

Review Committee – 1 June 2017

Minutes of the meeting of the **Review Committee** held on **1 June 2017** when there were present:-

Chairman: Cllr J C Burton
Vice-Chairman: Cllr R Milne

Cllr N L Cooper	Cllr Mrs C M Mason
Cllr R R Dray	Cllr J R F Mason
Cllr Mrs J R Gooding	Cllr J E Newport
Cllr B T Hazlewood	Cllr Mrs L Shaw
Cllr N J Hookway	Cllr C M Stanley
Cllr M Hoy	Cllr A L Williams
Cllr Mrs J R Lumley	

VISITING MEMBERS

Cllrs Mrs D Hoy, Mrs T Hughes, Mrs C Roe, S Smith, D Sperring, M J Steptoe, I H Ward and M Webb.

OTHERS PRESENT

E Keegan	- Managing Director, Rochford, Sanctuary Housing Services
S Atkinson	- Director, Governance and Legal Services, Sanctuary Housing Services
S Clark	- Group Director – Housing, Sanctuary Housing Services
Lisa Hawker	- Representative from resident petition group
Richard Lambourne	- Representative from resident petition group
Michelle Newton	- Representative from resident petition group

OFFICERS PRESENT

S Scrutton	- Managing Director
A Law	- Assistant Director, Legal Services
L Moss	- Assistant Director, Community and Housing Services
M Petley	- Principal Accountant
P Gowers	- Overview and Scrutiny Officer
M Power	- Democratic Services Officer

111 DECLARATIONS OF INTEREST

It was noted that there was no requirement for Cllrs Mrs J R Lumley and I H Ward to declare an interest by virtue of having been Members of the Rochford Housing Association Board, as they had been invited to the meeting by the Review Committee to answer questions on Item 5 of the Agenda, Investigation into the issues raised by the petition presented to Council on 25 April 2017.

112 INVESTIGATION INTO THE ISSUES RAISED BY THE PETITION PRESENTED TO COUNCIL ON 25 APRIL 2017

The Committee continued its investigation into the issues raised by the petition presented to Full Council on 25 April 2017. The petition concerned the plan to use Frances Cottee Lodge, Rayleigh to provide temporary accommodation for the homeless, and the plan to use the Clarence Road flats for people who have applied to Rochford District Council for a home rather than limit the residency to those aged over 55.

The following responses were given to questions asked in advance of the meeting.

Francis Cottee Action Group

Responses from representatives from the Frances Cottee Action Group (FCAG) are summarised below.

Were you satisfied with the process and if not why not?

FCAG were not satisfied with the process due to the lack of support for the elderly residents who were being asked to move and the lack of involvement of Rochford District Councillors in the process.

They stated that since 2007, when Sanctuary took over Frances Cottee Lodge (FCL) and Clarence Road (CR) flats, the site had appeared more and more dilapidated and people applying for residency there over the last few years had been turned away, so could not have their names put on any waiting list. They questioned whether Rochford District Council (RDC) or Sanctuary Housing Association (SHA) was aware of any future changes planned to the buildings apart from the current proposal or whether there were any alternative sites looked at or considered for this purpose. They questioned when RDC had been informed that SHA was changing the use of FCL and why the management of the Housing Association buildings were not in the form of a management contract secured by tender.

Did you feel that you were kept informed?

FCAG felt that Rayleigh residents were not informed of the plans until the process was already well underway and only a few people in the immediate locality received any information. Sanctuary subsequently distributed a leaflet to 64 households in the immediate vicinity; it then became clear that the anticipated change of use would affect Rayleigh as a whole and residents from a much wider area were concerned. Many residents, not just in Lodge ward, contacted their local Councillors expressing their alarm. As a result, SHA arranged two drop-in public sessions in Rayleigh; these sessions were very well attended by Rayleigh residents, most of who were very angry. The

sessions were chaotic and misleading and inflamed the situation. Requests for a formal meeting open to the public with Rochford District Councillors and SHA was refused. A further leaflet was produced 'you asked we said': this did not paint a true picture, hence the petition.

