



# CABINET

30 October 2014

A meeting of the CABINET will be held on Thursday, 6th November, 2014, 6.00 pm  
in Committee Room 1 Marmion House, Lichfield Street, Tamworth

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## A G E N D A

### NON CONFIDENTIAL

**1 Apologies for Absence**

**2 Minutes of the Previous Meeting** (Pages 1 - 4)

**3 Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

**4 Question Time:**

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

**5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules**

None

**6 Council Housing Tenants' Annual Report 2013/14** (Pages 5 - 42)

(Report of the Portfolio Holder for Community Development and Voluntary Sector)

**7 Preparation of Compulsory Purchase Orders for Land and Property on the Tinkers Green and Kerria Regeneration Sites** (Pages 43 - 52)  
(Report of the Leader of the Council)

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. S. P.', written over a circular stamp or mark.

**Chief Executive**

*People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail [committees@tamworth.gov.uk](mailto:committees@tamworth.gov.uk) preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.*

To Councillors: D Cook, R Pritchard, S Claymore, S Doyle, and M Thurgood.



**MINUTES OF A MEETING OF THE  
CABINET  
HELD ON 23rd OCTOBER 2014**

PRESENT: Councillor D Cook (Chair), Councillors R Pritchard, S Claymore, S Doyle, M Greatorex and M Thurgood

The following officers were present: John Wheatley (Executive Director Corporate Services), Robert Mitchell (Director - Communities, Planning and Partnerships), Matthew Bowers (Head of Planning and Regeneration), Karen Taylor (Head of Benefits), John Day (Corporate Performance Officer) and Ryan Keyte (Senior Legal Officer)

**47 APOLOGIES FOR ABSENCE**

Apologies for absence were received from A Goodwin, Chief Executive.

**48 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 11<sup>th</sup> September 2014 were approved and signed as a correct record.

*(Moved by Councillor S Claymore and seconded by Councillor R Pritchard)*

**49 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**50 QUESTION TIME:**

There were no questions from the public.

**51 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE  
OVERVIEW AND SCRUTINY PROCEDURE RULES**

None

**52 BUDGET CONSULTATION 2015/16**

The Report of the Leader of the Council informing Cabinet of the outcomes arising from consultation undertaken with residents, businesses and the voluntary sector in accordance with the corporate budget setting process was considered.

**RESOLVED:** That Cabinet endorsed the report and agreed to take into account the findings along with other sources of information when setting the 2015/16 Budget.

*(Moved by Councillor D Cook seconded by Councillor M Thurgood)*

**53 LOCAL COUNCIL TAX REDUCTION SCHEME 2015/16**

The Report of the Portfolio Holder for Operations & Assets advising Members of the results and feedback from the recently undertaken consultation and the financial implications of the 2013/14 scheme and to review the consultation feedback when considering potential changes to the scheme to be applied in the 2015/16 Local Council Tax Reduction Scheme was considered. Also to advise Members that The Local Council Tax Reduction Scheme for Working Age Customers for 2015/16 should include an uprating to Applicable Amounts (to be applied for 2015/16).

**RESOLVED:** That:

1. Cabinet considered the results of the public consultation on the current scheme, carried out 15 July to 15 September 2014, and endorsed the proposed recommended change detailed below when the scheme is considered by Council on the 16<sup>th</sup> December 2014;
2. the base scheme (in place for 2013/14 & 2014/15) be endorsed;
3. Cabinet agreed that the scheme be reviewed and reported to Members prior to consultation for the development of the 2016/17 Scheme, and;
4. the exclusion of child maintenance as income be included as a specific item in the consultation for the 2016/17 scheme be endorsed.

*(Moved by Councillor R Pritchard and seconded by Councillor D Cook)*

**54 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATIONS**

The Report of the Portfolio Holder for Economy and Education seeking authorisation to consult on the preliminary draft charging schedule, approve the draft Regulation 123 list and to release s106 monies was considered.

**RESOLVED:** That:

1. the Preliminary Draft Charging Schedule for 6 week public consultation in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) be endorsed;
2. the draft Regulation 123 list be endorsed;
3. existing s106 monies from Car Parking Commuted Sums accounts totalling approximately £89,111.83 (less £83k already released), Highways Commuted Sums totalling approximately £124,656.78, Recreation Facilities totalling approximately £9,696 are released to increase the Gateways Capital project budget as detailed in the report in accordance with the legal agreements, local policy and the NPPF;
4. existing s106 monies from Recreation Facilities accounts totalling approximately £54,309 be released to create Wiggington Park capital project budget as detailed in the report in accordance with the legal agreement, local policy and the NPPF;
5. existing s106 monies from Recreational Facilities accounts totalling approximately £11,108.58 be released to increase the Broad Meadow capital project budget as detailed in the report in accordance with the legal agreement, local policy and the NPPF, and;
6. existing remaining s106 monies from account Recreation Facilities totalling approximately £123,226.26 be released to create an Open Space Capital Project budget and the Portfolio Holder for Economy and Education and the Portfolio Holder for Environment and Waste Management be given delegated authority to approve their final use in accordance with the legal agreement, local policy and the NPPF.

*(Moved by Councillor S Claymore and seconded by Councillor D Cook)*

**55 SOUTHERN STAFFORDSHIRE BUILDING CONTROL PARTNERSHIP AGREEMENT RENEWAL**

The Report of the Portfolio Holder for Economy and Education seeking to inform Cabinet that the Building Control Partnership Agreement ends on the 1st January 2015 and recommending renewing the current arrangements was considered.

**RESOLVED:** That Cabinet:

1. endorsed the Council entering into a long term agreement with South Staffs Council and Lichfield District Council to provide a shared building control service, and;
2. agreed that the Solicitor of the Council and Head of Planning and Regeneration be delegated to finalise the Partnership Agreement.

*(Moved by Councillor S Claymore and seconded by D Cook)*

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Leader

THURSDAY, 6 NOVEMBER 2014

**REPORT OF THE PORTFOLIO HOLDER FOR COMMUNITY DEVELOPMENT &  
VOLUNTARY SECTOR**

**COUNCIL HOUSING TENANTS' ANNUAL REPORT 2013/14**

**EXEMPT INFORMATION****PURPOSE**

To provide details of the Councils Landlord Performance for 2013/14 as required under the Homes & Community Agency Landlord Regulatory Framework 2012.

**RECOMMENDATIONS**

*Cabinet approve:-*

- Production of the Council's Landlord Annual Tenants' Report (2013/14) complying with required governance under the Landlord Regulatory Framework, shown at **annex one**.
- Distribution of the Annual report and future editions of 'Open House' as e-publications, available on-line as well as targeted hard copy to ensure value for money

**EXECUTIVE SUMMARY**

The Council's landlord is well placed to contribute to place shaping and delivers key services supporting Tamworth's vision – 'one Tamworth – perfectly placed' and its corporate objectives. Strategic headlines include:-

<b>Healthier &amp; Safer</b>	<b>Aspire &amp; Prosper</b>
c£5m investment in responsive and planned works to achieve decent homes across council owned stock	HRA business plan focused on growth with c£21.5m targeted for Regeneration of Tinker & Kerria including overseeing a successful decant programme
c£1m invested in Environmental Works including refurbishment of garages, drying areas, sheltered communal gardens and facilities resulting in 100% satisfaction – <i>"one Tamworth perfectly placed to deliver environmental improvements"</i>	c£2m planned annual investment into council housing building and developing strategic partnerships with investors to ensure commercial focus for the HRA going forward
Continued accreditation of the RESPECT standard for anti social behaviour with success with the co-	Continues to deliver a landlord housing options service aimed at promoting a range of choices around mutual

located hub	exchange, incentive to move, social mobility, home swapper, finding a garage and finding a home
Outcome based tenant involved with high profile projects such as intergenerational <i>cook n eat, grow your own</i> and <i>plant a pot initiatives</i> .	Preparation for Welfare Reform with investment into the third sector to support debt management and sensible borrowing including achieving core operational performance on income collection
Annual Programme of Estate Inspection to improve neighbourhood and estate services through in-house caretaking and cleaning services and in conjunction with street scene colleagues	Maximising commercial opportunity through contractors (Mears) to stimulate local business and economic regeneration with 10 new apprentices now recruited and local labour being used a continued repairs contract requirement of the council
Developed Health & well being Action plan to support 'Healthy Tamworth' - with tailored services to meet customers needs, i.e. Developed partnerships with the Staffordshire Fire & Rescue to ensure a continuation of the home fire safety service	Investment in tenants to equip them with the skills to influence and scrutinise services using the tenant central training tools.
Delivered sheltered housing services to 365 units aimed at ensuring health and well being of customers	Launch of 'finding a garage' reducing rent loss and improving local asset management and use of local resources
Mainstreamed the Supported housing team into the HRA service to support agenda around troubled families and building resilient communities, following SCC supporting people funding reductions.	Continued and improving overall satisfaction levels with the councils landlord = 86%. Ensuring that we remain a landlord of choice

Members approved in June 2014 a programme of external assessment across the Councils Landlord Service to test and ensure continued compliance with national standards aimed at delivering a quality housing management and maintenance service. This work continues to drive improvement and is reflected in this years Annual Report. Under the Homes Community Agency (HCA) Regulatory framework, there remains a requirement to produce an annual report detailing the performance and assessment of core housing management services to tenants. The publication will reflect ongoing work with tenants in terms of performance management, co-regulation and scrutiny.

Tenant Satisfaction levels, monitored within the landlord service, are at the highest since 2008 with satisfaction levels moving from 65% to 86%<sup>1</sup>, effectively only 1 in 10 now unhappy with the service compared with 4 in 10 six years ago. As previously agreed by members the tenant regulatory service is being independently assessed by TPAS and it is expected that resulting improvements, including an externally

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<sup>1</sup> This is based on a cumulative assessment of a range of qualitative surveys for specific landlord services



validated customer satisfaction survey (known as STAR<sup>2</sup>) will be carried out in 2014/15. Officers expect to report significant progress as well as being able to focus on more localised solutions for tenant engagement such as participatory budgeting, local service management and greater tenant scrutiny.

As in the past, the Tenant Consultative Group have influenced the production of this report and contributed to the target setting and scrutiny in relation to core housing management performance. If approved, the production of the Annual Tenants Report will be the 4<sup>th</sup> publication since the regulatory code was introduced. An independent assessment was carried out of previous publications by the Tenant Participatory Advisory Service (TPAS) in 2012/13 and a number of areas were noted as good practice and are further detailed in the main body of this report. A tenant centric assessment is used, along with the data, to produce this year's publication as well as inform the wider Tenant Involvement & Consultation Strategy.

Members should note that at the tenants request we have attached an actual copy of the Annual Report as well as core benchmarking data to add value to this years report to Cabinet.

Shown at **annex three** is an analysis of some of the key performance results that tenants' review monthly based on comparisons with other providers and shown on the live customer dashboard. As you can see Tamworth continues to achieve top quartile performance in a range of outcomes notably:-

- % of rent collected was 99.4% (2013/14) compared with 98.8% top quartile performance nationally. This meant Tamworth's landlord services are better than other top performing landlords such as Sandwell, Gravesham and Trent and Dove
- Average relet times continue to be less than the target of 21 days and performance for 2013/14 at 19 days was better than neighbours in North Warwickshire BC and Cannock Chase DC
- % of urgent repairs completed on time is 98.53% compared with upper quartile performers of 98% or more, better than Castle Vale CHA and Cannock Chase DC

Benchmarking across the sector and with 'best in class' is a core part of the councils landlord service performance management ensuring we are able to measure key performance indicators, improvements and operational efficiencies. As mentioned above Tamworth continues to remain in either top quartile or in an improving position.

Along with the Corporate Communications team we continue to review all tenant led publications. 'Open House' continues to be popular and there is evidence that this stimulates wider satisfaction with the landlord service as well as other council services. Recent feedback, however, has suggested that this is now sent via email and produced online. From customer profiling data we have nearly 1000 email addresses and it is intended to capture more as we support Corporate projects around digital inclusion. Being able to produce this electronically will also facilitate a more regular edition and satisfy requests for more up-to-date and timely information, so it is likely this will be produced bi-monthly. Moving to e-publications will save c£10k per annum and resulting savings can be invested into gathering improved customer profiling data so services can be tailored.

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<sup>2</sup> Standardised Tenant Assessment Rating - formally the status survey which is no longer a regulatory requirement

## **RESOURCE IMPLICATIONS**

As part of the organisational commitment to value for money tenants' have been asked for feedback in relation the distribution of the annual report. 86% of those responding said they would prefer to refer to it on-line or have access electronically.

The production of the annual report will be advertised on the web and via an e-newsletter to ensure value for money. The last 3 editions of the annual report have been sent in lieu of the autumn edition of 'Open house' to minimise costs. Going forward it is recommended that both publications will be sent electronically this will make savings to the HRA of c£10k per annum and can be invested in wider tenant engagement to promote the take up of digital inclusion and access.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

Failure to comply with the Homes & Community Agency Regulatory Framework could result in intervention should this be assessed as causing "serious detriment" to tenants. The co-regulatory framework developed with tenants to assess consumer standards as well as contribute to economic regulation mitigates this risk going forward.

