



Overview and Scrutiny Committee

Thu 4 Jan
2024
6.30 pm

Council Chamber
Redditch Town Hall

REDDITCH BOROUGH COUNCIL

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**If you have any queries on this Agenda please contact
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Please note that this is a public meeting. You will be able to attend in person to observe the proceedings.

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If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

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Overview and Scrutiny

Thursday, 4th January, 2024

6.30 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Sid Khan (Chair)
Sharon Harvey
(Vice-Chair)
Imran Altaf
Karen Ashley
Chris Holz

Joanna Kane
Emma Marshall
Jane Spilsbury
Monica Stringfellow

1. Apologies and Named Substitutes

2. Declarations of Interest and of Party Whip

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests, and any Party Whip

3. Minutes (Pages 5 - 16)

The minutes of the meeting of the Overview and Scrutiny Committee from 30th November 2023 will be considered at this meeting.

4. Public Speaking

To invite members of the public who have registered in advance of the meeting to address the Committee. Please note that the deadline to register to speak at this meeting is 12 noon on Tuesday 2nd January 2024.

5. Housing Tenancy Agreement - Consultation Results (Pages 17 - 28)

6. Pre-Decision Scrutiny - Redditch Play Audit and Investment Strategy

This report will follow in an Additional Papers pack once the report has been published on the Executive Committee agenda (due for publication on Friday 29th December 2023).

7. Executive Committee Minutes and Scrutiny of the Executive Committee's Work Programme - Selecting Items for Scrutiny

The latest version of the Executive Committee Work Programme will be published in an Additional Papers pack on 2nd January 2024.

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8. Overview and Scrutiny Work Programme

The Overview and Scrutiny Programme will be published in an Additional Papers Pack once it has been updated with information from the latest version of the Executive Committee Work Programme (due for publication 2nd January 2024).

9. Task Groups, Short Sharp Reviews and Working Groups - Update Reports

- a) Budget Scrutiny Working Group – Chair, Councillor Kane
- b) Performance Scrutiny Working Group – Chair, Councillor Holz
- c) Fly Tipping and Bulky Waste Task Group – Chair, Councillor Khan

10. External Scrutiny Bodies - Update Reports

- a) West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee – Council representative, Councillor Marshall
- b) West Midlands Combined Authority (WMCA) Transport Delivery Overview and Scrutiny Committee – Council representative, Councillor Marshall
- c) Worcestershire Health Overview and Scrutiny Committee (HOSC) – Council representative, Councillor Marshall



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MINUTES

Present:

Councillor Sid Khan (Chair), Councillor Sharon Harvey (Vice-Chair) and Councillors Imran Altaf, Karen Ashley, Joanna Kane, Emma Marshall, Jane Spilsbury and Juma Begum (substitute)

Officers:

Sue Hanley, Judith Willis and Bev Houghton

Democratic Services Officers:

M Sliwinski

44. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received from Councillors Holz and Stringfellow. Councillor Begum attended the meeting as a named substitute for Councillor Stringfellow.

45. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of party whip.

46. MINUTES

The minutes of the meeting of Overview and Scrutiny Committee held on 26th October 2023 were submitted for Members' consideration.

RESOLVED that

the Minutes of the Overview and Scrutiny Committee meeting held on 26th October 2023 be approved as a true record and signed by the Chair.

47. PUBLIC SPEAKING

Chair

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There were no public speakers on this occasion.

48. PRE-DECISION SCRUTINY - PROPOSAL FOR A PUBLIC SPACE PROTECTION ORDER (PSPO) IN REDDITCH TOWN CENTRE

The Community Safety Manager presented a report which detailed a proposal to introduce a Public Space Protection Order (PSPO) in Redditch Town Centre.

The Committee was advised that the report detailed the proposed wording of the order, the geographic location in which the PSPO would apply and the data that had informed the proposal. Partner organisations, including West Mercia Police, had been consulted and an equality impact assessment had been undertaken. The proposed PSPO had the support of the West Mercia Police and Crime Commissioner (PCC) and would help to tackle anti-social behaviour (ASB) in the town centre.

The Committee was informed that risks associated with the introduction of PSPO included the risk that public expectations would be raised by the Order, which agencies might not be able to meet. To this effect, it was explained that discussions had been held and would continue with the Police Safer Neighbourhood Teams (SNT) who were the primary agency for enforcement of the Order. The impact and effectiveness of the PSPO would also be monitored via the Town Centre Operational Group and Safer Redditch, where any issues or adjustments would be discussed as part of a multi-agency problem solving approach.

Another risk arising from the Order was that the introduction of a PSPO could displace ASB perpetrators to more residential locations outside of the proposed restricted area. This issue had been considered by the operational group and discussions had been held with support agencies and local charities to identify alternative, more appropriate spaces that people affected by the order could be directed toward. The proposed restricted area follows the footprint of previous Designated Public Places Orders (DPPO) and PSPOs and historically there had been no reported increases of ASB in residential areas as a result of an Order being in place.