FCAG stated that throughout the process there has been no one they felt they could ask about the proposals who would give honest and true answers. When some local residents offered to attend the Friends of Frances Cottee Lodge meetings, despite going to the first one and interacting amicably with other attendees, these residents petition were apparently banned from attending future 'Friends of' meetings. There has been too much supposition and not enough clarity. They requested that the proposed nomination agreement for FCL is presented to Council prior to a final decision being reached.

What would you have preferred?

FCAG would have preferred that all of the current investigations had been debated prior to any decision being taken regarding any change of use of the property and elected Councillors had consulted with their constituents regarding the impact of such a change. Following the drop in sessions they expected the request for a formal meeting to be granted. They would prefer FCL to remain as sheltered accommodation for the elderly but, failing this, for the site to be refurbished to a standard acceptable for permanent occupation. Emergency temporary accommodation should be provided by allocating two or three units within Housing Association properties around the area as most residential areas have a mixture of owned and rented properties; there is no reason for anyone to be aware of another person's circumstances.

Should the proposal go ahead, they would like assurance that CCTV would be provided and that RDC would fund a full time warden, during the night time as well as during the day. They expected Ward Councillors to insist that the nomination agreement states that the property is for the use of existing Rayleigh residents requiring temporary accommodation and not people from the wider area or other areas and that CR flats would not be made available for temporary accommodation now or in the future.

Responses from the three Lodge Ward Councillors

Responses are summarised below.

Were you satisfied with the process and if not why not?

As a member of the Rochford Housing Association (RHA) Board at the time one Councillor felt it was important that residents' concerns be put directly to

RHA. There was a concern with the fabric of the building in respect of water supply and holes in a couple of the roofs, which was mentioned to Sanctuary prior to joining the Board. The focus was that the residents of FCL be treated with consideration regarding their transfer and also to ensure that those people who were going to be housed in FCL as temporary homeless were from Rayleigh and from the Rochford District.

SHA kept Ward Councillors informed of the process, although it was felt that a lot of residents were not; SHA was requested to put information out to residents, which they did. This is a Sanctuary property, not a Council property, and therefore the responsibility of SHA to manage any public relations matters. Information should have gone out there early and quicker.

One of the Members for Lodge Ward is the Portfolio Holder for Finance, which is where his focus lay. He felt the process was sound with regard to finance and that as Portfolio Holder he was adequately informed by SHA on the finance side, going through to budget planning and making appropriate financial provision. In terms of being informed, it is a property both owned and managed by SHA. RDC has issues that need to be dealt with and it is important that they are dealt with them within Rochford District.

Although not satisfied at the onset with the process, subsequently Ward Councillors were kept informed by SHA and RDC. In terms of other action that should have been taken, a similar situation would probably be handled differently in future, which is a positive outcome.

Sanctuary and RDC

A Review Committee Member stated that as a Member of the Council they could not comment on the process or timeline as they were not aware of when the process had started, nor when it would end.

Representatives from SHA and RDC responded to the questions. Responses are summarised below.

Emma Keegan, Managing Director of Rochford Housing Association (RHA) at the time and a senior representative of SHA in the area, responded to questions.

On 8 June 2016 the Board of RHA approved that Francis Cottee Lodge would be closed and converted into temporary accommodation. SHA met with residents at FCL and CR flats on 8 August 2016 to advise them of the plans. Prior to that meeting SHA advised Rayleigh Town Council, the three Board Members and Councillor Members to make them aware, as well as the local MP: this was the start of the process.

A Member queried the date that the process would reach an end. SHA advised that, in terms of the process of relocating the residents from Francis Cottee Lodge, two households remained within FCL, one of whom was moving on Saturday; the other would be moving imminently, when work to the property they are moving into was completed. Within the next few weeks FCL would be empty. It was anticipated that works to the building would commence in June 2017 and new residents would start to move in towards the end of the summer. Works should be completed on site around October/November.

Questions Relating to FCL when it was a sheltered scheme

SHA responded to questions as follows.

Can you please clarify how many residents there were?

As at 8 August 2016 there was one void property of the 10 households at FCL and one empty property at CR, of the 13 households.

What were the average occupancy numbers and how long did residents usually occupy a flat in the complex?