## **SUSTAINABILITY IMPLICATIONS**

The overall satisfaction with the council's landlord services has a direct correlation with 'the place' and work has been cross cutting with street scene, community safety, and the voluntary sector to ensure improved results in these areas.

### **Report Author**

Head of Landlord Services – Tina Mustafa Ext. 467  
Tenant Regulation & Involvement Manager – Leanne Allwood Ext 484

### **List of Background Papers**

#### **Appendices**

Annual Report to tenants 2013/14 (attached at the end of the report)  
Customer Intelligence Report 2013/14 (attached at the end of the report)  
Landlord Services Achievements 2013/14 (attached at the end of the report)

## **MATTERS FOR CONSIDERATION**

### **Regulatory framework**

As with all social housing providers, the Council's Landlord service is required to comply with the regulatory framework, initially developed through the Tenants Services Authority, and since its demise the Homes & Community Agency. As the Council's stock retained landlord it is not subject to the same economic regulation as registered providers in relation to governance and financial regulation, given the robust financial and constitutional arrangements that already exist in these areas. But in relation to the consumer standards, as a landlord, it must operate within a co-regulatory environment with tenants', so that they have the opportunity to shape, influence and scrutinise landlord services. There are four consumer standards which apply to the service we provide to tenants

### **Tenant involvement and empowerment**

- Customer service, choice and complaints
- Involvement and empowerment
- Understanding and responding to the diverse needs of tenants

### **Home**

- Quality of accommodation
- Repairs and maintenance

### **Tenancy**

- Allocations and mutual exchanges
- Tenure

### **Neighbourhood and community**

- Neighbourhood management
- Local area co-operation
- Anti-social behaviour

These standards form the framework in which Landlord Services provides and manages services to its tenants.

### **Key achievements of Landlord Services during 2013/14**

Cabinet approved the HRA Business Plan (2012-2042) in March 2012 and this set out the challenges and ambitions going forward in light of the opportunities afforded by significant investment. These ambitions are already being realised as

- ✓ Regeneration plans are underway to invest c£21.5m in Tinkers Green and the Kerria Estates to deliver 150 new homes
- ✓ Environmental Enhancements have been progressed across all estates in Tamworth informed by locality and customer intelligence
- ✓ Core Landlord Services continue to show improvement when benchmarked nationally

Overall satisfaction with the landlord service based on 2011/12 performance from the

status survey is 75.2% and 92% for sheltered housing tenants. Whilst this is an improving position this remains a key challenge, but is not surprising given previous repairs and anti social behaviour performance, which was rated by 88% of tenants as one of the most important factors in renting their home. Already from the range of qualitative customer satisfaction monitoring undertaken locally during 2013/14 we expect this to have improved. The status survey has now been replaced by a 'star outcome' approach and this will be undertaken in 2014, as generally this type of survey is undertaken bi-annually. It is this figure that is benchmarked with peers.

**Customer Satisfaction Highlights**

<b>Satisfaction</b>	<b>2013/2014</b>
Overall tenant satisfaction with landlord services	75.2%
'Finding a Home' Survey	86%
Customer satisfaction with response repairs	91.2%
Satisfaction with complaint handling	89%
Customer Satisfaction ASB Survey	76%
Satisfaction with environmental works	100%
Satisfaction with Communal Cleaning	87%
<b>Aggregate</b>	<b>86%</b>

Landlord Services continues to benchmark services through House Mark, Housing Quality Network and other regional benchmarking clubs to ensure the service develops and remains focused on outcomes. House Mark data currently available is summarised elsewhere in the report.

House Mark publishes an outturn report for the year in July and this has been used in the development of the Annual Report for 2013/14, so that Tamworth can comply with the requirement to compare itself with others.

**Annual Report**

If approved by Cabinet, this years Annual Report will be the 4<sup>th</sup> produced since the Regulatory Code was introduced in 2009/10. Cabinet have supported previous publications and content strengthened by making more reference to corporate and strategic opportunities, such as locality working and directly linking to the core strategic priorities, around Aspire & Prosper and Healthier & Safer.

During 2012/13, TPAS<sup>3</sup> conducted an independent assessment of the previous Annual Reports and Tenant Involvement Strategy with a view to improving future content and publications.

TPAS used a range of documents to inform this assessment, namely:-

- TPAS Resident Involvement Quality Framework version 4

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<sup>3</sup> Tenant Participatory Advisory Services – An independent organisation representing tenants'

- Regulatory Framework for Social Housing 2012
- Annual Report Review – Tenant Perspectives 2011

The assessment identified the extent to which Landlord Service had demonstrated compliance with regulatory guidance, best practice and commitment to high standards of resident involvement empowerment quality. This was reported through the scheme of delegations on the 13 June 2012 and highlighted best practice in particular:-

#### The Annual Report

- Provides clear details on what the national standards are and provides direct examples of how each of these has been met.
- provides information on National Standards clarifying expectations and clearly provides information that reflects the information needs of tenants
- sets out clearly the role of the Tenant Consultative Group in, monthly monitoring, review and development of policies including monitoring and setting of performance targets
- Makes reference to a comprehensive complaints section that clearly illustrates what tenants have said, where listening has captured issues and been built into the improvement plans

#### Tenant Involvement Strategy

- the core aims and vision of the council is well set out and aligned to the vision for tenant involvement
- The section Formal opportunities for involvement clarity about monitoring by the Tenant Involvement Group is good. This section also sets out very clearly the formal and informal opportunities (good practice is demonstrated here to a level that most landlords are not meeting).
- the 10 pledges for consultation are excellent (rarely seen and good practice)
- the Strategy sets out very clearly the arrangements for review and monitoring
- there is good examples of how monitoring and review will happen (good practice)
- excellent Action Plan

Areas for improvement suggested have been incorporated and reflected future publications and include:-

- more detailed performance and illustration of capital works
- more comparisons with best in class
- outcome based around satisfaction on local intelligence

#### **Performance of the Council's Landlord Service – Outturn 2013/14**

There is no longer a bureaucratic reliance on the routine production of indicators and the emphasis is now on outcomes and impact assessment determined locally.

Landlord Service continues to review key performance indicators, with tenants', to ensure they remain customer focused and are meaningful. We will still continue with the live updating of the customer dashboard, on line, as reporting performance builds credibility and satisfaction. But the intention has been to reduce indicators and the

following have been agreed with tenants'. Cabinet are asked to endorse these for inclusion in the Annual Report.








	2009/10	2010/11	2011/12	2012/13	2013/14	Estimated Top Quartile*
Overall satisfaction with Landlord Services	65%	75.2%	75.2%	To be carried out in 2014/15	To be carried out in 2014/15	86%
Average time between lettings	28 days	21 days	16 days	13.58 days	19 days	21 days
Walkabouts	4	4	4	4	3	Not benchmarked
Satisfaction with communal cleaning	Not collected	85%	87%	86%	87%	-
Number of tenants on the database of involvement	242	344	373	348	428	Not benchmarked
% appointments made and kept	97%	98.4%	99.1%	99.6%	97.5%	97%
Gas servicing – CP12	99.9%	99.5%	99.7%	99.9%	99.8%	100%
Urgent repairs completed on time	100%	100%	100%	95.1%	99.5%	99%
Customer satisfaction with the repairs service	86%	86%	87%	91.5%	93.7%	90%
Arrears as a % of gross debit	1.5%	1.5%	2.0%	2.4%	2.3%	2.9%
Evictions	19	15	8	22	22	-

- Figures based on estimated top quartile range when benchmarked nationally –

Other than overall satisfaction (based on 2011 status) all performance indicators are in either the top quartile or reflect an improving position. Targets are SMART and are

alive to the national performance.

**Landlord Performance Report** - Top performance indicators as voted for by tenants  
 – As at 31 March 2014

Performance Indicator	Target	Current Value	Are we on target	Trend
Percentage of all responsive repairs completed within target	97%	98%		↑
Percentage of appointments made and kept	96%	98%		↑
Percentage of repairs completed on first visit	80%	90%		↑
Percentage of properties with valid Gas Safety Certificate	100%	100%		↑
Average re-let times (in days)	16 days	19 days		↓
Percentage of ASB reports acknowledged in writing within 24 hours	90%	95%		↑
Percentage of ASB cases with an agreed customer action plan within 10 days	90%	89%		↓
Current rent arrears as a percentage of annual debit	%	2.28%		
Number of complaints since 1st April 2013	-	241	-	-
Number of complaints upheld since 1st April 2013	-	17	-	-
Number of compliments since 1st April 2013	-	105	-	-

**Customer Intelligence 2013/2014**

A full summary of tenant feedback is provided at appendix A. The development of the “*you said, we listened*” feedback in conjunction with the tenant review panel has seen real outcomes for tenants as this information has been used to drive continuous improvement.

Across the total number of 241 complaints, (42) 17% relate to Tenancy/ASB issues, (91) 38% Mears, (13) 5% Morrison and (35) 15% TBC Repairs

Across the total number of 105 compliments, 33% relate to the Caretaking Service

**Complaints upheld**

During 2013/2014 there were a total of 17 complaints that following investigation was classified as upheld. Of the total 17 cases, 11 (65%) were associated with Mears

The following themes were concluded to the closure of the complaint

- Lack of communication
- Delay in service response
- Perceived poor service

In 3 out of the 17 upheld cases, a small payment of compensation was paid to the customer. In all 17 cases, an apology was made direct to the customer for their expressed dissatisfaction with service response.

.A total of 505 complaints, compliments and service requests were received within Landlord Services during 2013 – 2014. Of the total number received, 48% of these were complaints, 21% compliments and 31% service requests.

Whilst there has been a marginal increase in complaints, there has been a significant decrease in service requests.

### How do we compare!

	2010/2011	2011/2012	2012/2013	2013/2014
Complaints	283	204	237	241
Compliments	171	208	184	105
Service Requests	60	158	237	159
<b>Total</b>	<b>514</b>	<b>570</b>	<b>658</b>	<b>505</b>

### Complaints & Compliments

	2010/2011	2011/2012	2012/2013	2013/2014
Number of complaints	283	204	236	241
Number of stage 1 complaints			214	213
Number of stage 2 complaints			17	22
Number of stage 3 complaints			5	6
Number of complaints upheld			18	17
Number of compliments	171	208	184	105

In summary, only 4% of complaints were received within Landlord Service during 2013/2014. This is a significantly small proportion in relation to 5901 household and garage tenancies.

Along with the Head of Customer Services this approach will continue to be developed in line with the corporate 'Tell Us' policy.

Landlord Service will ensure that our Tenant Consultative Group are equipped with the skills and knowledge to effectively scrutinise and inform policy making as well as agreeing performance management arrangements. Landlord Service and tenants



have worked together to develop a competency framework that sets out the core skills required to serve as a member of the Tenant Consultative Group. This remains voluntary, but the matrix will be populated by dates and evaluations of training as each of the members' of the TCG attend. This will demonstrate the seriousness the council puts on investing in its tenant representatives and is specifically tailored to meeting the localism agenda around customer engagement.

Training will also be aimed at both involved customers and newly-formed scrutiny panels. It gives them the knowledge, skills and confidence to take part in service reviews and reality checking.

Training will be delivered through a variety of mechanisms, including internal and external training.

The key competencies are:

- To have an awareness of equality and diversity
- To understand roles in participating in meetings
- To understand basic financial management
- To effectively scrutinise services by understanding performance information
- To understand the key principles around governance and how this links to the democratic process.

## Customer Intelligence 2013/2014

### End of year report

#### “You said – we listened”

### Introduction

This report sets out an analysis of all customer intelligence received within Landlord Services between 1 April 2013 and 31 March 2014. It reviews complaints and any emerging themes, compliments, service requests, tenant satisfaction, key performance information and any additional customer intelligence/feedback that has been collated during the course of the financial year.

### Customer Satisfaction Feedback

Tamworth Borough Council values customers' compliments, comments and complaints as this provides fundamental feedback on performance that consequently helps to improve services.

Feedback from tenants and other service users is essential in monitoring and evaluating the effectiveness of service delivery within Landlord Service, allowing us to identify strengths as well as any areas of weakness which need to be addressed. We continue to develop new and improved ways to gather and scrutinise tenants' views.

It is important to Landlord Service to record and monitor complaints in terms of how quickly they are responded to and acted upon. We closely monitor the type of complaints we receive, the service area to which the complaint relates to, timescales in which complaints are responded to and any common emerging themes to ensure customers receive the highest quality service.

We aim to learn from complaints. Where a service has failed we will

- identify the problem and address this for the complainant
- address any underlying problems and ensure that this doesn't reoccur in the future;
- discuss emerging themes/trends with the Complaints Review Panel and escalate recommendations for future service improvement

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## What we know at a Glance!