Once the report had been presented, Members discussed the following points in detail:

- Impact of PSPO on licensed activities in the town centre - It was explained that PSPO did not impact on licensed activities as these were two separate sets of legislation and

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requirements. The PSPO enabled an early intervention action to be taken if somebody engages in anti-social behaviour (ASB) as a result of attending an event, however, the restrictions and guidance on PSPO specifically exclude any licensed premise or licensed activity.

- PSPO and restriction on drinking in public spaces – It was explained that the PSPO would not make it illegal to drink alcohol within the boundary of a licensed premise. It only related to a public space so if a person was drinking outside of the boundary of the licensed premise and begins to commit ASB, and do not comply with the requests of the authorised officer, then they could be at risk of enforcement action. It was noted that PSPO also did not make it illegal to carry or drink alcohol in a public space, as long as someone was drinking responsibly and not affecting other users of the space.
- Gating of the alleyways in the Town Centre – It was noted that the gating of alleyways within Church Green Conservation Area had been considered with the informal conversations with businesses in that area revealing they were in favour of a key or a numbered lock access to the alleyway rather than permanent closure. However, due to legal considerations around liability and timescales for proceeding with PSPO proposal, it was decided not to take action with regards to the gating order for the time being. It is expected that the PSPO alongside current restrictions would resolve the majority of the ASB problems in the alleyways area. However, if the risks in those locations persisted after the introduction of PSPO, the Council would revisit the process.
- Feedback on recent use of a 48 hour dispersal order in Redditch – Officers explained that this was a power available to the police, which could be implemented by the district inspector. It was noted that the recent use of a 48-hour dispersal order was as a result of significant concern around anti-social behaviour in the area around Unicorn Hill and the train station, and with this in mind, it was the district inspector's decision to implement that dispersal order. It was noted that a PSPO, if agreed for implementation, would eliminate the need for issuing temporary dispersal orders as similar powers were available to the Police under the PSPO as under the dispersal order.
- Dispersal locations for repeat ASB offenders in the proposed PSPO area – It was noted as mentioned in the presentation that there was a risk that ASB perpetrators could be dispersed to other locations as a result of PSPO. Conversations were being undertaken with the Ecumenical

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Centre in Redditch, as well as the providers of Council commissioned services, to provide support services, engage with the offenders and direct them to more appropriate spaces. It was noted that it was a relatively small core group of people which were causing ASB issues within the area of the proposed PSPO and who were mostly known to the statutory agencies. The Order was around behaviours and, if ASB problems persisted, enforcement action would be taken against offenders. However, it was a staged approach whereby there was an educational and support offer in the first instance.

- Data around ASB in the Town Centre – It was reported that currently Tuesday afternoons and Friday evenings/Saturday mornings were the times of the week with higher reported anti-social behaviour. Currently, it was difficult for the analyst team to find reasons as to why Tuesdays afternoons saw a higher incidence of ASB.
- Concerns about the ability of the Police to enforce PSPO – It was noted that one of the responses to the Redditch Borough Council's consultation on the PSPO detailed the difficulties that Shropshire Council was having with the enforcement and administration of their PSPO in Shrewsbury town centre. It was commented that the response details how despite notices being issued under the PSPO, very few were being prosecuted in Shropshire. Officers responded that the response in part alluded to the specific difficulties experienced in Shropshire, however, Members were assured that significant conversations had taken place within the Council's Safer Neighbourhood Team and with the Police. It was believed that in Redditch the PSPO would significantly reduce the restrictions around enforcement and prosecution and would enable agencies to intervene much earlier and take action to reduce likelihood of significant harm incidents taking place. The Community Safety Manager added that colleagues at Shropshire Council would be contacted for their feedback.
- It was clarified that at the moment, if implemented, only Police Officers would have the power to enforce under PSPO. However, the Order provided for specific Council officers to be granted enforcement powers if authorised by the Council. It was noted that there would be discussions with senior officers and Members as to whether that becomes necessary at the review stage of the PSPO.
- It was highlighted that PSPO would not criminalise young people socialising or spending time in larger groups in the Town Centre. The PSPO was targeted at behaviours and would criminalise people from drinking and then causing

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ASB nuisance and would also enable Police Officers to enforce against possession and use of Psychoactive Substances, for example Nitrous Oxide.

- Potential for changing the boundaries (or expanding) the PSPO zone – It was explained that any changes to the PSPO boundary would require a review of the existing PSPO. The proposed PSPO, if accepted, would come in place for a period of three years but there was an option to review at any time within that period. The review process would require any boundary change proposals to go through public consultation and through the committee process.
- Members expressed concern with the possible levels of Police attendance to ASB events and hoped that this would improve considerably with the introduction of the PSPO in the Town Centre. It was asked that feedback on the enforcement of the proposed PSPO order be shared at next year's meeting of the Crime and Disorder Scrutiny Panel.

RECOMMENDED that

a Public Space Protection Order to restrict Antisocial Behaviour related to Alcohol and Misuse of Psychoactive Substances be implemented.