On average, FCL tenants lived at the scheme for three and a half years and CR residents for six and a half years. Occupancy rates vary across sheltered schemes and are impacted by a number of factors, including people's health or the need to move to a residential care home. As at August 2016 a number of residents had already applied to move away from FCL and CR, that is three residents at FCL out of the 10 and four at CR flats out of the 13.

Were the units that were not used, in good repair to let? Yes.

A Member asked whether SHA had offered empty units to people on a waiting list and whether seven out of 23 was the normal ratio to be expected. The figures gave no indication of whether it was a normal request to move within the area or if it was due to a higher level of dissatisfaction.

SHA responded that the decision made on 8 June to change the use of the site meant there were no attempts to let units. In terms of whether it was a normal ratio, experience indicated that elderly people want to move to a more central location. A difficulty in recent years had been letting properties in CR flats and FCL because their distance from the town centre.

What was the situation with voids over the last couple of years?

During the two financial years from April 2014 to March 2016 six of the 11 flats became empty at FCL; one became empty twice. The average number of days the property was empty at FCL was 116, but this figure is distorted by the fact that there was one two bedroom accommodation empty for almost two years because the Council was unable to nominate anybody to it. During the same

two year period 14 flats became empty at CR for an average of 22 days each. What that doesn't reflect is the difficulty historically in letting some of the units. In 2011 there was one property empty into 2012 out of those 14 flats.

How many residents were on the waiting list for this site?

The Assistant Director of Community and Housing advised that the Council does not offer specific choices of site although people could register their preference of where they move to. Of the 14 residents nominated last year to go to sites in Rayleigh, none chose to go to FCL. Currently there were 41 applicants on the waiting list who had applied for sheltered accommodation in Rayleigh and, of these, none are showing a preference for FCL; many have a preference for sites closer to the town centre.

How much money was being spent annually by Sanctuary on general maintenance of the building?

Following the stock transfer in 2007 RHA committed to bringing all properties up to what was termed the Rochford Standard, which was above the Government Decent Home Standard. Thus, the residents at CR flats and FCL would have benefited from that work within the five years following the stock transfer: an estimated spend of £5,000-£6,000 for each flat to upgrade kitchens and bathrooms, as well as investment throughout the building safety systems, fire systems, boilers, etc. Annual expenditure was in the region of £20,000 but there was a lot of capital investment in addition.

Can you clarify what was meant by the Rochford standard being above the Government's requirements?

RHA had offered to do work that wasn't included in the Decent Home Standard, but which was not necessarily monetary, for example installing over the bath showers. All residents in sheltered accommodation were offered a level access shower.

What staffing arrangements were in place at the sites before the start of the changes?

There had been a change in 2003 nationally in the way sheltered schemes were managed: supporting people funding came in and money was paid for housing related support in sheltered schemes. Historically, there had been a full-time scheme manager on site. From 2011 Essex County Council reduced SHA's funding by 44% and changed the contract figures for the support for sheltered tenants, which resulted in the need to provide half an hour support to each household per week. Following this reduction there was a move to having a part-time scheme manager working on-site Monday to Friday, delivering a support service and also ensuring the communal parts of the building were maintained.

Briefly outline what agreement was in place for the residents? (for example, were there annual reviews of their tenancies?)

Tenancies were let on an assured tenancy, commonly termed a lifetime tenancy. Assured tenancies may be bought to an end under the terms of the tenancy agreement.

It was stated that the Sanctuary Board made the original decision - were the Rochford Committee involved in the decision at all?

The decision on 8 June 2016 was an RHA Board decision, following a transfer application from SHA in November 2016. The Board at RHA disbanded and the Sanctuary in Rochford Committee met for the first time in January 2017; therefore, it was a decision that was made last year by RHA.

Does Sanctuary Housing place people who are already homeless within either of the FCL or CR sheltered schemes, that is, who don't meet the age requirements.

SHA does place homeless people within its sheltered schemes on occasion. Following the move away from employing Residential Scheme Managers, there were properties available that are used; there was one such property at FCL, which is not accessed through the scheme and is an independent property.

Questions relating to the process used to move residents

How much notice was given to residents and was it based on previous experience?

SHA met with residents on 8 August 2016, when residents were advised that the primary aim was to provide the necessary assistance to meet residents' preferences, either through rehousing in a RHA property or working with the Council and other landlords to find suitable accommodation. Consistent information was provided and residents were advised that the timescale was likely to be spring or summer 2017.