	2010/2011	2011/2012	2012/2013	2013/2014
<b>Tell Us'</b>	<b>268</b>	<b>263</b>	<b>290</b>	<b>215</b>
Complaints	97	103	142	141
Compliments	170	147	128	61
Service requests	/	13	20	13
<b>MP Enquiries</b>	<b>56</b>	<b>50</b>	<b>39</b>	<b>30</b>
Complaints	27	14	/	1
Compliments	/	/	/	/
Service Requests	29	36	39	29
<b>Councillor/Other</b>	<b>190</b>	<b>257</b>	<b>122</b>	<b>90</b>
Complaints	159	87	11	5
Compliments	/	61	4	2
Service Requests	31	109	107	83
<b>Other</b>			<b>207</b>	<b>170</b>
Complaints	Council/Other correspondence was separated at the beginning of 2012/13 to determine the most popular means of communication.		84	94
Compliments			52	42
Service Requests			71	34
<b>Year Total</b>			<b>514</b>	<b>570</b>
<b>Response time</b>	7 days	7 days	8.75 days	6 days

## Complaints & Compliments

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### 2013/2014

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In summary, only 4% of complaints were received within Landlord Service during 2013/2014. This is a significantly small proportion in relation to 5901 household and garage tenancies.

### Complaints upheld

During 2013/2014 there were a total of 17 complaints that following investigation was classified as upheld. Of the total 17 cases, 11 (65%) were associated with Mears

The following themes were concluded to the closure of the complaint:

- Lack of communication
- Delay in service response
- Perceived poor service

In 3 out of the 17 upheld cases, a small payment of compensation was paid to the customer. In all 17 cases, an apology was made direct to the customer for their expressed dissatisfaction with service response.

### Learning from Complaints

Learning from complaints will continue to assist us in improving our processes at Tamworth Borough Council. Tenant involvement will continue to play an important role in demonstrating how we are improving services and handling complaints through the quarterly 'Complaints Review Panel' meetings. This will help to ensure a continued systematic approach to learning.






## Compare our Performance April 2013 – March 2014



Landlord Service continues to review key performance indicators, with tenants', to ensure they remain customer focused and are meaningful. We continue with the live updating of the customer dashboard, on line, as reporting performance openly builds credibility and satisfaction. However, the intention has been to reduce indicators and the following have been agreed with tenants'.

	2009/10	2010/11	2011/12	2012/13	2013/14	Estimated Top Quartile*
Overall satisfaction with Landlord Services	65%	75.2%	75.2%	To be carried out in 2014/15	To be carried out in 2014/15	86%
Average time between lettings	28 days	21 days	16 days	13.58 days	19 days	21 days
Walkabouts	4	4	4	4	3	Not benchmarked

Satisfaction with communal cleaning	Not collected	85%	87%	86%	87%	-
Number of tenants on the database of involvement	242	344	373	348	428	Not benchmarked
% appointments made and kept	97%	98.4%	99.1%	99.6%	97.5%	97%
Gas servicing – CP12	99.9%	99.5%	99.7%	99.9%	99.8%	100%
Urgent repairs completed on time	100%	100%	100%	95.1%	99.5%	99%
Customer satisfaction with the repairs service	86%	86%	87%	91.5%	93.7%	90%
Arrears as a % of gross debit	1.5%	1.5%	2.0%	2.4%	2.3%	2.9%
Evictions	19	15	8	22	22	-

Top performance indicators as voted for by tenants – As at 31 March 2014

Performance Indicator	Target	Current Value	Are we on target	Trend
Percentage of all responsive repairs completed within target	97%	98%		↑
Percentage of appointments made and kept	96%	98%		↑
Percentage of repairs completed on first visit	80%	90%		↑
Percentage of properties with valid Gas Safety Certificate	100%	100%		↑
Average re-let times (in days)	16 days	19 days		↓

Percentage of ASB reports acknowledged in writing within 24 hours	90%	95%		↑
Percentage of ASB cases with an agreed customer action plan within 10 days	90%	89%		↓
Current rent arrears as a percentage of annual debit	%	2.28%		
Number of complaints since 1st April 2013	-	241	-	-
Number of complaints upheld since 1st April 2013	-	17	-	-
Number of compliments since 1st April 2013	-	105	-	-

## Customer feedback/satisfaction across Landlord Services 2013 - 2014

### Status Satisfaction Survey

As a Local Authority we have previously been required to carry out the Standardised Tenant Satisfaction Survey on a bi-annual basis. The principal objectives of the survey has been to provide robust data which accurately represents the views of local tenants on overall satisfaction with landlord services and provides a comprehensive view of other perception-based measures on a wide range of specific services. The last Status Survey was carried out in 2011 and showed an overall satisfaction rate of 75.2%. In July 2011, the STAR survey (Survey of Tenants and Residents) was launched to replace STATUS. Following on from its consultation, this survey is now available for use by all social landlords. The STAR survey is similar to the old STATUS survey although changes have been made to make it far more relevant to tenants/landlords. The Star Survey will be carried out at Tamworth during 2014/2015.

During the interim years of STAR we continue to send out a series of similar surveys to tenants and leaseholders based on key priorities as part of Landlord Services annual satisfaction Calendar.

During 2013/2014, Landlord Service engaged and carried out significantly more qualitative research to determine customer opinion and expectation i.e. ASB telephone surveys. The primary benefits of qualitative research is that information is considerably richer than a series of numbers on a page, and in addition we can interact with customers more positively as at the same time as performing the research. For Landlord Service this is key opportunity to interact and communicate with those tenants that ordinarily we may not get to engage with.

### Customer Satisfaction Calendar 2013/2014

Since April 2010 Landlord Service has developed a robust programme of mechanisms to consistently compare tenants' satisfaction with housing services. The annual customer satisfaction calendar is used to develop more regular/consistent customer satisfaction monitoring to determine satisfaction levels and improve services accordingly. This calendar covers all areas across Housing & Health from anti-social behavior, communal cleaning, repairs, housing advice and housing options. Customer feedback has been looked at through a variety of

methodology to assess satisfaction about the way we manage both our tenancies and our estates. We have asked tenants for their views via customer focus groups, telephone & postal surveys and numerous consultation events. The calendar is reviewed annually with the Tenant Involvement Group and through discussion with service area Managers.

### **Customer intelligence 2013/2014**

During 2013/2014 we have continued to review and measure customer service levels in many different ways as the most productive method for measuring customer service levels across one area may differ for other areas. The Tenant Regulatory and Involvement Team are responsible for collating, monitoring and reporting on the following:

<b>Customer intelligence 2013/2014 &amp; 2014/2015</b>		
<b>Customer feedback/Intelligence</b>	<b>Format</b>	<b>Frequency</b>
Complaints satisfaction	Telephone	Monthly
Repairs satisfaction	Focus Group	Half yearly
New Tenant questionnaire	Paper based/postal	Quarterly
Open House	Paper based/postal & face-to-face	Bi-annual
Supported Housing moving in survey	Paper based	Quarterly
Supported Housing moving out survey	Paper based	Yearly
ASB Resident perception survey	Paper based/postal with rent statements	Yearly
ASB tenant satisfaction	Telephone	Monthly
STAR Survey	Paper based/postal	Bi-annual
Communal cleaning	Postal/face-to-face	yearly

In addition to the above, the following customer intelligence has also been collected:

- Repairs & Maintenance satisfaction
- Gas servicing satisfaction
- Finding a Home satisfaction
- Non-Bidders Questionnaire 'Finding a Home' – This is a questionnaire that is carried out to ascertain why some applicants are not bidding for properties on the 'Finding a Home' Choice Based Letting Scheme
- Consultation – High rise lift refurbishment programme
- Consultation/workshop – High rise sprinkler system
- Environmental works programme satisfaction
- Communal cleaning satisfaction

Landlord Service is committed to providing the best quality service in a responsive and approachable way. We continue to develop services to meet the changing needs within the resources available and to demonstrate value for money.

### **Complaints/compliments/comments**

In addition to feedback gathered through the customer satisfaction calendar, we closely monitor comments, compliments and complaints through our corporate 'Tell

Us' form. We listen and learn from all customer feedback which is continually monitored and can lead to changes in process, policy, actions, activity, literature and material. Customers are increasingly encouraged to 'tell us' what they think of the services the Council provides through completing a 'Tell us' form. Within Landlord Service this is closely monitored by the Tenant Regulatory & Involvement Team to identify common themes and trends across specific service areas.

We also record and monitor MP and Councillor Enquiries, service requests and any additional ad-hoc comments or tenant suggestion/s for future service delivery.

### **Reporting and monitoring customer feedback**

The results of all customer satisfaction surveys and feedback are reported quarterly to the Tenant Consultative and Tenant Involvement Groups. More specifically, the Complaints

Review Panel, set up at the beginning of 2012, monitor complaints and emerging trends/themes as part of the wider customer experience.

These groups provide the opportunity for tenant scrutiny of services and actions/recommendations are put forward to resolve issues. The findings from these reports determine where performance is good and where performance needs to improve. For 2014/2015 we will continue to produce a quarterly report for all customer intelligence, complimented by an end of year report to compare all satisfaction, compliments and complaints against the previous year's performance.

### **Impact Assessments**

In addition to customer satisfaction surveys and tenant feedback, Landlord Service routinely carries out impact assessments for Landlord initiatives and activities. Impact assessments measure not only customer satisfaction but also the overall impact of activity to enable us to learn what has worked well and what can be achieved for future involvement/activity.

### **Tenant Inspectors**

As part of the Tenant Involvement and Co-regulation framework the Council also runs an innovative scheme to empower Council housing tenants to act as tenant inspectors. This scheme which has now been running for nearly two years provides tenant volunteers with the opportunity to audit the delivery of estate caretaking and cleaning services. The scheme has recently been extended to include estate inspections. Tenant inspectors monitor the quality of service delivery against defined standards and undertake on-site inspections. Inspectors are empowered to call managers to account if services do not meet required standards and their feedback forms part of overall performance monitoring.

### **Performance Management**

The complaints log, managed by the Landlord Improvement & Project Officer, will continue to be used to review and progress open complaints to ensure turnaround targets are met. Lessons learnt will be reviewed at both management and performance team meetings.

### **Looking to the future**

Within the current financial climate and national policy changes affecting welfare benefits and housing there are implications for the services we provide, and in general will increase pressure on our services at a time when resources for public



services are declining. Time has been spent focusing on how we can re-design our services to minimise the impact of external change on the services we provide. Our priority continues to be to provide a high quality customer experience and to undertake the proactive work that is necessary to ensure we can better meet housing needs in the future.

All complaints about any aspect of the services that we provide are taken seriously and investigated and service improvements/staff training are put in place to ensure a positive customer experiences for the future.

**You said, we listened**

Landlord Service values its customers' comments, views and ideas about how services may be changed or improved. Below are some of the ways customers have already had an influence on services or ideas they have suggested, which gives an improved outcome for all customers.

<b><i>You said:</i></b>	<b><i>We listened:</i></b>
You have told us that Mears need to respond to complaints more promptly	The Complaints Review Panel have met with Mears and recommended that when there is likely to be a delay in carrying out or completing a repair then the tenant should be advised of this accordingly. The Panel have also recommended that when a response to a complaint is going to require further investigation then the customer is always advised of this in writing in addition to any telephone communication.
Improve the standard of empty properties before letting to new tenants	The Tenant Consultative Group and Tenant Inspectors will be working with staff to develop a new void property standard.
Why do some areas of the borough have an estate walkabout and others don't?	From April 2014 estate walkabouts have been replaced with a programme of estate inspections which will cover all wards of the borough between April to December inclusive. The actions and outcomes of all inspections will be reported on the web as part of 'You said, We listened', in Open House the tenants quarterly newsletter and will form part of the annual impact assessment for all tenant involvement activity.
Kitchen and bathroom refurbishments are taking over a week to complete	In reality kitchen refurbishments are being completed within agreed timescales it is simply that the agreed timescales are longer than some tenants would like. This is further compounded

	by the fact that work operatives are not on site constantly throughout the course of the works which again gives tenants the view that the work could be completed more quickly if they were on site more frequently.
Residents would like more regular updates on their anti-social behaviour complaints	<p>An action Plan is agreed between the customer and case officer. If a customer feels that they need more regular contact then this can be requested at any time and their action plan can be amended accordingly.</p> <p>We also monitor our ASB procedure by way of a quarterly telephone survey. We share the results through 'Open House', on the web and with our tenant involvement working groups.</p>
Residents believe that the time taken to try and resolve their damp and condensation issues takes far too long	Sometimes the issue of damp and condensation comes down to individual lifestyle. When this is not the cause we will endeavour to work with Oaks preservation to reduce the time taken to diagnose a damp/condensation issues