49. UPDATE ON THE CRIME AND DISORDER SCRUTINY PANEL 2023-24 (VERBAL UPDATE)

The Chair of the Crime and Disorder Scrutiny Panel, Councillor Kane, provided an update on the 2023-24 meeting of the Panel which took place on 1st November 2023, where the Panel received a detailed presentation on the work of the North Worcestershire Community Safety Partnership (NWCSP).

The Chair of the Panel summarised the main points discussed at the 1st November meeting:

- The role of the NWCSP and the NWCSP Plan 2021-24, which was refreshed annually and was now in its last year. A new community safety action plan would be developed for 2024-27.
- NWCSP focused on four priorities - Reducing Violence and Abuse; Reducing Theft and Acquisitive Crime; Reducing Anti-Social Behaviour, Damage and Nuisance; and Protecting Vulnerable Communities. Alongside these there were two cross cutting themes that had an impact across the priority areas, namely reducing the harm caused by drug and alcohol misuse and reducing reoffending.

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- The NWCSP had been allocated an annual ring-fenced budget from the West Mercia Police and Crime Commissioner (PCC) of £139,250.
- Since 2017, the West Mercia Police and Crime Commissioner (PCC) had been allocating significant funding as part of its CCTV Capital Fund across the West Mercia Force area, including Redditch. The NWCSP used its funding allocation to upgrade and enhance the CCTV scheme across its area. However, no further CCTV capital funding for 2023-24 would be provided as the funding priorities of the PCC had now changed.
- The role and setup of the Community Safety Team within the Council was explained including that it was a small team which received calls for advice and support from numerous sources. In September 2022 to August 2023 (inclusive) the Team received 19 requests from Residents, 13 from Elected Members, 24 from Partner Agencies, and 52 Requests from Internal Service with most requests relating to domestic violence, multi-agency risk assessment conference (MARAC) and sanctuary queries including home security assessment.
- The details of community safety programmes and schemes delivered by NWCSP in 2022-23 were shared with Members of the Crime and Disorder Scrutiny Panel. The Chair noted that the Panel was impressed by the range of work carried out by the Community Safety Team and the wider Partnership.
- It was highlighted that within Redditch Council there were two fully qualified Designing Out Crime Officers (DOCOs) who provided specialist advice and guidance as it pertains to the built environment.
- The Chair commented that the Panel felt there should be more promotion of NWCSP among elected members, officers and the public. At the meeting, Officers stated that there was a plan to address this through more regular briefings about its work, including to the service managers across the Council.

The Chair further reported that at the Panel meeting of 1st November 2023, the topic of County Lines Drug Activity and prevention strategies used by regional and local agencies was considered. A detailed presentation was given on County Lines and the Chair noted that what was particularly important to note on County Lines was that these criminals operated like a business with a psychological element whereby 'employees' at the bottom of the operation would be threatened with violence and become too afraid to report. It was noted that county lines gangs were also shifting their tactics, for example, with the gangs now more often targeting

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young people from relatively affluent areas/neighbourhoods than was the case before.

Following the update provided by Councillor Kane, the Committee discussed the topics covered in the update in detail as follows:

- Tactics used by County Lines gangs – Members commented that anecdotal evidence showed that a common tactic used by county lines criminals was buying / giving young people disposable vapes to carry favour and make young people feel they owe a favour. It was noted that it was a simple, inexpensive way of targeting young people and getting them ‘on the side’ of criminals.
- Officers noted that the issue also extended to premises selling vapes to underage users, with such premises potentially acting to facilitate organised crime. This had been raised through and monitored by the County Council’s trading standards and the multi-agency targeted enforcement group.
- Work of schools to inform children and young people of tactics used by county lines gangs – It was noted that schools had a key role in acting as the first line of defence against young people becoming involved in county lines and other criminal activity. Pupils were informed about how to avoid getting involved in those activities through regular school assemblies and these topics were covered in PHSE curriculum. In addition, pastoral departments in schools provided the opportunity for young people to raise any concerns directly with staff and involve agencies if necessary.
- The Respect Programme – this programme delivered bespoke one-to-one mentoring, classroom sessions and whole school assemblies. It was explained that this programme had now been operating for more than 10 years and was a mentoring programme tailored particularly to young people referred to the scheme as being at risk of becoming victims or perpetrators of crime. It was a tiered approach, so as part of the programme, if requested or referred, the programme’s qualified mentors and youth workers would deliver presentations in schools on particular subjects as requested by the school. It was highlighted that this was a scheme specific to Redditch and Bromsgrove and because of the nature of information shared the training and mentoring had to be provided by appropriately trained professionals.
- It was commented that county lines was a cross boundary issue, and as such it was imperative that agencies worked

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collaboratively and shared information across administrative boundaries in a timely and effective manner.

- Sharing resources on crime and county lines prevention in ward surgeries – It was noted that the Community Safety Team would soon be updating its promotional materials and leaflets, and these would be shared with Members.

RESOLVED that

The Crime and Disorder Scrutiny Panel Update be noted.

50. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME - SELECTING ITEMS FOR SCRUTINY

It was requested that the following item be added to the work programme of the Budget Scrutiny Working Group (a sub-committee of Overview and Scrutiny):

- Finance and Performance Monitoring Outturn Report 2023/24

RESOLVED that the Overview and Scrutiny Work Programme be updated with items from the Executive Committee's Work Programme as detailed in the preamble above.

51. OVERVIEW AND SCRUTINY WORK PROGRAMME

It was requested that the following overview item be added to the Overview and Scrutiny Committee Work Programme:

- Disabled facilities grants (DFG) – a report highlighting obstacles that the Borough Council faces in spending the grant, how these obstacles could be removed, and how the grant had been spent by the Council over the last few years.

RESOLVED that subject to changes detailed in the preamble above the Overview and Scrutiny Committee's Work Programme be noted.

52. TASK GROUPS, SHORT SHARP REVIEWS AND WORKING GROUPS - UPDATE REPORTS

Updates on the Task Groups and Working groups were provided as follows:

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a) Budget Scrutiny Working Group, Chair, Councillor Kane

Councillor Kane reported on the meeting of Budget Scrutiny Working Group which took place on 30th October 2023 and noted that main concerns voiced at that meeting concerned the Council's capital programme and the potential strains on the Council's capital project budgets, and budgetary pressures within the Medium Term Financial Plan process.

Councillor Kane reported that another meeting of Budget Scrutiny Working Group took place on 29th November 2023 at which the following recommendations to the Executive Committee had been proposed in respect of the Finance and Performance Quarter 2 Report 2023/24:

Recommendation 1: *"That the Executive Committee ask for an officer report that provides a model of the financial implications of an unusually high demand for emergency housing support."*

Recommendation 2: *"That, referring to the Strategic and Operational Performance measures stated in Appendix F of the Report (subsection Work and Financial Independence), it be recommended to the Executive Committee that they examine the Essex / Preston models that link skills to Procurement."*

During discussion of the Budget Scrutiny meetings, Members expressed concern about temporary accommodation, particularly the availability of suitable accommodation and the need to reduce the number of residents that needed to be housed in bed and breakfast accommodation over the longer term. It was requested that up-to-date data on the number of residents currently in Council's temporary accommodation, including the breakdown of the trend over the recent weeks on people housed by each type of temporary accommodation, including bed and breakfast accommodation, be provided to Members. Officers undertook to provide this information.

Members also discussed the importance of social value within procurement and how the Council could look towards other procurement models (Essex / Preston) models with regard to how the Council could promote social value.

On being put to the vote, the recommendations made at the meeting of Budget Scrutiny Working Group of 29th November 2023 were endorsed by the Overview and Scrutiny Committee, subject to the slight changes of wording as reflected in the recommendation statement below:

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Recommendation 1: That the Executive Committee ask for an officer report that provides a model of the financial implications of an unusually high demand for emergency housing and temporary accommodation support.

Recommendation 2: That, referring to the Strategic and Operational Performance measures in Appendix F of the Report (subsection Work and Financial Independence), it be recommended to the Executive Committee that they examine the Essex / Preston models that link skills and developments to social value within Procurement

- b) Performance Scrutiny Working Group – Chair, Councillor Holz

Councillor Holz reported that the meeting which was due to take place on 4th December 2023 had been cancelled and the next meeting was now due to take place on 8th January 2024.

- c) Fly Tipping and Bulky Waste Task Group – Chair, Councillor Khan

Councillor Khan reported that there had been no meetings of the Task Group since the previous meeting of the Overview and Scrutiny Committee. The next meeting was due to take place on 12th December 2023 and data and actions requested in preparation for that meeting were being provided by Officers.

RECOMMENDED

- 1) That the Executive Committee ask for an officer report that provides a model of the financial implications of an unusually high demand for emergency housing and temporary accommodation support; and**
- 2) That, referring to the Strategic and Operational Performance measures in Appendix F of the Report (subsection Work and Financial Independence), it be recommended to the Executive Committee that they examine the Essex / Preston models that link skills and developments to social value within Procurement.**

53. EXTERNAL SCRUTINY BODIES - UPDATE REPORTS

Councillor Marshall had submitted written reports on the following meetings of external scrutiny bodies she attended:

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- West Midlands Combined Authority Overview and Scrutiny Committee – 19th October 2023
- West Midlands Combined Authority Transport Delivery Overview and Scrutiny – 30th October 2023
- Worcestershire Health Overview & Scrutiny Committee – 13th November 2023.

The Committee thanked Councillor Marshall for providing comprehensive reports from the meetings of these external bodies.

RESOLVED that

the External Scrutiny Bodies updates be noted.

The Meeting commenced at 6.30 pm
and closed at 8.02 pm

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Housing Tenancy Management Policy and Agreement – Consultation Results

Relevant Portfolio Holder	Councillor Craig Warhurst, Portfolio Holder for Housing and Procurement
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis, Head of Community and Housing Services
Report Author: Jon Elger	Job Title: Neighbourhoods and Tenancy Manager Email: jon.elger@bromsgroveandredditch.gov.uk Contact Tel: 07903 063577
Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	Finding somewhere to live
Non-Key Decision (Report for Scrutiny)	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

- 1.1 The Overview and Scrutiny Board is asked to note the report, the comments made by tenants and the proposed changes to the Tenancy Agreement as outlined in Section 2.8.