How was the figure of the financial settlement reached?

Where a tenant has to leave their home they're entitled to statutory compensation, which is known as Home Loss; the amount of this payment is set in law and is currently £5,800. SHA also paid for all the removal costs and additional charges incurred as a result of the resident moving. SHA arranged and paid for new carpet/flooring to the properties that the residents moved to and decorated them in accordance with people's choices prior to them moving in. Where new blinds and curtains were needed, residents were reimbursed for the cost. Tenants who had substantially improved their existing property or had brought an item just prior to the decision to close would be compensated; this was considered on a case by case basis.

Were there any additional or external support to help the residents move and cope with the changes?

A list of frequently asked questions was issued to residents. Residents were supported in finding accommodation, which included liaising with social landlords inside and outside the District where that was appropriate and support with packing and moving. Support was given with registering with doctors, arranging and fitting adaptations supplied in the tenant's flat and setting up direct debits with utility providers and arranging new telephone and satellite services. It was very much a person-centred approach and residents were supported according to their specific needs. Four of the eight households that have moved out have thanked SHA for their assistance.

Did Sanctuary or the Council consider whether any of the tenants who were elderly fell into the category where safeguarding should have cut in?

Sanctuary Housing staff were trained in safeguarding and, because Scheme Managers work with the residents on a day to day basis, there was already information about people's needs or vulnerabilities or their need for assistance. At the initial meeting residents' support networks were welcome to attend and a number of people came with family members. Residents who would have identified as vulnerable were assisted through the process. No safeguarding concerns were raised through the Council, and Housing Allocation officers worked closely with SHA throughout the process.

Was a meeting held by Sanctuary at FCL with all residents present and the Directors from Sanctuary, where the situation was full explained and residents were able to ask questions and receive answers? If so, when and who was invited and how? If not, why not?

SHA held sessions for residents of FCL on 8 August 2016 between 12pm and 3pm and for residents at CR flats on the same day between 3pm and 6pm. Family members and carers were invited to accompany tenants to each session and when people were unable to attend arrangements were made to visit them at home or contact them. Representatives from RDC and SHA attended, including Emma Keegan, who is a Director. Following that meeting follow-up one-to-one meetings were arranged according to the needs of the individual resident. Comprehensive written information was available in the form of frequently asked questions.

Were they given independent legal advice, going through this process?

Sanctuary did not offer them independent legal advice.

Did you feel any of them needed independent advice; did anybody ask for it?

Nobody asked for it; if someone had asked for independent advice they would have been referred to an organisation such as the Citizens Advice Bureau.

Were the elderly tenants pointed in the direction to take up independent legal advice or was it just not mentioned?

The question wasn't asked specifically. However, on the frequently asked questions people were advised to come back to Sanctuary if they had any concerns, and provided them with the contact details of the appropriate officers from the Council as well as officers from Sanctuary Housing. Of the 10 residents in the scheme, three had already asked for transfer so were delighted when they were told the scheme would close because this gave them high priority to move. No complaints were received from FCL residents and there were no Council enquiries so it was understood that residents were content with the service provided.

How many options of alternative accommodation were offered to the residents?

When Sanctuary spoke to residents about the plans they were advised that they would be helped to find a new home. Meetings were arranged with those who had not already registered for transfer, where they had discussions about the type of accommodation and the areas they would like to move to. Residents were visited with a representative from the Council so they could talk about other social landlords as well other options, and visits were arranged to view accommodation. Rather than being a formal offer of accommodation it was a flexible and personal approach. All of the tenants have either moved or are about to.

In respect of alternative accommodation, would that have been within a particular distance from Francis Cottee Lodge?

Initially, the majority of people wanted to stay in Rayleigh, although some have since moved out of Rayleigh. Some of the residents accepted their first choice, most of which are in Rayleigh and nearer to the High Street.

Were there any cases of residents being unhappy with all three choices of property being offered; if so, is there a process to offer a further choice so that the resident is not obliged to accept the third property if this is not suitable?

There were no cases where there was a need to offer more than the first two options. One resident refused the first option but accepted the second offer.