## Landlord Service Achievements 2013/14

### Tenancy Sustainment

- Organisational change effected 2 Income Max DH SC Portfolio SN WAP
- Welfare reform preparations – literature – visiting – tailored support plan – web – action plan – communication
- Rent First impacts link to schools/Education/Financial Inclusion
- Arrears & bad debt predicted 'accurately'
- Garage arrears met target
- Income on former tenant arrears
- Rent statements / increase routinely completed on time
- Rent Incentive scheme £250 quarterly impact successful
- Introduced landlord hardship fund and 48/49 rent weeks – payment holidays
- Successful benchmarking – HQN/RIEN/Corporate
- Keeping in Touch developing housing awareness
- Corporate Project Team lead by Sue Philp on welfare reform action plan
- Respect accreditation - The first Local Authority to achieve this
- Improved IT- The Community Action Solution system
- Organisational change – integration hub
- Improved satisfaction
- Links to troubled families (active engagement)
- Increased income on recharges
- Review procedure due to legislative changes on long standing arrears cases with court orders

- Became a key player in the court user group and implemented recommendations
- Review of rent court cases – agreement with the court on rent days/cases heard reducing officer time
- Service improvement plan for asb
- Not in my neighbourhood events - facilitate community and inter generational cohesion
- Increase in successful cases whereby DHP has been awarded in bedroom subsidy cases
- Service level agreement for mediation out to tender
- ASB no evictions – ASB curbed by other intervention
- In house ASB legal work – cutting outgoings by 50%
- Interim accreditation report for ASB
- ASB mystery shopping exercise
- Introduction of fact sheet library for tenancy management
- ASB profiling
- ASB focus group for asb zone
- Risk assessment of perpetrators and survey carried out

### **Repairs & Maintenance**

- 18 months into new R & I contracts (successful mobilisation) and continuing to bed in
- 100% gas servicing – achievement from where we were with non-compliance
- £1m boiler installations being delivered on budget & on time
- Performance improving on repairs and gas - when benchmarked
- Close monitoring to ensure services are delivered within budgets
- Mears April 2012 – December 2013; satisfaction improving 91.2% - Up from 70% at start
- Reduced level of complaints
- Organisational change affected – appointment of senior repairs co-ordinator
- Stock condition updated – managed impact on budget
- Significant levels of Capital investment producing real outcomes, environmental and sheltered
- Caretakers/cleaning service – high satisfaction – and investment in equipment
- Properties in West Street and Anker Moor Court were re-roofed
- A number of sheltered schemes had a range of improvements and new furniture, curtains and carpets
- Cabinet approval for retro fitting of fire suppression system (sprinklers) to high rise blocks
- Flats in Honeybourne had new plastic cladding, wall insulation and the walkways repaired
- 2 high rise blocks were re-roofed

### **Customer Involvement & Empowerment**

- Launched the Tenant Involvement and Consultation Strategy (informed by TPAS Health check)
- Produced annual Tenant Involvement Impact Assessment to include a total of 74 involvement activities/initiatives
- Recruited 11 new tenant inspectors

- Satisfaction calendar – analysed 800+ surveys to inform satisfaction and service delivery. Showing improving trend i.e. ASB target 80% Repairs 91.2%
- Second bi annual Tenants Conference was held in March 2014
- Customer Engagement regeneration/repairs Mears MFS
- Review estate walkabouts – completed by November
- Neighbourhood annual estate inspection programme - with tenant inspectors etc
- Publications – Annual Report/Open House/Intelligence and complaint monitoring routinely done on time
- Performance – benchmarking/DCLG/Consultation/ PI's renew
- Co-regulatory framework – ref board, chamber, tri partite regulation
- Updated Health Inequalities Plan 2013/2014 – 2014/2015

### **Supported/Sheltered Housing**

- Satisfaction 93% status survey – level B QAF SCC inspection
- Welbeing and Tunstall – embedded and high satisfaction 95%+ - 60 seconds
- 100% pass on FARS/H+S/Legionella
- Major Capital Investment in Sheltered totalling c£280k sheltered c£250k environmental
- DFA – no waiting list
- Replacement lifelines underway
- Successful Handyman service
- Implemented fixed subsidy (SP) – sheltered
- Innovative solution to mainstream Ellerbeck and Chestnut Court– support linked to troubled families
- Updated star – outcome satisfaction for both services – 94% and rising
- All new literature – guides/leaflets
- Reviewed the calendar events based on 5 SP outcomes sheltered and supported
- Introduced volunteer policy
- Links NHS/Falls/Assistive technology/etc
- 100% of supported lettings turnaround in 10 days from tenancy end date
- 100% of homeless supported and sheltered applicants involved in a needs and risk assessment prior to moving in
- 100% of new tenancy visits completed at sheltered schemes within 24 hours of moving in
- 95% of calls to Welbeing alarm centre answered within 60 seconds
- Dementia Friends training for all staff

### **Housing Options**

- Void turn around circa 13 days = < rent loss
- 94.42% customer satisfaction – finding a home
- Mutual exchanges - 32 in 2013/14
- Introduction 'finding a garage'
- Flexible fixed tenancies introduced
- Decant programme of 14 Cottage Walk tenants successful, with 100% satisfaction
- "Right Size" home swapper introduced and developing
- Tenant Reward scheme - £50 for leaving property in good condition
- DFA making best use of stock

- Incentive to move scheme
- Implemented organisational change 100% welfare checks at sign up
- 14 days to process all nominations
- 75% of empty properties with tenancy commencement within 7 days of fit to let date
- 75% of offers accepted first time
- 100% to contact successful applicant within 4 working days of the advertisement being closed
- Attended the 6<sup>th</sup> form academy (Qems) to give a careers talk on working in Housing

### Also during the year!

<b>What we achieved in 2013/2014</b>	
Number of needs and risk assessment carried out prior to moving in	93
Number of new tenancy visits completed at sheltered housing schemes within 24 hours of moving in	53
Percentage of legionella checks completed during the year	100%

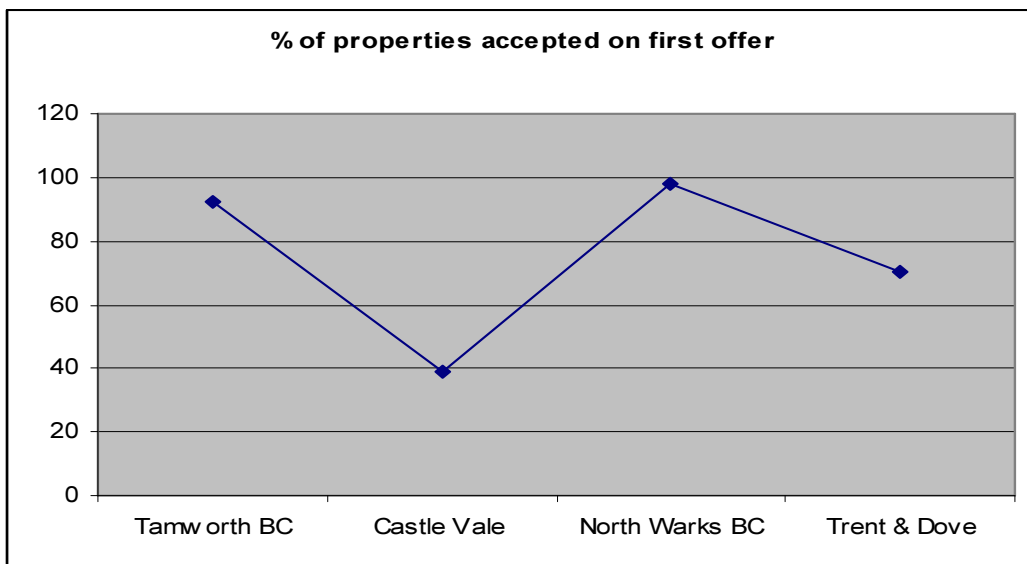
### Home Improvement programme 2013/14

<b>Improvement programme</b>	<b>How many</b>	<b>Total spend</b>
Kitchens	124	£733,000
Bathrooms	179	£750,000
Roofing (High Rise)	2	£90,000
Windows & Doors	512	£1.1million
Disabled Adaptations	188	£540,000

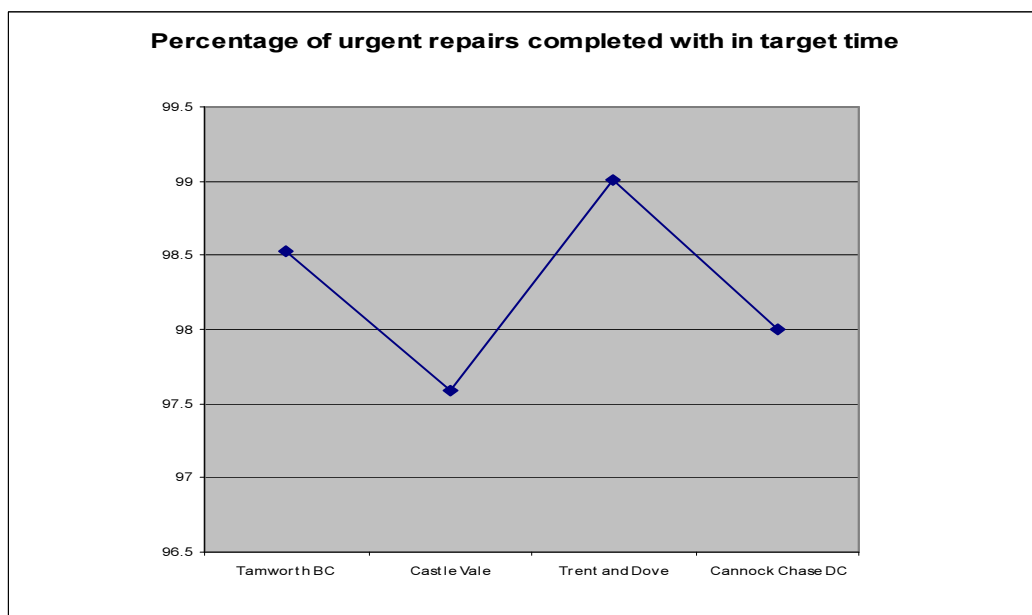
## Benchmarking

The benchmarking that Tamworth Borough Council Landlord Services reports on is carried out between two HouseMark 'clubs'. The first club is for the stock retained councils, and reflects an accurate picture of how Tamworth Borough Council is performing. However, with only a small number of PI's that are recorded within this club, it is considered necessary to benchmark with HouseMark's national club for the West Midlands. This club is for registered providers and Council's, therefore captures a wider picture. The rationale for choosing the following PI's is that they cover each service area in Tamworth's Landlord Service. These PI's also give a comparison with councils and other registered providers, the majority being neighbouring providers.

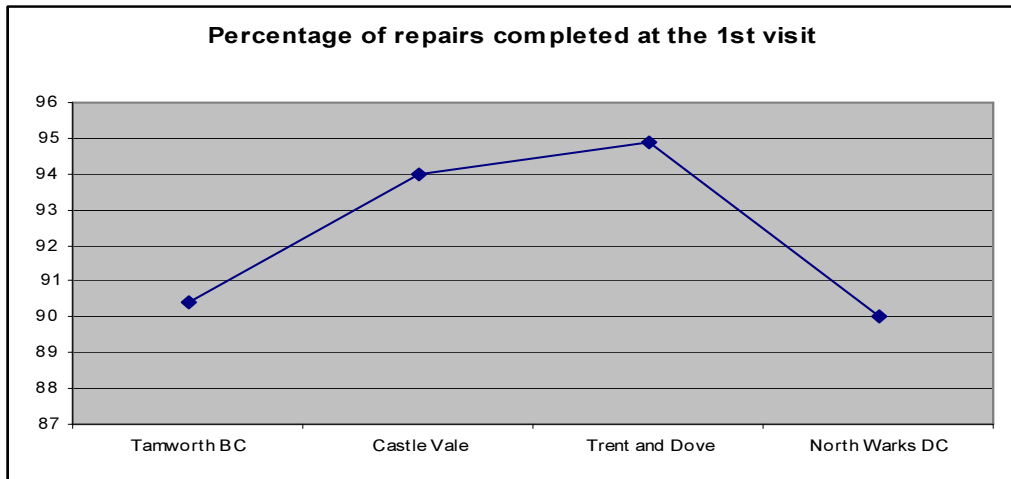
**Upper quartile - 75.02% Tamworth - 92.42%**



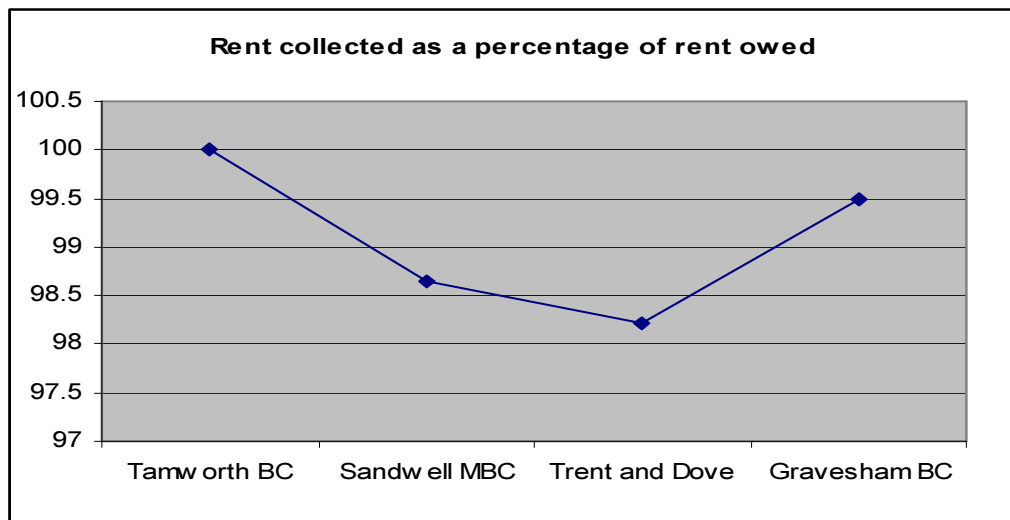
**Upper Quartile - 98.00% Tamworth - 98.53%**