2. BACKGROUND

- 2.1 A review of our Tenancy Management Policy had led to a review of our Tenancy Agreement. The Neighbourhood & Tenancy (N&T) Manager and Senior attended Overview and Scrutiny (O&S) in March 2023 to advise we were going out to full consultation with Tenants on the proposed new Tenancy Management Policy and new Tenancy Agreement terms.
- 2.2 Officers were invited to return to O&S to provide feedback on what our tenants had told us.
- 2.3 Officers undertook 10 Tenant Roadshows over the summer months as part of the consultation process and had lots of visitors. Face to face discussions about the Tenancy Management Policy and new tenancy terms took place with 142 tenants and many Councillors at these events.
- 2.4 At these Roadshows the N&T team also spoke to dozens of tenants who had basic queries about repairs, the applying for larger, or smaller, accommodation and other matters not directly related to the consultations.

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- 2.5 Officers also received 50 more detailed responses with comments and feedback into our resident consultation inbox. All of those were responded to by the N&T Manager or Senior, as some were quite complex in nature. Attached in Appendix 1 is a spreadsheet that shows some examples of the nature of the enquiries and our responses.
- 2.6 In general tenants were supportive of the need for clear tenancy information on their rights and our obligations as landlord, which is what we set out to achieve through the new Policy and tenancy terms amendments.
- 2.7 One key theme was concerns raised regarding tenants' security of tenure, which will not be affected in any way by the new terms, as these rights are set out in law. However, we recognised the concerns and answered all queries to allay them. Furthermore, we have ensured in the final letter that goes out with the new terms that Secure rights are not affected in any way as clearly as possible.
- 2.8 Comments were also made around pets and the storage of mobility scooters. Consequently, the following changes have been made to the Agreement:
- a) The initial draft of the new tenancy terms stated in Section 4.27 that any tenant living in high rise accommodation (more than 3 floors) could not keep pets. On reflection this was deemed unreasonable, and the wording was changed to read '...a high-rise flat, you must not keep any Pets in the Property without first getting our consent...'
 - b) The initial draft of the new tenancy terms stated in Section 4.37 that neither the lawful occupiers nor your visitors will park any van (over 5.5 metres long), mobility scooter, caravan, motor home, boat, trailer, lorry, or similar vehicle anywhere at the Property, the Building or on the Estate without first getting our consent. On reflection asking for prior consent to park a mobility scooter was deemed unreasonable and was removed from the list of vehicles.

Executive Committee delegated the ability to make any changes to the Agreement following the consultation. This delegation was to the Head of Community Services or Head of Environmental Services in consultation with the Portfolio Holder for Housing.

3. FINANCIAL IMPLICATIONS

- 3.1 The Council is responsible for providing a cost effective, efficient Housing Landlord service whilst meeting its obligation to deliver value for money for its tenants alongside a sustainable Housing Revenue

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Account. The Tenancy Management Policy and Tenancy Agreement will ensure this responsibility is achieved in a transparent and consistent way.

- 3.2 In implementing the new Policy, the Council will be ensuring that appropriate and proportionate income and charges are applied and recovered. This will support a financially stable Housing Revenue Account.
- 3.3 In respect of the Housing Tenancy Agreement the document will provide tenants with a clearer understanding of both landlord and tenants requirements and legal contractual obligations. Consequently, the Council will be able to pursue the recovery of costs from tenants when appropriate e.g., repairs from deliberate damage and service charges for services being provided.

4. LEGAL IMPLICATIONS

- 4.1 Social Housing landlords' obligations owed to are principally set out in the Housing Act 1985, The Localism Act 2011 and The Landlord and Tenant Act 1985. Further, the government provides guidance and best practice in relation to these duties and legal obligations.
- 4.2 In respect of the Tenancy Agreement, it is a legal requirement for social housing Landlords to provide social housing tenants with a written tenancy agreement setting out the terms and conditions applicable to both tenants and landlords. The statutory duties of a Local Authority Housing Landlord were set out in this new document in clear sections. Further, the Regulator of Social Housing states the following: 'registered providers shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation'. It was therefore essential that we have an appropriate tenancy agreement in place enabling compliance.
- 4.4 As set out in The Housing Act 1985 it was a legal requirement for the Council to consult with tenants on matters of housing management. This consultation took place in line with our legal obligations. The Tenancy Management Policy was consulted on first, followed by consultation on the Tenancy Agreement. Both consultations took place for six weeks. At the end of each consultation period appropriate amendments were considered and made to the documents.
- 4.5 S102 of the Housing Act 1985 sets out ways a secure tenancy can be varied. The Council was seeking to vary its terms in accordance with S103 of the Housing Act 1985. All appropriate Notices have already been served as part of the consultation process and the final formal

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notice will be sent alongside a copy of the new tenancy terms, along with the date on which the new tenancy terms will commence.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

5.1 The Tenancy Management Policy and Tenancy Agreement support the following Council Strategic purposes:

- Finding somewhere to live
- Aspiration, work & financial independence
- Living independent, active & healthy lives
- Communities which are safe, well maintained, and green

Climate Change Implications

5.2 None directly, although where applicable consideration will be given to carbon reduction in implementing relevant aspects of the policy.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 It is considered best practice under Housing Regulatory Standards to provide tenants and customers with information that helps them understand their contractual obligations, and their rights as tenants.