During negotiations/consultations were residents told they could be 'evicted' if they didn't accept the offer(s) made by Sanctuary?

All the residents agreed to move voluntarily.

Was it the fact that they were moving because they could move into a property better suited to their needs?

When SHA took over the stock in 2007 a commitment was made to bring all properties up to the Rochford Standard, which included new bathrooms and kitchens and other internal work. This work was carried out on all the units at CR flats and at FCL within the first five years post stock transfer, as it was in the other 1700 properties that were owned at the time. There shouldn't be a vast difference in the standard of the various properties and all properties let will reach an agreed letting standard.

Has Sanctuary carried out a satisfaction survey on the people who moved out?

A satisfaction survey was not conducted. There have been no complaints from residents from FCL.

Was Sanctuary responding to a demand from RDC or was it Sanctuary that initiated it?

SHA responded to RDC's housing needs. Conversation is ongoing with registered providers, including SHA. The Council is open about its housing needs and always looking for opportunities to see how it can meet them.

What effect has the removal of these two properties from the over 55s had on the plan for housing over 55s in the District?

There are wider conversations going on about housing need as in Independent Living with Essex Country Council. In total there were 73 people in October waiting for sheltered accommodation across the whole of the District; this has gone up to 75 as of this year. Taking this scheme out has had very little impact on the demand for sheltered accommodation generally.

Do you think that the consultation with the local residents was adequate and if not why not?

SHA were not required to consult local residents at the outset about the plans as there was no change of use; the units were going from a residential sheltered scheme to another residential scheme, albeit for temporary accommodation use. As a matter of courtesy, Sanctuary informed immediate households around the scheme via a flyer about the plans. An apology was issued when it was recognised that some of the local residents were missed. As part of the consultation with local residents, the information session on 18 October covered some of the concerns that residents had about car parking provision, CCTV and lighting and security. Based on the feedback received, CCTV design and the number of car parking spaces planned were included in the planning application.

Albeit that no planning application was required, one of the major issues seems to be the poor communication and initial lack of transparency, which has led to misinformation and distress. With hindsight do you think the process of communication both with the local residents and the wider community and members of RDC could have been improved and do you think that would have alleviated some of the concerns we have heard expressed tonight? Would you do the same again and if not why not?

SHA responded to a request from the Council and, as a valued partner who has invested heavily in this area, would always seek to work with the Council to play a part in providing housing for people who are homeless. SHA would manage the information the same way again because the schemes continue to be residential accommodation. It was recognised that people living in the immediate area would be interested in what was going on, so information was provided to them; with the exception of missing some people in the initial consultation, SHA was happy with the process. Regarding the FCAG comment about the confusion caused by the information sessions on the 18 October, whilst people may have felt that communication was chaotic, SHA did ensure that there was a 7 page document that people could take away with them; this has been available on SHA's and RDC's websites ever since.

There has been an action group formed and there are a lot of residents at the meeting tonight, which indicates that the communication process has been flawed. Although the intentions were good, distress has been caused and I would ask that Sanctuary reconsiders how it manages these processes in the future. Would Sanctuary consider talking to the residents again about some of their concerns?

Sanctuary Housing is always happy to meet with residents. There are residents in this room tonight that Sanctuary has met, either at their home or at the Sanctuary offices. Sanctuary would not hold a public meeting, as it is not felt that this is the best way to get individual concerns heard, but are willing to meet people in small groups.

And that would be with RDC alongside of you?

One of the meetings was specifically about security on the site so that was relevant to statutory housing; the Ward Councillors were invited to attend the other meeting. SHA would work with the Council jointly if there was a need.

If not a public meeting, will you correspond with those who have concerns?

Contact details are on both the Sanctuary and the Council's websites. However, the last contact Sanctuary had on this matter with a member of the public outside the action group was 7 January.

Questions relating to the future arrangements

What will be the staffing arrangements for the site going forward?

There would be an on-site presence Monday to Friday during working hours, not full-time as this is not felt to be necessary to ensure that residents were settled; this would be managed in accordance with the needs of the site. SHA would deal with any matters that arise appropriately.

They state that there is going to be someone there in the daytime Monday to Friday but what happens at the weekends and evenings? Are you willing to put CCTV cameras there to make sure everything is OK?