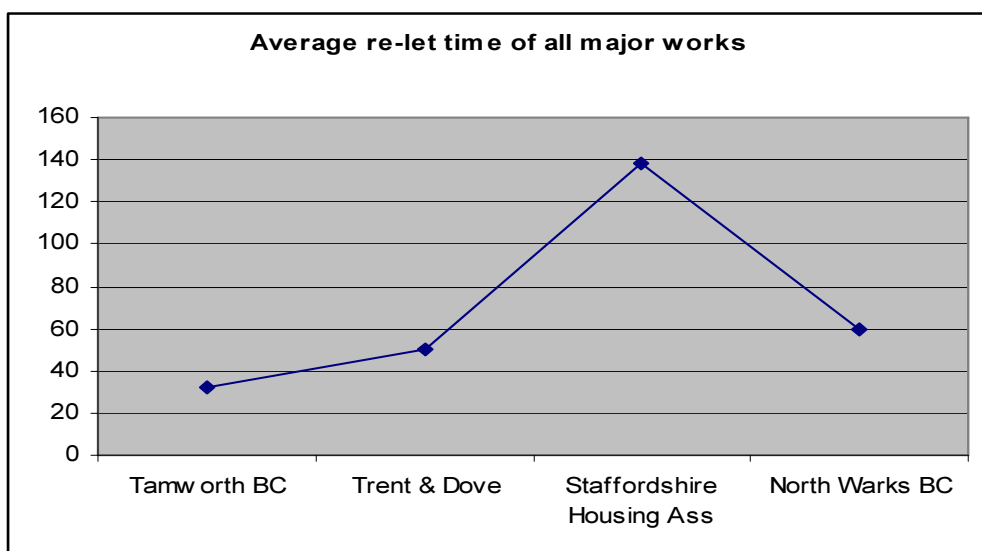
**Upper quartile - 90.00% Tamworth - 90.42%**



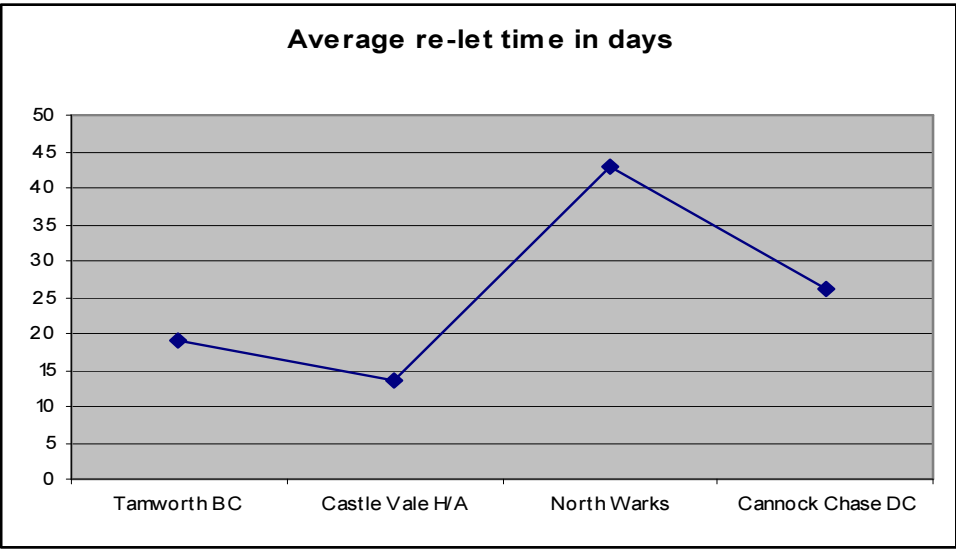
**Upper quartile = 98.80% - Stock Retained Tamworth - 99.4%**



**Upper quartile - 37.39 Tamworth - 32.56**

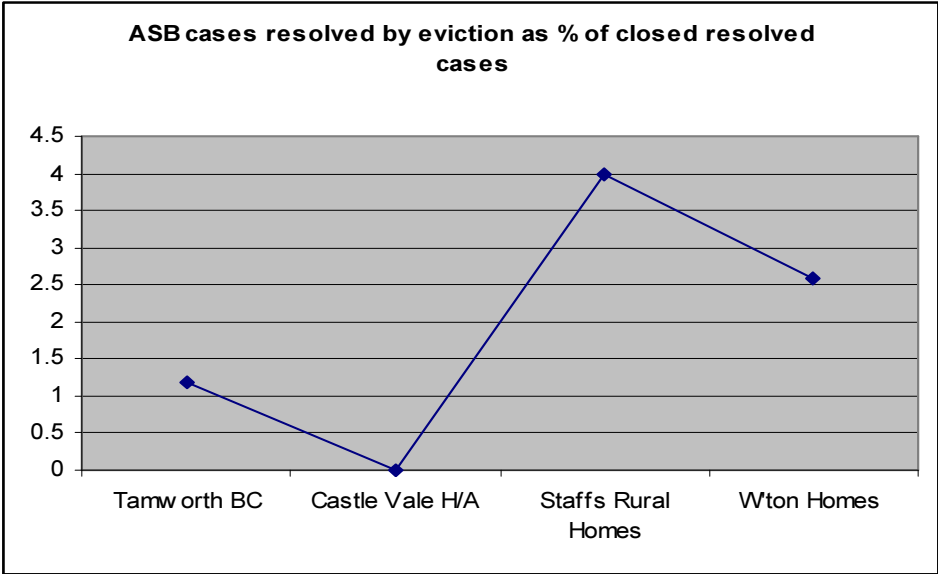


**Upper quartile - 19.50 Tamworth - 19.00**

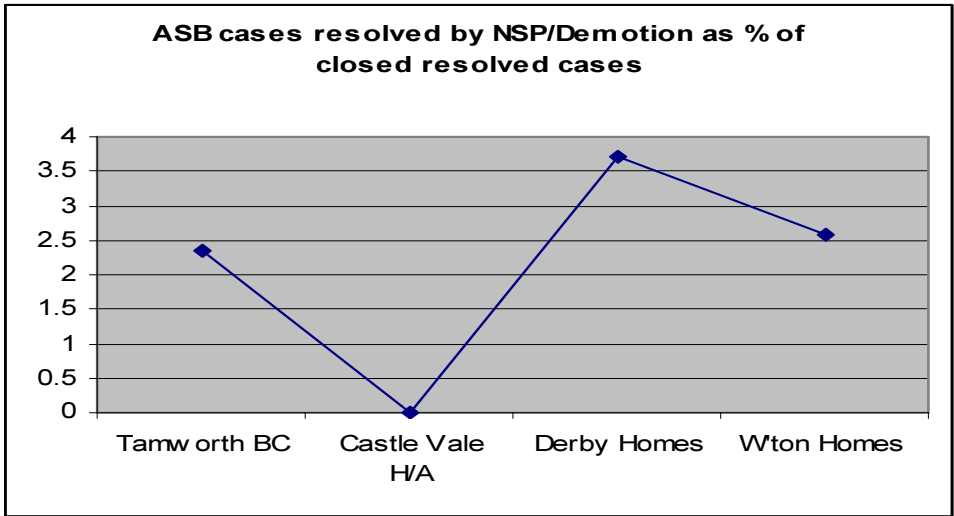


**Club**

**median - .63% Tamworth - 1.19**



**Club median - 2.59 Tamworth - 2.35**





# ANNUAL REPORT 2013-2014



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## WELCOME TO YOUR ANNUAL REPORT

**The Annual Report is our opportunity to tell you how we are performing, celebrate our achievements and highlight where and how we need to improve.**

Our vision is to make Tamworth's homes and neighbourhoods great places to live, where good quality services are delivered right first time. In many areas of the service we do just that. We are forward thinking and are always looking for ways to improve the services that we provide to you.

However, while there are signs of economic recovery, we are still living through challenging times. Many tenants, together with their families and neighbours, are feeling the effects of wide-ranging changes to welfare benefits. Our communities are increasingly affected by cuts in public spending and personal finances are being stretched by everyday living costs.

So, how are we responding to these challenges? We are investing in people and systems to make sure that our services are excellent, modern and available online where possible – with extra support for those who need it. We are also making sure we spend money wisely and help our tenants to pay their rent promptly.

Many thanks to the tenant representatives involved in preparing this report, which covers the financial year 1 April 2013 to 31 March 2014.

If you would like a printed copy of this report or require it in an alternative language or format, please contact the Tenant Regulation and Involvement Team on 01827 709 374/260 or email [tenantparticipation@tamworth.gov.uk](mailto:tenantparticipation@tamworth.gov.uk)

## MESSAGE FROM THE TENANT CONSULTATIVE GROUP

We consider that the past 12 months have been another successful year for Landlord Services. This is despite being faced with a number of significant challenges which are affecting all social housing providers and public sector organisations. We have marked our fourth year with some significant achievements, recognition and high customer satisfaction levels.

Customers remain at the heart of Landlord Services and we are still leading the way in tenant involvement and scrutiny across Tamworth, in the hope that other tenants will follow. We remain committed to improving people's homes.

Within the report we have included just a few of the things we have worked on this year to make your homes and estates more than just a place to live. We hope you recognise some of the improvements and please read on to see what else we have done. We have a very busy year ahead and now - more than ever - it is crucial that you, our tenants, get in touch, get involved and have a real say in the future of your housing service.

Yours,  
**Faith Shell, Chair Tenant Consultative Group**  
**Eddie Rafferty, Vice Chair Tenant Consultative Group**



## WHO WE ARE



Area	Total
Amington	431
Belgrave	311
Bolehall	362
Borough Road	39
Coton Green	62
Dosthill	73
Fazeley	119
Gillway	219
Glasgote	595
Hockley	147
Kettlebrook	209
Leyfields	460
Stonydelph	734
The Leys	67
Town Centre	403
Two Gates	14
Wilmecote	206

**Total number of properties: 4,451**

## Number of tenancies – 4451 as at 31 March 2014

Property type	0 Bed	1 Bed	2 Bed	3 Bed	4 Bed +	Total
Bedsit	2	/	/	/	/	2
Flat/Maisonette	/	665	587	99	/	1351
House	/	/	480	1857	151	2488
Bungalow	/	204	41	/	/	245
Sheltered	/	324	38	3	/	365
	2	1193	1146	1959	151	4451



