housing Act 1985.
- 7.7** The Council must first serve a preliminary notice, informing the tenant of its intention to serve a notice of variation. A reasonable time must be given for the tenants to respond (at least 28 days).
- 7.8** The preliminary notice will include the amendments to the conditions and the consultation document for tenants to complete and return.
- 7.9** Failure to consider tenants' comments in response to the preliminary notice would also void the subsequent process, as a failure to take a relevant consideration into account. The notice of variation must specify the variation it is intended to effect and the date on which it is to take effect. The period between service of the notice and the date on which the variation takes effect must be no less than four weeks.
- 7.10** The notice of variation must be accompanied by such information as the Council considers necessary to inform the tenant of the nature and effect of the variation.
- 7.11** In addition, some of the Tenant Management Organisations' (TMOs) management agreements (Downs TMO) state that the Council will need to serve a Tenancy Variation Notice on these TMOs at least 56 days before the intended date of service of the preliminary notice and then consider all comments received from the TMO that it receives within 28 days and then give a reasoned response to the TMO before serving the preliminary notice.
- 7.12** The TMOs were notified on 7th June 2011 of the intention to vary the conditions of tenancy and requested to submit any issues or any changes to the conditions they would like to see addressed by 18th July 2011.
- 7.13** After approval by Cabinet and before the statutory preliminary notice is served we will make available a summary of the proposed changes to TRAs, the alternative forms of engagement groups and a copy will be available on the Hackney Homes' website. In addition we will place an article in the Hackney Homes Newsletter and posters will

be placed in the Neighbourhood Offices and copies of the documentation will be available on request.

- 7.14** Hackney Homes' service departments and Council departments have been given the opportunity to input into the draft tenancy agreement. Staff have been informed through their management teams and on the intranet.

8.0 ICT IMPLICATIONS

- 8.1** To protect the interest of the Council against fraud and to clearly link the tenant with the relevant agreement we have identified a document imaging process that via Universal Housing will import the tenant's photo image directly onto the new agreement.
- 8.2** Funding will be required to obtain the technical imaging equipment in order to facilitate this improvement. Cost is estimated at £31,100 to install the equipment in all 5 neighbourhood offices and the TMO offices that provide a similar service.
- 8.3** This will need to be factored into phase 4 of Project Excellence.
- 8.4** There are no additional staffing costs because the system will be operated by the neighbourhood staff or TMO staff.

9.0 HUMAN RESOURCES IMPLICATIONS

- 9.1** The new tenancy agreement should enable staff at the neighbourhood offices to undertake their duties more efficiently.

10.0 FINANCIAL IMPLICATIONS

- 10.1** The design and printing and associated costs with the undertaking of the consultation and the production of the tenancy agreement can be met from existing budgets within Tenancy and Leasehold Services.
- 10.2** The enhancement in enforcement conditions may lead to extra resources in staffing terms being required to enforce the new conditions. However the greater clarity and the strengthening of the tenancy conditions will make enforcement in some cases less resource intensive.
- 10.3** In addition the potential recharging ability that the new conditions provide may lead to an increase in income
- 10.4** At this stage it is not possible to estimate the overall cost impact of the points raised in 10.2 and 10.3 above. Therefore, this aspect will be closely monitored to measure the impact, and if additional resources are required a report will be submitted to the Hackney Homes' Executive Team to review the options.