There will be CCTV at the scheme and if there becomes a need to put in additional resources; that is something Sanctuary will consider, any scheme it manages is reviewed on an ongoing basis.

Are the CCTV cameras 24 hour and is there someone watching them or is it going to be recorded?

SHA cannot talk about the CCTV specification in detail. The advice to any resident is that if there is an issue outside of hours they should contact the Police as it is the statutory duty of the Police to deal with.

If they are dealing with vulnerable people then if anything happens after 6.00pm or at weekends then there only option is to phone the police?

There is no indication that residents of FCL are going to be vulnerable just because of being homeless.

What is the purpose of someone being there in the daytime?

Alongside the Council, Scheme Managers will be working with these residents to sustain their tenancies before they move on to more permanent accommodation. Although a part-time resource Monday to Friday is planned, resources will be reviewed over time.

What terms and conditions will apply to the old residents of FCL or will it be like for like?

Residents that have moved from FCL to other SHA properties have moved on the same terms and conditions and they will have the same type of tenancy agreement.

Is the use of FCL exclusively for RDC nominations or can Sanctuary bring in tenants from outside the District?

It will be for the exclusive use of Rochford nominations.

How will FCL be promoted and used?

It will not be promoted as it is for the exclusive use of RDC nominations. Residents will be given accommodation around RDC policy.

Is that subject to a legal agreement between RDC and Sanctuary?

It will be managed subject to a nomination agreement between Sanctuary and RDC.

In respect of the nomination agreement, although it has been stated that there is a notice period, there doesn't seem to be a term on this agreement.

The initial term will be 5 years with the right to renew it.

Can you confirm that is just from the Rochford Council list? There is none from the housing association list that can be nominated?

They will be exclusively from Rochford Council's register.

The question is will we be vacating two units as in the past or will we be using the building to its full extent?

There are 42 households at the moment in emergency housing so, as this is providing 12 units and as it is priority use, it will always be full.

Can you explain why this makes financial sense for RDC?

RDC currently has 42 households in temporary accommodation. To put this in perspective, housing one household in temporary accommodation tonight would cost the Council £65 for accommodation, over a week £455, over a year £23,660. That is for one person or one family in one room. That is offset slightly with housing benefit and a client contribution but if multiplied over the 17 units at FCL there would be a saving compared to putting those residents in bed and breakfast accommodation of £288,670 for a full year.

I know that Ms Moss said it would always be full but is there any penalty if there is a void within the terms and conditions with Sanctuary or is RDC going to be left with any loss if units are left vacant?

The nomination agreement will have penalties within it if there is a void for a certain period of time but it is not envisaged that there will be voids for that period of time.

Is there any liability on RDC for any bad debts on the lettings of Sanctuary to homeless people in FCL and the other building by the Council? Where does the liability sit?

That is something RDC is discussing with SHA at the moment. There would be a certain liability with RDC but it must be ensured that this point is never

reached; bearing in mind that RDC puts in a lot of support for tenants at the time of their tenancy and that is sustained by SHA going forward.

Can I ask how a bad debt can arise?

Exclusively around non payment of rent.

How long is the legal agreement for?

The nomination agreement as far as I am aware has no end date.

**Does that mean that there is a notice period that the Council has to give?
How does the agreement end?**

There will be a notice period should the Council needs it to end.

What work, possible refurbishment, will Sanctuary be doing to the units in FCL?

The properties that have been vacated have already been brought up to Rochford Standard so they are ready to let. Whenever a property becomes vacant certain safety checks and minor repairs are carried out.

There is an indication that some new tenants will be vulnerable; what support will they be receiving from RDC, Sanctuary and possibly other agencies/GP surgeries?

When a client approaches RDC initial investigations are carried out, including the support they are already receiving and the support they might need; the client is then signposted accordingly. The principal housing support provider is Family Mosaic, which is supplied by Essex County Council and RDC works very closely with them. All the details about the tenant and any support they are receiving are subsequently passed to SHA through the formal nomination arrangements.

Will the member of staff be trained to help the residents? And will they be in a position to help residents such as if they need to claim benefits or housing allowances?

Staff receive training which is relevant to their role and they will be able to help residents to claim benefits etc.

