

**COMMITTEE:** SOCIAL INCLUSION SCRUTINY

**DATE:** 2<sup>ND</sup> NOVEMBER 2006

**SUBJECT:** TENANTS PARTICIPATION: – REVISED SCOPE AND  
PROJECT ACTION PLAN

**REPORT BY:** FAUZIA SAEED – SCRUTINY OFFICER

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**IMPLICATIONS:**

**LEGAL**

**COMMUNITY SAFETY**

**EQUALITIES** ✓

**ENVIRONMENT**

**FINANCIAL**

**CONSULTATIONS** ✓

**STAFFING**

**OTHER**

**WARDS AFFECTED: NONE**

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### **PURPOSE**

1. The purpose of this report is to present:
  - a) A brief background to the topic and agree:
  - b) A revised scope for the Tenants Participation scrutiny topic.
  - c) A revised Topic Review plan (Appendix 1)

### **RECOMMENDATION(S)**

2. Committee is recommended to:
  - (i) Note the background to the report
  - (ii) Agree the revised scope for the Tenants Participation Scrutiny
  - (iii) Agree the revised Topic Review Plan

## **BACKGROUND: THE DEVELOPMENT OF TENANT PARTICIPATION**

3. Tenant participation is a fairly new concept. It is a process by which tenants participate in the decision making process in order to influence decisions that could affect their rights and quality of life.
4. Tenant participation developed as a response to a political agenda of consumer choice, set within the context of the privatisation of public services under a previous government.
5. Councils could transfer estates if tenants and the government agreed. The government could transfer an estate to an un-elected trust, which would improve it and then pass it on to different landlords. Tenants won the right to be balloted before a Housing Action Trust was imposed upon them.
5. Local Government Act 1988 introduced the regime of compulsory competitive tendering. In 1994 housing management was added to the list of services that had to go out to compulsory competitive tendering. Tenant Management Organisations did not have to go out to tender. CCT<sup>1</sup> guidance gave tenants their first collective rights to be consulted about standards of service, and to be involved in monitoring the housing manager's performance.
6. "Tenant participation practice in Britain became a fragmented version. It has become service oriented and concerned primarily with customer satisfaction and improving the housing service. Empowerment now means little more than tenants or communities having a say over parts of service delivery, which itself has become fragmented through privatisation, while basic social relationships and inequalities remain unchallenged".<sup>2</sup>
7. At a meeting in 2003 the then Chair of the Social Inclusion Scrutiny Committee said that housing association stocks in Luton are on the increase and tenants participation is stagnating throughout Luton with housing associations showing little involvement. He suggested that a working group be formed to oversee the scrutiny by examining all the alternatives including the possibility of evolving tenant participation with in areas and linking them into the current area committee structures. However the Scrutiny was halted to accommodate the Stock Option Appraisal.

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5. <sup>1</sup> Compulsory Competitive Tendering: Local Government Act 1988

6. CCT - All blue collar council services - refuse collection, repairs, cleaning, catering - had to face private competition under CCT - that is compulsory competitive tendering.

7. <sup>2</sup> Cooper, Charles & Hawtin, Murray; "Housing, Community and Conflict" 1997

## **KEY TYPES OF TENANTS IN BRITAIN**

8. With the emergence of housing associations and private landlords there are now a greater variety of Tenants in a locality. The committee was informed that over 50% of the social housing properties in Luton are under represented at tenants committees. This calls for a consultation exercise to identify the problems and to look at the best ways of getting people engaged in tenant's participation. The aim of the scrutiny should be to create a balanced representation on tenant committees to reflect the community of all the tenants in Luton such as:

- Sheltered Housing Tenants
- Private Landlords Tenants
- Local Authority Tenants
- Rent A Room Tenants
- Student Hostel Tenants