6.2 It is essential that agreements consider the diverse needs of tenants. Throughout the Housing Tenancy Agreement and Conditions, it indicates where help and assistance can be obtained for those tenants with diverse needs.

6.3 Information on data protection rights and privacy statements are included as part of the agreement.

6.4 An Equalities Impact Assessment has been undertaken on the Policy and Tenancy Agreement

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Operational Implications

- 6.5 The Policies will be reviewed every 3 years, unless there are any legislative or best practice guidance that will bring about an earlier review and update,
- 6.6 The Policy will be made available on the Council's website. Hard copies of the Policies can be provided upon request.

7. RISK MANAGEMENT

- 7.1 Without up-to-date policy and Tenancy Agreement there is a risk that the Council will not be compliant in its operational duties and those expected by the Regulator of Social Housing. Further, it would provide for less transparency and consistency in service delivery.
- 7.2 Without a sufficiently robust Tenancy Agreement and Tenancy Management Policy the following are the key risks associated:
- Increase in non-rent payers and arrears.
 - Sustainment of the Housing Revenue Account.
 - Increase in Officer workloads.
 - Organisational reputation.
 - Risks to Tenants rights.
 - Disputes between Tenants and the Council.

8. APPENDICES and BACKGROUND PAPERS

- 8.1 Appendix 1- Spreadsheet with comments and observations from tenants and our responses.

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APPENDIX 1

Comments from the Tenants and Council Feedback

COMMENTS	FEEDBACK PROVIDED
I have read the notice , and have no problem with it.	Many thanks for your feedback it is most appreciated
Looks great from what I see	Many thanks for this positive feedback
I think the new tenancy policy is very good and fair to abide by the rules	<p>Thank you for taking the time to confirm acknowledgement of our draft Tenancy Management Policy and feedback.</p> <p>Please do not hesitate to contact us if you have any further questions or queries.</p>
I am responding to your letter about the new TM policy, All the questions I would ask have been answered	Many thanks for your feedback, it is appreciated.
I have read the policy online I am happy with the Policy. The only comment I can give is the start of the curb side weeds and over grown hedges and the 2 trees in first car park after no 21 which is totally out of control and are supposed to be chopped down completly but when, as it makes a mess of all the cars.	Many thanks for your feedback on the Tenancy Management Policy. Regarding the state of the curb side weeds, trees and overgrown hedge that are not within the curtilage of your property. They would not be managed as part of your tenancy and would be maintained through our Environmental Services Team. I have forwarded your feedback onto the Environmental Services Team.
<p>1. I find the Council excellent at prompt repairs & improvements.</p> <p>2. I think more checks should be made on houses & gardens to avoid neighbourhood disagreements. 3. It is very difficult to move if their needs change. At almost 78 I am thinking of my own future needs and have been on the register for a long time.</p>	<p>Many thanks for your feedback on the Tenancy Management Policy and your positive feedback regarding our Repairs and Maintenance service.</p> <p>We appreciate your feedback regarding the gardens in your area, your Neighbourhood & Tenancy Officer will be completing regular walkabouts to improve the management of properties in your local area.</p> <p>Regarding your request to move you are very well placed on our waiting list and are in band 2, however I can't see that you have not placed any bids on properties. If you are unable to bid, we can place bids on your behalf if you confirm what area and property type you are looking for.</p> <p>You can also look for a mutual exchange to swop homes with another Social Landlord, this can be done by registering at www.homeswapper.co.uk.</p> <p>If you have any further questions or queries, or require</p>