11.0 LEGAL IMPLICATIONS / ADVICE

- 11.1** Section 103 of the Housing Act 1985 sets out the procedure to vary the terms of a periodic secure and introductory tenancy. The procedure involves the service of a preliminary notice (a) informing the tenant of the landlord's intention to serve a notice of variation; (b) specifying the proposed variation and its effect, and (c) inviting the tenant to comment on the proposed variation within such time, specified in the notice, as the landlord considers reasonable; and the landlord shall consider any comments made by the tenant within the specified time. Following this, the landlord must serve a notice of variation which must specify (a) the variation effected by it; and (b) the date on which it takes effect. The period between the date on which it is served and the date on which it takes effect must be at least four weeks or the rental period, whichever is the longer.
- 11.2** The notice of variation, when served, must be accompanied by such information as the landlord considers necessary to inform the tenant of the nature and effect of the variation.
- 11.3** If after the service of a notice of variation the tenant, before the date on which the variation is to take effect, gives a valid notice to quit, the notice of variation shall not take effect unless the tenant, with the written agreement of the landlord, withdraws his notice to quit before that date.
- 11.4** Once the proposed variations have been sent to tenants as part of the preliminary notice, the Council or Hackney Homes cannot not make any further changes, except for changes required as a result of the consultation, without fresh consultation with all tenants. This means the preliminary notice should not be dispatched until the Council and Hackney Homes are fully satisfied with all the proposed variations.
- 11.5** For those tenants managed by a Tenant Management Organisation (TMO), the Council may be contractually obliged to give notice to the TMO of the proposed variations as mentioned in paragraph 7.10. Each individual agreement should be checked to ensure that the appropriate contractual notice, if any, is given in the required form to the TMO.

12.0 OTHER RELATED DECISIONS / GUIDANCE

- 12.1** A report on the Review of Tenancy Conditions was noted at Resident Liaison Group on 10th September 2009.

Appendix 1: Summary of Changes to the Conditions of Tenancy 2004

Content (New Clause Numbers)	Original Clause Number	Summary of Main Changes
Preface: Introduction	None	The preface sets out 4 key responsibilities of both the Council and its tenants and sets out the definitions of you and us, our and we, home and property.
Contents	None	<p>The Conditions have been grouped together under the following headings:</p> <p>Tenancy Agreement Your Tenancy Your Responsibilities as a Tenant Our Responsibilities to you: Your Rights Grounds upon which we may seek Possession</p>
Tenancy Agreement	None	Sets out the terms of the agreement between Hackney Council “the landlord” and you “the tenant”
Section 2: Personal Information and Photographs	Condition 14 & 16	Under the terms of the agreement the new tenant agrees to have their photograph taken and included in their tenancy files. This is done in accordance with the Data Protection Act 1998.
Section 3: Your Tenancy	None	<p>Clarification of tenancy categories for Introductory, Secure, Joint, and Demoted Tenancy.</p> <p>Explanation of what it means to be in breach of the tenancy.</p>
Section 3.2.2: Rent Charges and Increases	Condition 1	<p>Clarification that :</p> <ul style="list-style-type: none"> • Weekly rent payments include other charges such as water rates and that payments are due in advance on a Monday. • Rent increases take effect from the first Monday of April each year. • It is the responsibility of each joint tenant to pay any rents due.

Content (New Clause Numbers)	Original Clause Number	Summary of Main Changes
Section 3.3.1: Passing on the Tenancy when a Tenant dies.	None	Clarification on the rights to succession and Assignment if the tenancy began before 1 October 1970 and after 1 October 1970 if the tenant dies. Inclusion of a discretionary condition to consider the position of carers.
Section 3 3.3 Subletting	Condition 11	Clarification on the terms and conditions for taking in lodgers.
Section 3: 4 Statutory Overcrowding	None	This is a new condition making it clear that tenants must not deliberately overcrowd the property.
Section 3 : 5-5.11 Ending the Tenancy	Condition 13	Clarification on resident's responsibilities to leave the property clean and empty and to meet with the housing manager to sign off the condition of the property.
Section 4: 1-1.3 Living in your home	Condition 11	Separate condition regarding the length of tenant's absence from the home before action can be taken.
Section 4:2-2.4 Owning other residential properties	None	New condition which sets out the Council's position on tenants owning other properties.
Section 4: 3.1-3.2 Using the property	None	New condition stating that the property must not be used to cause a nuisance.
Section 4:4.1-4.5 Running a business	Condition 12	Separate condition to clarify what types of businesses would be acceptable/unacceptable.
Section 4:5.1-5.3 Home contents insurance	None	New condition to encourage tenants to take out insurance for their possessions and personal liabilities and clarification that the Council has no responsibilities for these.
Section 4: 6.1-6.2 Decoration	Condition 10	Separate condition to identify what the tenants can do inside the home regarding decorations.
Section 4: 6.2-6.2.5 Hygiene	None	New condition to address the issues around hoarding.
Section 4: 7.1 Shared-communal areas	None	Clarification on the resident's responsibility for use of the communal areas.