What is the definition of 'temporary basis'? What is likely to be the maximum duration and what will be the process for the tenant after this time?

Clients with a housing priority need are placed in emergency temporary accommodation while the Council carries out an investigation and makes a decision on the homeless application. Once the decision is made, ideally the client will be moved to more settled accommodation but the reality is that there

is a lack of affordable property available, which means that the anticipated time that clients will stay in FCL is between two and eight months.

Will the emergency cord system in FCL still be operational for the new residents?

It is not anticipated that this will be necessary or appropriate as this will not be a sheltered scheme.

Is it not regulatory for the disabled?

There will be two wheelchair enabled flats but the emergency cord system in FCL will be taken out. If a resident were to need that type of service, something would be installed.

Will there be a review of parking spaces after the facility is in use?

Sanctuary will monitor the situation as time goes on and if there is a problem with the parking it will be addressed.

Will Sanctuary receive a higher financial return from the building once it is used for homeless people?

Sanctuary will not receive a higher financial return as rents are set in line with Government guidance and service charges reflect actual costs. Sanctuary is a not for profit company.

General questions

Was FCL due for a major refurbishment anyway and tenants would have been moved elsewhere during the refurbishment? Would they have been eligible to return as an option? Would a payment of £5000 been made to each tenant?

All the individual flats had already been given new kitchens and bathrooms. As there was no intention to carry out refurbishment work, tenants would not have been able to return. Taking into account a number of factors, such as demand and location, the conclusion was that FCL had no long term future as a sheltered scheme. Refurbishing a property would not necessarily qualify someone for the statutory payment of £5,000 as this is a home loss payment.

Is there a difference between the costs of refurbishing a property and what is happening here; it would seem that there is as people did qualify for the payment here.

It is only in the case of remodelling, removing walls and it is not the same home. So when Sanctuary refurbishes its 1700 properties (new bathrooms, rewiring etc.) tenants do not get compensation because their properties are being improved.

How often does Sanctuary refurbish their buildings in their sheltered housing schemes?

Sanctuary assesses its assets on a scheme by scheme basis; there are no further plans for FCL other than what is current.

Rochford DC members of the Sanctuary Housing Association in Rochford Committee

Did you feel that there was a conflict of interest between your role as a Portfolio Holder and also a Member on the Sanctuary Housing Association in Rochford Committee?

No, the decisions relating to FCL were made by the Board of RHA before it transferred its engagements into SHA. The structure of RHA allowed for the local authority to appoint up to four members to the Board, which meant that Council would always have representation on the Board as part of its governance. Board Members were required to declare any interest in matters under discussion; they each made a declaration about their positions as Members of the Council. None of the Board Members acted on behalf of the Council in agreeing the legal content of the documents that were signed by the Council, this took place at Chief Executive level. Their role was to act as a Board Member of RHA in signing off and agreeing the proposals.

Why are the proceedings of the Rochford Housing Board and its successor effectively in Exempt even with no report back to Members of the Council? Can this be changed?

RHA was a separate legal entity from RDC and was not covered by the provisions of the Local Government Act 2000, which govern whether information is exempt or publicly available. After it had transferred its engagements to SHA a new committee was established by SHA to oversee its operations in Rochford. SHA is also a separate legal entity and a private body that is not covered by the legislation. Communication back by Members will be considered at the next meeting.

It says in the constitution that members should consider reports back to Council every 6 months is that what you mean when you say it will be considered. Yes.

As there is a legal agreement between the Council and SHA on the use of FCL, which will form the basis of a nomination agreement and terms. If this did not happen would we be in breach? Yes.

Residents are concerned that this residential area will be blocked by works traffic. Will residents be kept updated on future progress of the works?

Planning permission includes a condition that materials, equipment and vehicles are kept on site, not on the highway. SHA will be regularly updating the

frequently asked questions on the website. Residents can contact SHA with concerns.

Will there be a notice period for both parties on the nomination agreement.

The agreement will be for a minimum of five years minimum, with a right to renew.

Resolved

That the questions asked and responses given at the meeting be considered by the Review Committee at its meeting on 13 June 2017 and recommendations made accordingly.

The meeting closed at 9.05 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.