COMMENTS	FEEDBACK PROVIDED
	<p>assistance with your bidding please don't hesitate to contact me.</p>
<p>Go ahead with, what you are doing, I hope it goes through. Good luck</p>	<p>Many thanks for taking the time to provide positive feedback regarding our proposed Tenancy Management Policy. If you have any further questions or queries, please don't hesitate to contact us.</p>
<p>I have read through the Tenancy Management Policy and would like it to include whether dog or cats are allowed in flats with communal entrances as I believe this was not the case in the past. This would allow people to make a decision on whether or not the accommodation is suitable as not all people like or may be allergic to animals. Apart from this the policy is fine.</p>	<p>Many thanks for taking the time to feedback to us on the proposed Tenancy Management Policy.</p> <p>We can confirm that the proposed policy does include permission for pets, on pages 9-10. Please see the extracted information from the Policy below.</p> <p>Pets and Animals</p> <p>The Council recognise that domestic pets can bring joy, happiness, and comfort to people's lives, helping their owners through difficult times and improving their mental and physical wellbeing. The Council will not unreasonably withhold permission for tenants to keep pets depending on the location and size of pet(s) as suitable to the property type, provided they are well looked after and do not adversely affect the lives of others in the community. The Council will always consent to the keeping of one household pet, such as a cat, dog, rabbit or small bird for example.</p> <p>The Council has absolute discretion on granting permission for more than one pet or for such creatures as reptiles, insects, arachnids, and snakes that are kept as pets and the Council will deem what is reasonable given the circumstances. It is the tenant's responsibility to ensure that any pets are always well behaved and kept under control, including the provision of adequate enclosure. Should any pets or other birds or animals cause a breach of tenancy conditions and / or nuisance and annoyance to neighbours or risk to health and safety then the Council has the right to withdraw permission to allow any pet to be kept within the home and is at liberty to request the pet/s be removed and enforce this legally if required. Tenants are not allowed to keep livestock or any animal which has been classified as dangerous under the Dangerous Wild Animals Act 1976, the Dangerous Dogs Act 1991 and as amended in 1997 at or on any property owned by the Council.</p> <p>If you have any further questions or queries in relation to this matter, then please don't hesitate to contact me.</p>

COMMENTS	FEEDBACK PROVIDED
<p>Having read through the new tenancy management policy, the contents appear to be in order. We await sight of the new tenancy agreement in due course, in which we hope Redditch Borough Council will stipulate that tenants should keep both front and rear garden are tidy and well maintained.</p>	<p>Many thanks for taking the time to feedback to us on the proposed Tenancy Management Policy. We will be consulting on our proposed Tenancy Agreement following the closure of the current consultation period for the Tenancy Management Policy. There will be further information around property and garden conditions in the proposed Tenancy Agreement.</p>
<p>Hi. Thank you for information. I read new Policy. I have no comments to this.</p>	<p>Many thanks for taking the time to confirm you have read the proposed tenancy management policy.</p> <p>If you have any further questions or queries in relation to this matter than please don't hesitate to contact us.</p>
<p>Thank you for taking the time to send me the rules, as I don't have internet I have looked through the paperwork and agree that there should be check on council properties to keep them in good condition there is no excuse for dirty messy properties and if things are checked they can be kept to a good standard. After all council own properties not the tenant, If people looked after rented properties better than would be better for everyone.</p>	<p>Thank you for taking the time to feedback to us regarding the proposed Tenancy Management Policy, and for your support regarding property inspections and improving the condition that our housing stock is kept in.</p> <p>You mentioned you didn't have internet access, so I have enclosed a copy of the proposed Tenancy Management Policy.</p> <p>Should you have any further queries regarding the above matters, please don't hesitate to contact me.</p>
<p>I live very well, it's peaceful and quiet I'm well thank you.</p>	<p>Many thanks for taking the time to feedback to us regarding the proposed Tenancy Management Policy, it is also wonderful to hear how much you are enjoying your tenancy. If you have any further questions or queries in relation to this matter, please don't hesitate to contact me.</p>
<p>Having read the document version of Tenancy Management Policy my wife and I are pleased with the proposal in accordance with the Housing Act 1985</p>	<p>Many thanks for taking the time to feedback to us regarding the proposed Tenancy Management Policy. Your positive feedback is very much appreciated.</p> <p>If you have any further questions or queries in relation to this matter, then please don't hesitate to contact me.</p>

COMMENTS	FEEDBACK PROVIDED
<p>Ref: to parking. Disabled parking bays are only reserved parking spaces and should only be occupied by a driver displaying a blue badge. Under the current policy these spaces are advisory only, and have no legal standing. Will this proposed change mean it will become illegal to park in a marked space and therefore be liable for a fine?</p>	<p>Many thanks for taking the time to feedback to us regarding the proposed Tenancy Management Policy.</p> <p>Disabled Parking is a separate policy and is not included in the Tenancy Management Policy. Disabled Parking on Redditch Borough Council land is not restricted to tenants, any residents can make an application if they are eligible and hold a blue badge regardless of their tenancy type. For this reason, disabled parking holds its own policy which will be reviewed in due course.</p> <p>In conclusion, as it currently standards, there are no changes to Disabled Parking bays on Redditch Borough Council land, they remain advisory bays that aren't enforceable.</p> <p>If you have any further questions or queries in relation to this matter then please don't hesitate to contact me.</p>
<p>I have read and understood the above and am happy with the content.</p>	<p>Many thanks for your positive feedback</p>
<p>I am happy with the information and except from what I could understand seems fair and reasonable.</p>	<p>No response required</p>
<p>The tenancy management policy is easy to understand and straight forward detailing all sections of policy for tenants to know where we stand.</p>	<p>No response required</p>
<p>I am very happy with it</p>	<p>No response required</p>
<p>I didn't change anything I am happy with everything</p>	<p>No response required</p>
<p>You are not saying what the changes are you just point out that you are changing or adding thing to them without saying what they are so how can we know what they are if you don't state them.</p>	<p>You will note from the information we sent that we provided a Comparison Table that sets out the main changes between the old and new proposed tenancy. We sent this to aid people in understanding what the main changes are. I hope this helps inform you of the general reasons as to why we are having to update our tenancies. I have also attached a draft Secure Tenancy for your reference, and I would welcome you reading it and commenting on any aspects of it that you see fit. I will be happy to ring you at a mutually convenient time if you would like to discuss anything in more detail.</p>