# YEAR IN PICTURES 2013/2014



April 2013 - Amington Walkabout



May 2013 - Plant a Pot event at Annandale



June 2013 - ASB Focus Group



July 2013 - Kettlebrook Walkabout



August 2013 - Bolehall Walkabout



September 2013 - Swap A Book event



October 2013 - PAT Dog visits Bright Crescent



November 2013 - Tenant Inspectors visit Morrison



December 2013 - Lift Refurbishment Consultation



January 2014 - Seniors United donate toiletries to Sir Robert Peel Hospital



February 2014 - Foodbank collection



March 2014 - Tenants Conference

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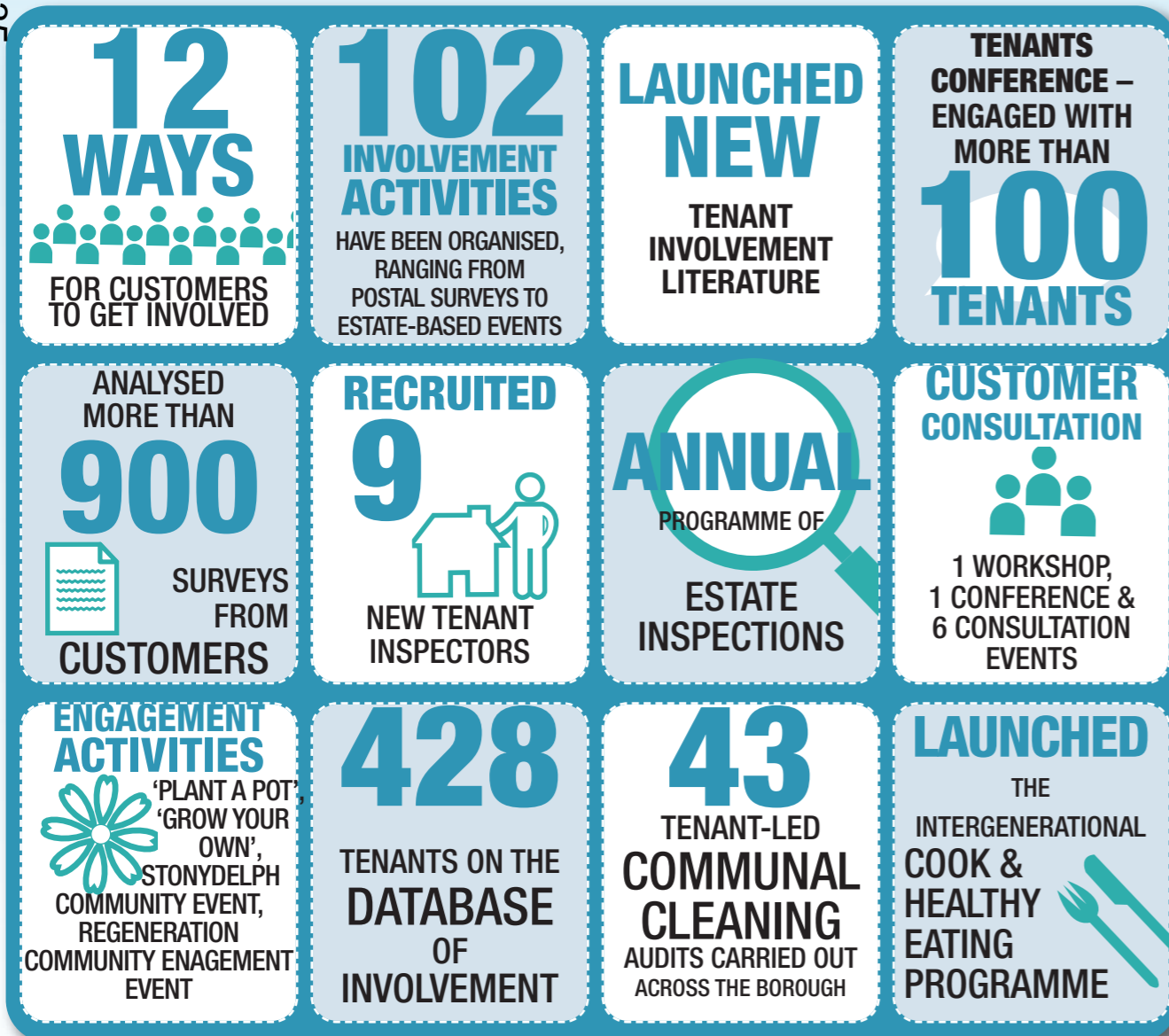
# TENANT INVOLVEMENT AND EMPOWERMENT

Working together is about how we communicate with you, involve you in what we do and make sure our services are suitable for those with specific needs.

Tenants who take part in the service either by filling in surveys or attending meetings and organised events help to make housing decisions about:

**OUR STANDARDS    OUR PRIORITIES    OUR PERFORMANCE**

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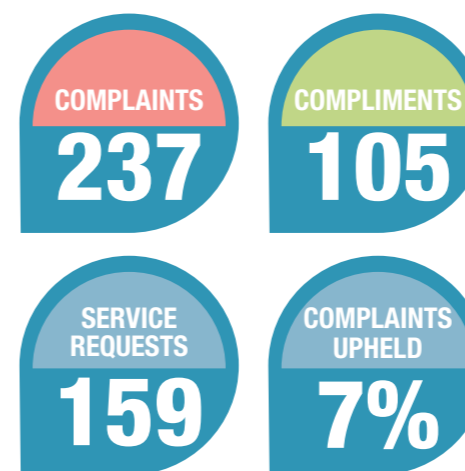
## LOOKING FORWARD - 2014/2015

- During 2014/15 we will work with customers to review Tamworth's 'Local Offers' – our promise to tenants
- Prepare for STAR survey 2014/15. The STAR survey is a satisfaction survey which looks at tenant opinion across all housing services and is carried out nationally by the majority of all social housing providers
- Carry out stage 1 of a Quality Assured Scrutiny Assessment. This is an independent assessment tool carried out to look at our scrutiny arrangements and how we are committed to co-regulation
- Develop a training programme to extend the skills and knowledge of involved customers so that the members are equipped to understand, challenge and improve services
- Work with our repairs contractor to offer a DIY course for customers who want to learn some home improvement skills i.e. how to change a plug, put up a shelf or basic decorating
- Look to extend the 'Intergenerational Cook and Healthy Eating programme' across the borough
- Look to publish future issues of 'Open House' online, by email and on request

## CUSTOMER FEEDBACK

### Complaints and compliments

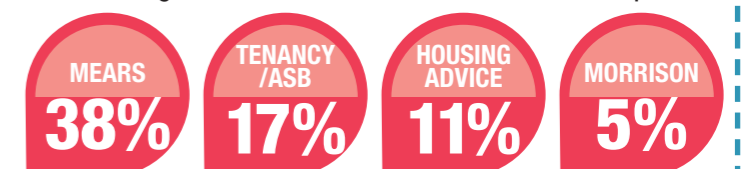
We welcome all feedback as it helps us improve our services. We aim to resolve all complaints as effectively and quickly as possible. Any complaint, no matter how minor, is recorded on our central database. This year we received a total of **241** initial reports of dissatisfaction compared to the previous year of **236**.



The majority of upheld complaints have been in relation to poor communication between the repairs contractor and the tenant. However, following a recommendation from the Complaints Review Panel, a representative from Mears now attends the quarterly complaints review meetings to look at any identified themes of dissatisfaction.

**89%**  
CUSTOMER SATISFACTION WITH COMPLAINT HANDLING

The following **four** service areas received the most complaints:



# HOME

This section shows how we work with you and our contractors to keep your home safe and well maintained.

## RESPONSIVE REPAIRS

Total number of repairs carried out **12,340**

Total cost to carry out repairs **£1,395,484.61** Average cost of repair **£113.08**

During the year we increased the number of repairs completed on the first visit from **83.8%** to **91.5%**

Tenants satisfaction with the repairs contractor has increased from **87.1%** to **94.9%**



**91.5%**  
OF REPAIRS  
COMPLETED ON  
FIRST VISIT

The number of complaints relating to the repairs service area has increased slightly from **37%** to **38%** and the gas contractor has reduced from **18%** to **5%**

**93.7%**  
CUSTOMER  
SATISFACTION  
FOR RESPONSIVE  
REPAIRS

**97.9%**  
OF REPAIRS  
COMPLETED  
ON TIME

**97.6%**  
OF  
APPOINTMENTS  
MADE & KEPT

## GAS SERVICING



We were **99.8%** compliant with landlord safety checks, with legal action being taken for three of the remaining properties. A further four properties were empty and have been capped off for health and safety purposes.

## HEALTH & SAFETY

Lift refurbishment works and an extensive consultation exercise was carried out to three of the high rise blocks.



## PLANNED MAINTENANCE

Improvement	How Many	Total Spend
Kitchens	124	£733,000
Bathrooms	179	£750,000
Roofing (High rise)	2	£90,000
Windows & Doors	512	£1,100,000
Disabled Adaptations	188	£540,000

IN 2013/14 WE SPENT APPROXIMATELY  
**£3,113,000**  
ON PLANNED HOME IMPROVEMENTS.

CUSTOMER SATISFACTION FOR PLANNED WORKS WAS **90.8%** AGAINST A TARGET OF **85%**

## DISABLED FACILITIES ADAPTATIONS (DFAs)

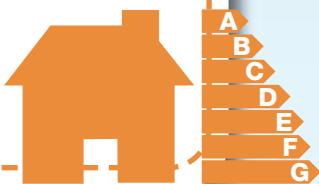
Over the past 12 months we have spent **£487,763**, providing adaptations to enable disabled people to stay in their home.

**192** DFAs completed, of which 97 were level access showers. 95 minor works have been completed to include internal and external handrails, steps and lever taps.



## ENERGY EFFICIENCY

As part of the annual environmental works programme, a number of garages in the Belgrave area, situated under flats, had thermal boarding installed. This will consequently reduce the 'U' value (the value of heat loss) of each property, meaning cheaper utility bills for the occupants of the flats. Also more than **£300,000** was spent on replacing old inefficient gas boilers with 'A' rated systems.



## LOOKING FORWARD - 2014/2015

- A fire sprinkler suppression system will be fitted into the homes of tenants in our high rise properties
- A service improvement plan for our contractors will be carried out to look at ways to improve service delivery and bring added value
- There will be a programme of roofing works to include one of the high rise blocks.
- The lift refurbishment programme for the high rise properties is still ongoing and the remaining three blocks will be refurbished
- A major project will take place to install gas central heating in parts of Belgrave after new gas mains are installed. More than £300,000 will be spent on replacing old electric heating for new efficient systems
- Continued adaptations to the homes of disabled tenants in consultation with the Occupational Therapists from Social Services and the NHS
- Following on from the extensive stock condition survey, there will be an improvement programme for 180 properties to receive a new bathroom, 159 properties to receive a new kitchen and 25 properties to receive new doors

# TENANCY

In this section we talk about how quickly we let our homes, how we can help you maintain your tenancy and how satisfied you are with our overall service

**80%**  
OF OFFERS OF  
ACCOMMODATION  
**ACCEPTED  
FIRST TIME**

**19  
DAYS**  
ON AVERAGE  
TO LET HOMES

**100%**  
WELFARE  
BENEFIT CHECK  
AT THE START OF  
THE TENANCY

**100%**  
CONTACT WITH  
SUCCESSFUL APPLICANTS  
WITHIN FOUR WORKING  
DAYS OF THE 'FINDING A  
HOME' ADVERTISEMENT  
BEING CLOSED

**1881**

ACTIVE HOUSING  
APPLICATIONS

AS AT  
31 MARCH  
2014

**Finding a Home**  
A choice based lettings service from  
Tamworth Borough Council

THE PERCENTAGE OF  
CUSTOMERS SATISFIED  
WITH THE FINDING A  
HOME SERVICE IS

**94.4%**

**71**  
MUTUAL  
EXCHANGES



**14**

SUCCESSFUL  
MOVE ONS FOR  
THE REGENERATION  
PROGRAMME AT  
COTTAGE WALK

AVERAGE SPEND  
ON AN  
EMPTY PROPERTY  
**£2,492.06**

**304**  
EMPTY PROPERTIES  
APPROXIMATELY  
**25 PER MONTH**

## SHELTERED HOUSING

**£90,000** has been spent across all sheltered schemes as part of the environmental programme to include block paving, fencing and footpaths

**100%** visits completed for sheltered schemes within 24 hours of moving in

On average **95%** of alarm calls answered within 60 seconds

**100%** of new tenancy visits completed at sheltered schemes within 24 hours of moving in

**100%** of monitoring sheets completed in relation to legionella

**Reviewed all literature** for sheltered and supported housing and introduced a new guide and supporting leaflets

## SUPPORTED HOUSING

**100%**

OF LETTINGS TURNAROUND IN TEN DAYS FROM TENANCY END DATE

OF APPLICANTS INVOLVED IN A NEEDS AND RISK ASSESSMENT PRIOR TO MOVING IN

OF SUPPORT PLANS AGREED WITHIN FOUR WEEKS FROM MOVING IN

OF SUCCESSFUL MOVE ONS

## LOOKING FORWARD - 2014/2015

- Develop an online Housing Options self assessment tool via the website
- Deliver a Guardianship scheme for the regeneration programme
- Continue with the decant programme for Tinkers Green as part of the wider regeneration project for Tinkers Green and Kerria estates
- Review of Sheltered Housing Services
- New Allocations Policy to go live



## WELFARE REFORM

From April 1 2013, working age tenants have been classified as under occupying if they have more bedrooms than they need. These tenants will have had their Housing Benefit payments reduced.