## **SCOPE OF THE SCRUTINY OF TENANT PARTICIPATION**

9. In view of the substantial amount of work that was done by this committee, members at the meeting of the 21 September 06, agreed to revise the scope of the Tennant Participation Scrutiny to reflect the work that was done previously and build upon the ideas that were put forward by Members. This is now reflected in the revised scope of this scrutiny as follows:
10. To investigate what participation opportunities are in place to protect the rights of all the tenants and residents in Luton in a specified area.
11. To identify examples of best practice authorities and make recommendations to the Executive on how the tenants participation in Luton could be improved in order to create a tangible difference in an Area. If members are minded to agree the linking in of Scrutiny impact on areas then that would require the involvement of representatives of all the people who live in an area to work together to make a tangible difference. This reflects the view of the Committee at its last meeting.
12. Nearly two years ago a number of meetings took place to improve Tennant participation in Luton and the suggestion to review and scrutinise the topic was agreed. According to the minute of one of the meetings it was agreed to set up a working group of tenants who can assist in the scrutiny process by giving suggestions for improvements and by taking part in the evidence gathering and seeking best practice processes. Members may wish to endorse that agreement in the further work that will be carried out in scrutinising this topic.

13. If Members are in agreement, they can suggest the most likely people who can form what can be referred to as the Tenants and residents participation Scrutiny working group and indicate how they want the areas to be marked up.
14. Perhaps Members may agree to run this approach as a pilot in a particular area and include in the membership of the Scrutiny working group residents from the selected area.
15. In summary members are requested to agree the continuation of the scrutiny of this topic with a view to achieving an increased participation in an area by all tenants, private landlords and residents in an area.

### **PROPOSAL/OPTION**

16. Members to agree the running of a pilot in a specified area for the new inclusive approach to achieving an increased participation in decisions by the residents in an area.

### **LEGAL IMPLICATIONS**

17. There are no legal implications to this report at this stage, as agreed by the relevant solicitor in Legal Services on 23<sup>rd</sup> October 2006.

### **APPENDIX**

21. Appendix 1: A Scrutiny Topic Review Form

### **LIST OF BACKGROUND PAPERS LOCAL GOVERNMENT ACT 1972, SECTION 100D**

Minutes of the Social Inclusion Scrutiny Committee 13<sup>th</sup> April 2006  
Minutes of the Social Inclusion Scrutiny Committee 21st April 2006

<b>Committee</b>	Social Inclusion Scrutiny Meeting
<b>Review Topic</b>	Tenants & Residents Participation
<b>Working Group of Members</b>	Members to indicate at the meeting
<b>Senior Support Officer</b>	John Russell,
<b>Scrutiny Support Officer</b>	Fauzia Saeed
<b>Reasons for the review</b>	Dissatisfaction in the level of engagement
<b>Key Questions</b>	What questions would members like addressed by this scrutiny?
<b>Outcomes</b>	Residents in an area participate in the decisions that are going to impact on their lives. Improved participation
<b>Scope of the Topic</b> (What is included/excluded?)	To include all Tenants and Residents in an area. Cost, proposed changes, different options, communication, best practice nationally, best practice in Luton.
<b>Methodology/Approach</b> (What methods of investigation should be used to gather evidence, e.g. questionnaire, comparison with authorities, focus groups, witnesses etc)	Comparative work with other authorities and within Luton Inviting witnesses Look at suggested themes individually  Involving all kinds of tenants and resident in an area.
<b>Written evidence required</b>	Previous work that has been on the topic at Luton and elsewhere in the country. Minutes of meetings with Tenants and residents in an area.
Specify who the committee would like to contribute to the review (who to see and when, and who are the stakeholders)	Housing Associations Tenants Representatives Successful TARA's within Luton Private Landlords Reps. Members of the Area based tenants participation working groups
<b>Other forms of evidence/consultation</b>	Hear from Tenants Participation officers responsible for achieving a greater participation by Tenants from the good practice authorities. In particular to research examples of the Area wide approach based on including all residents in an area.
<b>Site visits required</b> (Where and when)	Authorities that have put in place the all-inclusive area based approach projected in the report.
<b>Barriers/dangers/risks</b> (Identify any weaknesses or pitfalls)	The dissatisfaction levels of Tenants and residents remain the same as before the scrutiny in all the areas in Luton The Scrutiny of this topic is aborted and does not reach a conclusion
<b>Level of publicity required</b> (What level is appropriate and what method should be used)	Ask Members & Tenants Participation officer Local newsletters/newspapers/ include information on other council information that is sent to households in the area.

<b>Project start date</b>	6/11/06	<b>Draft report deadline</b>	
<b>Meeting frequency</b>		Projected completion date	