COMMENTS	FEEDBACK PROVIDED
<p>Thank you for your letter received today. My query is as a secure tenant, what will happen if we sign a new housing agreement. Does this mean that we will go back to the beginning and become 'Introductory' tenants whereby the council can tell us to leave at any point. Unfortunately this is not clear in the proposals.</p>	<p>Many thanks for taking the time to respond to my letter. I can confirm that you will not lose any of your Secure Tenancy rights if we decide to proceed and move all tenants onto new tenancy agreements. If we proceed, you will be sent a new Secure Tenancy Agreement and the date by which the new terms will come into effect. Please rest assured we are doing this to ensure that all tenants are treated fairly and consistently, as many of our older tenancies do not clearly set out your legal rights as tenants in the manner that they should. I hope this confirmation reassures you.</p>
<p>I have no comments to make, as I believe the transparency in your letter is as per your communication. I confirm and agree.</p>	<p>No response required</p>
<p>Dear RBC, I am writing to you regarding the new variation of my tenancy agreement. I have a learning disability and need support to understand the changes. I would also like to know: How I will be supported through the transition of the tenancy agreement. If I will need to do anything to maintain my tenancy. If the previous housing act still applies after the variation, and for how long. I would appreciate it if you could get back to me as soon as possible. Thank you for your time.</p>	<p>Many thanks for getting in touch. I have copied my colleague Wayne into this email, and he will arrange to contact you directly to discuss any specific help or support you might need. In answer to your questions below no direct support will be required to transition onto the new tenancy, we are simply updating the current terms so tenants are fully informed as to their rights and services they can expect from us as Landlord. If we choose to proceed, we will simply send you out a new tenancy for your future reference. You will not need to do anything to maintain your tenancy and all the rights you have as a Secure Tenant will not change. The Housing Act referred to on the information we sent you is simply a reference to the law that requires us to consult you on matters regarding your tenancy. By writing to you we are complying with that Act and if we do proceed and grant new tenancies to all our tenants our statutory obligations to you will have been met. The Housing Act itself is a Statutory Law and can be referenced by you or us at any point. I'm sure Wayne will be able to advise on any other matters you may wish to address.</p>
<p>I really don't understand all of this...? How will it affect me???? I'm vulnerable and easily alarmed at the moment, and need reassurance....</p>	<p>I do apologise if my contact with you has caused you any distress. In short, I have written to all our tenants (approximately 5,700 households) to advise that we are looking to update the terms of our tenancy so that as a tenant you have clear information about your tenancy rights and what to expect from us as a landlord. Likewise, the new tenancy will also advise of what we as a landlord can expect from you as a tenant, for example the payment of rent and your behaviour in your home. The new tenancy does not affect your rights as a tenant in any way and there isn't anything further you will need to do apart from be aware that early in the new year, we will send out a new tenancy for your records and for you to refer to</p>

COMMENTS	FEEDBACK PROVIDED
	<p>when or if you need services from us. I am happy to answer any other specific queries you may have prior to or after receiving your new tenancy. Kind regards, Jon</p>
<p>Sorry I don't fully understand all that is enclosed, re tenancy management policy. But i am satisfied at present on how things stand. I don't do technology so if my response is not sufficient please get in touch by phone or post.</p>	<p>Many thanks for completing the comments form regarding our tenancy agreement consultation. It was great to read how satisfied you are in your current tenancy.</p> <p>In your comments you advised you didn't understand the content of the consultation, I am therefore writing to you to explain this in further depth. In short we have written to all Redditch Borough Council tenants to advise that we are looking to update the terms of our tenancy so that as a tenant you have clear information about your tenancy rights and what to expect from us as a landlord. Likewise, the new tenancy will also advise of what we as a landlord can expect from you as a tenant, for example the payment of rent and your behaviour in your home.</p> <p>The new tenancy does not affect your rights as a tenant in any way and there isn't anything further you will need to do apart from be aware that early in the new year, we will send out a new tenancy for your records and for you to refer to when or if you need services from us.</p>
<p>As long as I can stay in my home, I'm no good giving comments. I will be happy thank you.</p>	<p>Many thanks for taking the time to respond to my letter. I can confirm that you will not lose any of your Secure Tenancy rights if we decide to proceed and move all tenants onto new tenancy agreements. If we proceed, you will be sent a new Secure Tenancy Agreement and the date by which the new terms will come into effect. Please rest assured we are doing this to ensure that all tenants are treated fairly and consistently, as many of our older tenancies do not clearly set out your legal rights as tenants in the manner that they should.</p>