The government has said that one bedroom is allowed for:

- A child aged 16 or under is expected to share with one other child of the same gender
- A child aged 10 or under is expected to share with one other child aged 10 or under, regardless of gender
- Those households containing a disabled adult and a non-resident carer overnight will be assessed as having a reasonable requirement for an additional bedroom, (there must be a spare bedroom available for the carer) which will reduce the number of disabled claimants affected by this measure
- An extra bedroom will **not** be allowed for those tenants who have access to children at weekends
- A disabled child where there is proven medical need for a separate bedroom
- A bedroom for approved foster carers who have fostered in the last 12 months
- Adult children who are in the armed forces but continue to live with parents. There will not be a non-dependent charge while deployed on operations and have the intention to return home

### What we have been doing to help tenants cope with Welfare Reform:

- Contacted all tenants affected by the Welfare Reform and discussed what options are available to them
- Assistance to complete application forms for downsizing to smaller properties, through transfers, incentives to moves and Homeswapper
- Assistance with applying for discretionary housing benefit
- Assistance for applying for a Hardship Fund
- Working in partnership with the Citizens Advice Bureau through the Tamworth Advice Partnership referral system. This offers early intervention on every day welfare issues, developing skills and how to avoid money lenders and rogue traders
- Tamworth Primary Inclusion Partnership works with children from 5 to 11 years old to prevent them from being excluded from education
- Refer tenants to Home Energy Advice Tamworth (HEAT) to maximise their income regarding gas and electricity bills
- Promote finding employment and training by working with employment agencies - communication vacancies are then passed onto tenants
- Working with TamCan - this is for tenants who have multiple debts, debts with utilities and other financial issues



Benchmarking with local authorities and registered local landlords through HouseMark and Housing Quality Network show that we are in the **top quartile for rent collection**

Our quarterly rent incentive draw with a prize of £250 encourages tenants to keep a clear rent account

### RENT COLLECTED



AS A PERCENTAGE OF ANNUAL DEBIT  
**98.5%**

### NUMBER OF EVICTIONS

**22**



### SUCCESSFUL VISITS

**1,649**



### SUCCESSFUL INTERVIEWS

**495**



**17,912**  
SUCCESSFUL TELEPHONE CALLS



OUT OF **368**  
NEW TENANCIES  
**95%**  
WERE SUSTAINED IN THE FIRST YEAR

### DID YOU KNOW?

You can check your balance, pay your rent or download a Direct Debit form online.  
[www.tamworth.gov.uk](http://www.tamworth.gov.uk)



For further information about your account you can also contact a member of the Income Team  
Tel: 01827 709514

## LOOKING FORWARD - 2014/2015

- Continue to launch the successful 'Rent First' campaigns over the Easter and Christmas periods. These campaigns promote the help and advice which is available for tenants struggling to pay their rent
- Introduction of agile working for housing officers so that they are more accessible for customers on the estates
- Continue the quarterly rent incentive draw for all tenants who maintain a clear or in credit rent account
- Develop a further year of focus events for supported housing
- Explore what banks have to offer including basic bank accounts, direct debit facilities and identify Credit Unions
- In preparation for universal credit identify tenants who have internet access in the home
- In response to Welfare Reform, continue to assist all affected tenants by discussing what options are available



# NEIGHBOURHOOD & COMMUNITY

In this section we talk about how we work with you and our partners to keep neighbourhoods and communal areas greener, cleaner and safer, preventing and tackling incidents of anti-social behaviour and supporting tenants who experience this where they live.

## ENVIRONMENTAL PROGRAMME

The second year of the environmental programme saw **37 projects completed**. These included **4** main garage sites; **2** were demolished and rebuilt and **2** sites were refurbished. In addition, enhancements to drying areas, external improvements for sheltered schemes and increasing security for some of our flats were also carried out.

## CARETAKING SERVICES

THE CARETAKING TEAM REMOVED **170 tonnes of rubbish** FROM ESTATES

The improved garage sites and drying areas are now programmed in on a cleaning rota.

The caretakers removed all offensive graffiti **within 48 hours**. **56 health and safety cases** were reported by the caretakers, which included stairwells being used for storage, flytipping and fire exits being blocked.



## TENANCY SUSTAINMENT

After receiving training to identify **hoarding**, Estate Management staff, the Fire Service and Mears identified **2** cases.

As well as a budget for trees where there is a Health and Safety issue, we now have a budget of **£15,000 for preventative work**. 12 cases have now been identified.

We now carry out our own possession cases for tenancy issues. We had **2 successful cases** this year, to include an illegal succession and an abandoned property.

## ANTI-SOCIAL BEHAVIOUR

This is the first full year of benchmarking we have completed with HouseMark and we now have a baseline on which to make recommendations for improvement.

**% of customers satisfied with the way their ASB case was dealt with:**



- The Service Improvement Plan was published and a factsheet library was introduced
- An Anti-Social Behaviour zone was launched on the website
- A Tenancy Support Directory was added to the website to encourage self referrals
- A service level agreement was signed with Right Mediation for 12 months
- ASB focus groups were established for dissatisfied customers
- With the service improvement group new local offers/service standards were agreed



### DID YOU KNOW?

We ask every tenant that has reported an ASB case what they thought about our service.



## LOOKING FORWARD - 2014/2015

### Environmental Programme

- 16 environmental works projects are planned to include other drying areas and improving access to the rear of certain sheltered properties.

### Caretaking Services

- The caretaking team will be receiving Prefabricated Access Suppliers and Manufacturers Association (PASMA) training to enable them to erect scaffolding safely and correctly and to remove ivy from our properties more efficiently

### Anti-social behaviour

- Targets for ASB will be set against the results from HouseMark benchmarking
- Review the mediation service to include additional services with a multi-agency membership
- Review the ASB Policy and Procedure to incorporate new legislation from ASB Crime & Policing Act 2014
- Identify victim focused support packages
- Introduce eviction consultation protocol
- Introduce the 'Something's Not Right' initiative with concern cards for the contractors and caretaking team to complete
- Work with Street Scene to develop Neighbourhood Standards

# VALUE FOR MONEY



In this section we explain how we make sure that our services provide value for money.

**Tamworth Borough Council recognises the importance of giving value for money and that this does not only mean keeping costs down. This is achieved through the following:**

- Seniors managers regularly review budgets and the highest areas of spending.
- We involve tenants in the choice and appointment of contractors, suppliers and consultants to help make sure we get the right balance between cost and quality.
- To assess Value For Money (VFM), we use an independent organisation called HouseMark, which compares our services to other councils and registered social landlords. HouseMark prepares an annual report which identifies areas for improvement.
- By carrying out our own possession cases for tenancy issues we are saving on legal fees of around £40,000 per year.
- As part of a national campaign, Affordable Warmth Solutions are undertaking large scale projects to install mains gas supply in areas which currently do not have it. Parts of Belgrave have been identified and works will be carried out during 2014/2015. This will help to reduce the number of households in fuel poverty.
- Identified savings of approximately 16,000 per year by advertising all future editions of Open House and the tenants Annual Report on the web, be email and on request

\* Please click on the following link for the Annual Review & Corporate Plan [www.tamworth.gov.uk/sites/default/files/misc\\_docs/Annual\\_Review\\_Corporate\\_Plan\\_2014-15.pdf](http://www.tamworth.gov.uk/sites/default/files/misc_docs/Annual_Review_Corporate_Plan_2014-15.pdf)

**We will be carrying out a STAR survey and the results will be delivered in 2014/2015.**

Other than overall satisfaction (based on 2011 STATUS) all performance indicators are in either the top quartile or reflect an improving position. Targets are SMART and are alive to the national performance.

The following indicators have been agreed with tenants and will be reviewed during 2014/2015:

	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	Estimated Top Quartile*
<b>Overall satisfaction with Landlord Services</b>	75.2%	75.2%	To be carried out in 2014/15	To be carried out in 2014/15	86%
<b>Average time between lettings</b>	21 days	16 days	13.58 days	19 days	21 days
<b>Walkabouts</b>	4	4	4	3	Not benchmarked
<b>Satisfaction with cleaning</b>	85%	87%	To be carried out in 2013/14	87%	-
<b>Number of tenants on the database of involvement</b>	344	373	348	428	Not benchmarked
<b>% repairs appointments made and kept</b>	98.4%	99.1%	99.6%	97.5%	97%
<b>Gas servicing - CP12</b>	99.5%	99.7%	99.9%	99.8%	100%
<b>Urgent repairs completed on time</b>	100%	100%	95.1%	99.5%	99%
<b>Customer satisfaction with the repairs service</b>	86%	87%	91.5%	93.7%	90%
<b>Rent arrears as a % of gross debit</b>	1.5%	2.0%	2.4%	2.3%	2.9%
<b>Evictions</b>	15	8	22	22	-

\* Figures based on estimated top quartile range when benchmarked nationally

**DID YOU KNOW?**

**75.2%**  
OVERALL TENANT SATISFACTION WITH LANDLORD SERVICES

**86%**  
OF TENANTS SATISFIED WITH 'FINDING A HOME'

**91.2%**  
OF CUSTOMERS SATISFIED WITH RESPONSIVE REPAIRS

**89%**  
OF CUSTOMERS SATISFIED WITH COMPLAINT HANDLING

**76%**  
OF CUSTOMERS SATISFIED WITH THE WAY LANDLORD SERVICES DEALS WITH ASB

**100%**  
CUSTOMER SATISFACTION WITH ENVIRONMENTAL WORKS

**87%**  
OF CUSTOMERS SATISFIED WITH CLEANING OF INTERNAL COMMUNAL AREAS

## YOU SAID, WE LISTENED

### YOU SAID:

**You have told us that Mears need to respond to complaints more promptly**

### WE LISTENED:

The Complaints Review Panel has recommended that when there is a delay in carrying out or completing a repair then the tenant should be advised accordingly. The Panel has also recommended that when a complaint is going to require further investigation, then the customer is always advised of this in writing in addition to any telephone communication.

**Improve the standard of empty properties before letting to new tenants**

The Tenant Consultative Group and Tenant Inspectors will be working with staff to develop a new void standard during 2014.

**Why do some areas of the borough have an estate walkabout and others don't?**

From April 2014 estate walkabouts have been replaced with an annual programme of estate inspections which will cover all wards of the borough from April through to December inclusive. The actions and outcomes of all inspections will be reported on the web, in 'Open House', the tenants' quarterly newsletter, and will form part of the annual impact assessment for all tenant involvement activity.

**Kitchen and bathroom refurbishments are taking more than a week to complete**

Kitchen refurbishments are being completed within agreed timescales - it is simply that the agreed timescales are longer than some tenants would like. This is further attributed to the fact that work operatives are not continually on site throughout the course of the works which again gives tenants the view that the work could be completed more quickly if they were on site more frequently.

**Residents would like more regular updates on their anti-social behaviour complaints**

An action plan is agreed between the customer and case officer. If a customer feels that they need more regular contact then this can be requested at any time and the action plan amended accordingly. We also monitor the ASB procedure by way of a quarterly telephone survey. We share the results through 'Open House', on the web and with our tenant involvement working groups.

**Residents believe that the time taken to resolve their damp and condensation issues is far too long**

Sometimes the issue of damp and condensation comes down to individual lifestyle. When this is not the cause we will endeavour to work with Oaks Preservation to reduce the time taken to diagnose a damp/condensation issue.

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6<sup>th</sup> NOVEMBER 2014

**REPORT OF THE  
LEADER OF THE COUNCIL**

**PREPARATION OF COMPULSORY PURCHASE ORDERS FOR LAND AND PROPERTY  
ON THE TINKERS GREEN AND KERRIA REGENERATION SITES**

<b>EXEMPT INFORMATION</b>
NON CONFIDENTIAL

<b>PURPOSE</b>
<ul style="list-style-type: none"> <li>● To set out for Cabinet the current position in relation to the acquisition of land and property assets on both the Tinkers Green and Kerria regeneration sites.</li> <li>● To set out the land and property asset acquisitions required for the two regeneration sites.</li> <li>● To set out the requirements for the implementation of Compulsory Purchase Orders on both sites.</li> <li>● To seek in principle approval for the making of a Compulsory Purchase Order in respect of remaining interests in the land shown at Appendix 1 and 2 with a further full approval to be sought from Cabinet at a later date if voluntary negotiations for these interests are not successful</li> <li>● To confirm the levels of delegated authority in proceeding with acquisition in advance of commencing the Compulsory Purchase Order Process.</li> </ul>



<b>RECOMMENDATIONS</b>
<ul style="list-style-type: none"> <li>● It is recommended that Cabinet note the current position of land and property asset acquisitions on the two regeneration sites.</li> <li>● It is recommended that Cabinet approve the making in principle of a compulsory purchase order under section 17 of the Housing Act 1985 in respect of acquisition of all remaining outstanding interests in the Kerria site (shown edged red on the plan at Appendix 1)</li> <li>● It is recommended that Cabinet approve the making in principle of a compulsory purchase order (CPO) in respect of acquisition of all the remaining interests on the Tinkers Green site (shown edged red on the plan at Appendix 2) under section 17 of the Housing Act 1985 or in the alternative section 226(1)(a) of the Town and Country Planning Act 1990 (precise power to be finalised prior to making)</li> <li>● It is recommended that delegated authority be given to the Director of Assets and Environment in consultation with the Solicitor for the Council, to take all such steps as are necessary to bring the above recommendations into effect including (but not limited to) land referencing and service of notices under section 16 of the Local Government (Miscellaneous) Provisions Act 1976</li> <li>● It is recommended that delegated authority be given to the Director of Assets</li> </ul>

and Environment to grant written authority to officers to enter onto the Land or other land for the purposes of carrying out surveys pursuant to section 15 of the Local Government (Miscellaneous Provisions) Act 1976.

- It is recommended that delegated authority be given to the Director of Assets and Environment to continue with the process to voluntarily negotiate all interests in land required in advance of making the above mentioned CPOs
- To note that a further report will be produced to seek full authority to the making of the above CPOs if voluntary negotiations to acquire all the interests in the sites are not successful

## **EXECUTIVE SUMMARY**

Financial and design provisions have been made within the Tinkers Green and Kerria estate regeneration project for the acquisition of residential leasehold property interests, commercial property interests and if needed for the acquisition of the old public house site and doctors surgery site.