Content (New Clause Numbers)	Original Clause Number	Summary of Main Changes
Section 4:8.1-8.1.9 Fire Hazard	Condition 6	Clarification on: <ul style="list-style-type: none"> the erecting of security grilles in line with Fire Brigade advice Tenants responsibility to have their gas installation serviced annually and that any separate appliances should be installed by Gas Safe personnel.
Section 9:9.1-9.5 Gardens ,balconies, patios and yards	Condition 10	Clarification on the erecting of sheds/car ports by first obtaining written permission. Clarification that tenants breach health and safety by erecting barbed wire, broken glass on walls etc.
Section 4: 10.1-10.5.4 Anti Social Behaviour	Condition 3	Revised condition to include important additions relating to criminal activity, gang membership, and domestic violence. This section helps tenants to understand clearly what type of behaviour is acceptable by setting out the various schedules. Additional emphasis is placed on domestic violence including the abuse of children.
Section 4: 11.1-11.5 Repairs and Maintenance	Condition 7	Clarification on tenants' responsibilities for repairs within the home.
Section 4: 12.1-12.6 Altering and Improving the home	Condition 12	Creation of a schedule of works that require written permission before the alteration can be carried out. This includes laminated flooring due to the increasing numbers of complaints.
Section 4: 13.1-13.3 Damage to your property and rechargeable repairs	None	New condition which clarifies under what circumstances we will recharge the tenant for damage to the property.

Content (New Clause Numbers)	Original Clause Number	Summary of Main Changes
Section 4: 14.1-14.2.18 Pets and other animals and Dog Ownership	Condition 4	Revised section following specialist advice in on animal welfare. Includes : <ul style="list-style-type: none"> • Tenants responsibilities in managing their pets/dogs. • What breeds of dog that tenants cannot keep? • What pets can and cannot be kept. • Those tenants will need to obtain written permission to keep any pets, animals, dogs on our estates or in their homes. • That tenants will need to register their animals at the neighbourhood office • Those tenants cannot keep more than one dog or one cat in a flat or maisonette with no direct access to a private garden.
Section 4: 15.1-15.4.1 Parking and vehicles	Condition 5	Additional conditions for parking on estates that have a controlled parking scheme in place stating which vehicles can be parked on the estate.
Section 4: 16.1-6.2 Relationship with Council officers and agents	None	Additional condition in order for tenants to understand how seriously the Council views any abuse of its staff or its representatives.
Section 4: 17.1-17.4.7 Access to the property and Health and Safety.	Condition 8	New condition stating that it is a breach of tenancy if tenants do not allow access for HH to carry out gas safety inspections as required by legislation. It states that we will give at least 48 hours notice for access to the home and that in the case of an emergency we will enter without giving any notice including forcing entry if necessary.

Content (New Clause Numbers)	Original Clause Number	Summary of Main Changes
Section 5: 1-1.18 Our Responsibilities to you: Your Rights		<p>Covering the Council's legal responsibilities for their tenants, including the following:</p> <ul style="list-style-type: none"> • Anti- social behaviour • Confidentiality and personal information • Equality and Diversity • Major Works • Quiet enjoyment • Repairs • Security of your tenancy (secure tenants only) • Services (lifts, door entry systems etc) <p>Your rights:</p> <ul style="list-style-type: none"> • Protection from eviction • Right of assignment • Right to sublet and take in lodgers • Rights in relation to the variation of the terms of this agreement • Right to buy • Right to information • Right to improve • Right to manage • Right to repair
Section 6 : Grounds upon which we may seek possession of a secure tenancy and reasons why we may seek possession of an introductory tenancy.	None	<p>Explanation of the grounds upon which we may seek possession and advise that we may recover our costs and damages for taking legal action.</p> <p>Explanation that any transfer application may be delayed or suspended if the tenant is not complying with the terms of the tenancy agreement.</p>