To assist in the acquisition process the Council has engaged external consultancy support; Ardent Property Management specialise in Compulsory Purchase Orders and providing advice and support on asset valuations and on the CPO process, the Legal Services Team from Birmingham City Council are providing legal support having completed a number of successful CPO acquisitions relating to regeneration projects in Birmingham.

The first phase of the asset acquisition process commenced late 2013 when valuations were prepared for the various residential leasehold properties and for the commercial premises. Without Prejudice offers were made to all affected, this resulted in 4 of the 10 residential leasehold properties being acquired with negotiations on 1 of the 4 commercial properties still in progress but expected to reach a successful conclusion.

In order to use CPO the Council will have to demonstrate that efforts have been made to acquire outstanding interests by negotiation; it will also need to be able to demonstrate that it has explored all alternatives and options and document its reasons for rejecting such alternatives, as well as meet the other CPO power and tests requirements set out below.

Based on advice provided by external consultants the next step is to continue discussions with interested parties alongside preparatory work for a CPO. This includes serving requisitions for information (RFIs) under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 which will make reference to a potential CPO and so constitute a formal stage in the CPO process;

It may also be necessary to carry out further survey work on the sites for the proposed redevelopments and this may be achieved pursuant to section 15 of the Local Government (Miscellaneous Provisions) Act 1976.

In tandem with this request for information our Consultants will be preparing revised property and lease interest valuations that reflect the shift in the market since the previous valuations were produced; these revised valuations will form the basis of ongoing negotiations with those involved..

In order to proceed with Compulsory Purchase Orders the requirements within section 17 of the Housing Act 1985 and/or section 226 of the Town and Country



Planning Act 1990, as well as the tests set out in Circular 06/2004 and its Annexes must be addressed. A summary of these, as well as the Council's proposals is set out below. Prior to making the CPOs, the Council will require separate formal Cabinet approval and a report will be presented to Cabinet at a later date.

#### Tests in Circular 06/2004

- a) A compelling case in the public interest - the development proposals for the Estates would deliver significantly improved housing in line with local needs. It will also deliver more, higher quality housing of a type that is shown to be needed to meet current and future housing needs on the estates as well as the wider Tamworth area.
- b) The above public benefit would outweigh the private loss suffered by individual owners (who will receive compensation for their loss).
- c) There are clear proposals for the use of the land – officers are working with retained planning consultants on planning proposals for the schemes, have consulted locally and expect planning applications will be submitted early in 2015.
- d) Availability of resources – as set out below resources are in place for the schemes approved by Cabinet. Consultants have been procured to deliver the sites through a master planning process and to the procurement of a developer. Site investigations are complete and the masterplan is currently being consulted upon. Once this is submitted a process will begin to establish delivery arrangements and consider a number of options for partnership working and developer procurement in 2015. No impediment to implementation – it is expected that planning applications will be submitted early next year and there is no reason why they will not be granted  
Further updates on how the schemes for the CPOs meets the tests will be given prior to full approval being sought from Cabinet.

#### **OPTIONS CONSIDERED**

Negotiations with land and property owners along with any other parties who have interests the Council needs to acquire will continue throughout the process. A number of leasehold interests have already been acquired through negotiation. Compulsory Purchase is the only option available to the Council if it is to acquire all of the required interests where this cannot be done through agreement.

#### **RESOURCE IMPLICATIONS**

There is provision with the projects financial appraisal for the acquisition of the residential leasehold, commercial interest and the two sites not currently in our ownership.

The estimated cost of completing these acquisitions is being ascertained and will be based on the advice of external consultants who are experts in this area.

Negotiations will continue based on revised valuations from the consultants External resources have been appointed to provide specialist advice in relation to the acquisition process and ultimately the CPO process, external legal advice has also been appointed. Offers over and above the sums recommended by the external Consultants may be considered by the Director of Assets and Environment where it is deemed economically advantageous to do so. Where enhanced offers are considered a financial appraisal will be conducted to ensure that best value is

obtained. Details of any enhanced offers along with their justification will be recorded.

#### **LEGAL/RISK IMPLICATIONS BACKGROUND**

- Section 17 of the Housing Act 1985 allows the Council to acquire land or houses for the erection of houses as well as for other ancillary housing purposes. Section 226(1)(a) allows the Council to acquire land for the purposes of development, re-development or improvement, so long as they think this will contribute to promotion or improvement of economic, social or environmental well-being of the area
- Failure to undertake and record proper consultation and negotiation at an early stage in the project could jeopardise the success of a formal Compulsory Purchase Order process in future.
- Acquisition costs and values need to be properly determined and actions properly recorded to ensure we obtain value for money whilst making effort to ensure fairness to those subject to the acquisition process.
- Failure to acquire the property and land assets in a timely manner would be detrimental to the delivery of the project.
- Prior to making the CPOs the Council will need to evidence how it meets the requirements set out in section 17 and/or section 226(1)(a) of the Town and Country Act 1990 as well as the tests set out in Circular 06/2004 and the relevant Annexes (summarised in this report), in order to make its case that the CPOs should be confirmed
- In considering whether to make the CPOs the Human Rights Act 1998 applies. The relevant rights that have been considered are set out in Appendix 3.

#### **SUSTAINABILITY IMPLICATIONS**

None specifically identified.

#### **BACKGROUND INFORMATION**

Cabinet has previously approved the acquisition of residential leasehold and commercial property interests in relation to the regeneration project.

#### **REPORT AUTHOR**

Paul Weston, Head of Asset Management

#### **LIST OF BACKGROUND PAPERS**

Appendix 1 and 2 – Red line Plans for the Kerria and Tinkers Green Estates  
Appendix 3 – Human Rights

#### **APPENDICES**

None





project  
**Tamworth Regeneration  
 TINKERS GREEN**

drawing

**Existing**

Notes  
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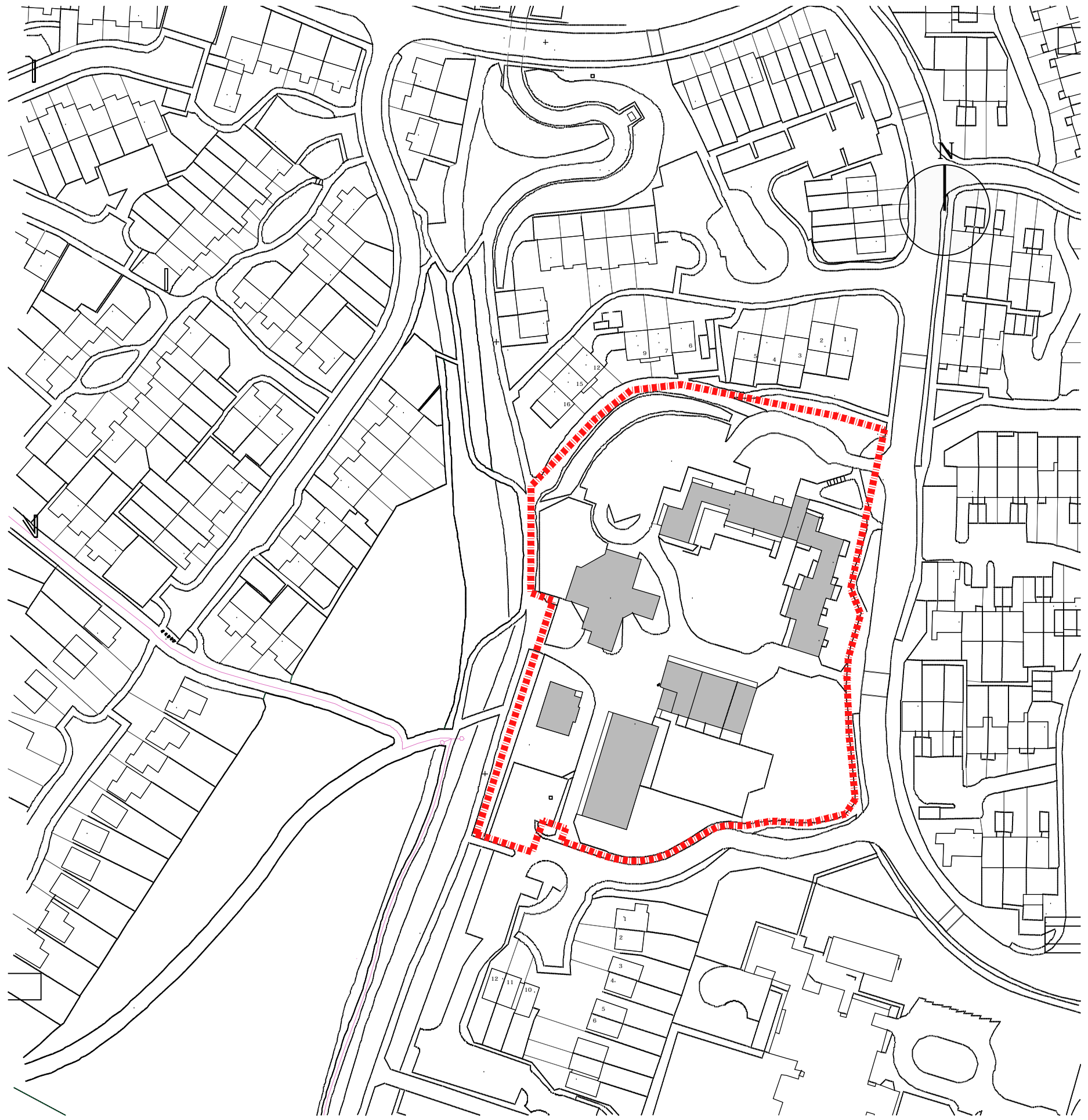
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1@1000	06.02.14	LP	RP	Existing Plan	52523	D10	A

revision

date

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- Existing buildings
- Boundary

project  
**Tamworth Regeneration**  
**KERRIA ROAD**

drawing  
**Existing**

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1@1250	06.02.14	LP	RP	Existing Plan	52523	D60	A

revision date by

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## APPENDIX – HUMAN RIGHTS

1. Section 6 Human Rights 1998 Act prohibits public authorities from acting in a way, which is incompatible with the Convention on Human Rights.
2. The main articles of the Convention which are of importance in circumstances where the Council is considering making a compulsory purchase order (CPO) are Article 8 – the right to respect for private and family life and his/her home and Article 1 of the First Protocol – the protection of property.
3. The approach to be taken to give effect to rights under the Convention is also reflected in paragraph 17 of ODPM Circular 06/2004:

*“A Compulsory Purchase Order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which it is making a Compulsory Purchase Order sufficiently justify interfering with the human rights of those with an interest in the land affected, having regard, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention”.*

4. The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that *“regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”*, i.e. compulsory purchase must be proportionate. Both public and private interests are to be taken into account in the exercise of the Council’s powers. Similarly, any interference with Article 8 rights must be *“necessary in a democratic society”* i.e. proportionate. In pursuing a CPO, the Council has to carefully consider the balance to be struck between individual rights and the wider public interest having regard also the availability of compensation for compulsory purchase.
5. Article 8(1) provides that everyone has the right to respect for his/her property but Article 8(2) allows the State to restrict the rights to respect for the property to the extent necessary in a democratic society and for certain listed public interest purposes e.g. public safety, economic well being, protection of health and protection of the rights of others.
6. In considering Article 8 in the context of a CPO it is necessary to consider the following questions:
  1. Does a right protected by this Article apply?
  2. Has an interference with that right taken place or will take place as a result of the CPO being made?
7. Clearly Article 8 does apply and therefore it is necessary for the Council to consider the possible justifications for the interference (Article 8(2)) as follows:
  - Is the interference in accordance with law? There is a clear legal basis for making the CPO under section 226(1)(a) of the 1990 Act and section 17 of the Housing Act 1985.
  - Does the interference pursue a legitimate aim? The CPO is necessary to implement the Schemes, which seeks overall redevelopment of the Sites in accordance with planning permission and planning policy.

- Is the interference necessary in a democratic society? This requires a balanced judgement to be made between the public interest and the rights of individuals. The CPOs are considered to be both necessary and proportionate in that the land to be acquired is the minimum to achieve this Schemes' objectives
8. The second relevant article is Article 1 of the First Protocol, which provides that:
- Every natural or legal person is entitled to the peaceful enjoyment of his possessions
  - No one shall be deprived of those possessions except in the public interest and subject to the conditions provided for by law.
9. In the case of each of these Articles (and indeed other provisions in the Convention) the Council has been conscious of the need to strike a balance between the rights of the individual and the interests of the public. In the light of the significant public benefit that would arise from the implementation of the proposed development the Council has concluded that it would be appropriate to make the Orders. It does not regard that the Orders as constituting any unlawful interference with individual property rights.
10. The opportunity has been given to landowners to make representations regarding the Council planning policies that underpin the proposed Orders, as well as on the planning applications currently being considered. Further representations can be made in the event of any Public Local Inquiry that the Secretary of State may decide to hold in connection with the Orders. Those directly affected by the Orders will be entitled to compensation proportionate to the loss that they incur as a result of the acquisition.