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NOTICE OF MEETING

EXECUTIVE

23 JANUARY 2007

TO: ALL MEMBERS OF THE EXECUTIVE

You are requested to attend a meeting of the Executive on **23 January 2007 at 5.00 pm** in the Council Chamber, Fourth Floor, Easthampstead House, Bracknell, to transact the business set out in the attached agenda.

Alison Sanders
Director of Corporate Services

Members of the Executive

Councillor Bettison (Chairman)
Councillor Ward (Vice-Chairman)

Councillors Birch, Mrs Ballin, Barnard, McCracken and North

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THE EXECUTIVE
23 January 2007 (5.00 pm)
Council Chamber, Fourth Floor, Easthampstead House, Bracknell.

AGENDA

	Page No
1. APOLOGIES	
2. DECLARATIONS OF INTEREST Members are asked to declare any personal or prejudicial interests, and the nature of that interest, in respect of any matter to be considered at this meeting.	
3. MINUTES - 12 DECEMBER 2006	1 - 16
4. URGENT ITEMS OF BUSINESS	
5. SME CONCORDAT (Director of Corporate Services)	17 - 22
6. REVIEW OF TENANTS' & LEASEHOLDERS' COMPACT (Interim Director of Social Services & Housing)	23 - 78
7. PROCEDURE FOR WAIVING REPAYMENT OF RIGHT TO BUY DISCOUNT (Interim Director of Social Services & Housing)	79 - 84
8. NOTTINGHAM DECLARATION ON CLIMATE CHANGE (Director of Environment & Leisure)	85 - 90

Agenda Item 3

**EXECUTIVE
12 DECEMBER 2006
(5.00 - 6.45 pm)**

Present: Councillors Bettison (Chairman), Ward (Vice-Chairman), Birch, Mrs Ballin, McCracken and North

Apologies for absence were received from:
Councillor Barnard

224. Declarations of Interest

There were no declarations of interest.

225. Minutes - 14 November 2006

RESOLVED that the minutes of the meeting of the Executive on 14 November 2006 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

226. Executive Decisions

The Executive considered the reports submitted on the items listed below and the decisions taken are recorded in the decision sheets attached to these minutes and summarised below:

Item 7: Bracknell Forest Draft Parking Standards Supplementary Planning Document

RESOLVED

- 1 That the Draft Parking Standards Supplementary Planning Document be approved for public consultation for the period running from 15 January 2007 to 19 February 2007.
- 2 That the consultation process set out in section 7 of the report be approved.
- 3 That authority be delegated to the Executive Member for Planning and the Environment to make any necessary minor amendments to the Draft Parking Standards Supplementary Planning Document prior to consultation.

Item 5: 2006 Annual Performance Rating for Adult Social Services

RESOLVED that the CSCI statement of performance rating be noted.

Item 6: Draft Budget Proposals 2007/08

RESOLVED that the overall thrust of the budget package as outlined in section 5.2 of the Chief Executive's report be endorsed as the basis for consultation with the

Overview & Scrutiny Commission, other interested parties and the residents of Bracknell Forest.

Item 6a: Draft Capital Programme 2007/08 - 2009/10

RESOLVED

- 1 That an initial General Fund capital programme of £8.471m for 2007/08, including the schemes listed in Annexes B–F be approved for consultation.
- 2 That an initial Housing Revenue Account capital programme of £5.500m for 2007/08, including the schemes listed in Annex G be approved for consultation.
- 3 That the revised criteria for Invest to Save schemes at Annex A be approved.
- 4 That the inclusion of an additional budget of £1m for Invest to Save schemes be approved for consultation.
- 5 That the use of the capital receipt from the disposal of the miscellaneous property, Homefield, as a contribution towards the provision of affordable housing on the Met Office site be approved.

Item 6b: Draft Housing Revenue Account 2007/08

RESOLVED that the draft proposal for the Housing Revenue Account budget for 2007/08 be agreed as the basis for consultation.

Item 6c: Draft General Fund Revenue Budget 2007/08

RESOLVED

- 1 That the revised Commitment Budget at Annex A of the report be approved;
- 2 That the provisional Local Government Finance Settlement be noted and the draft budget proposals for 2007/08 approved as the basis for consultation with the Overview & Scrutiny Commission and other interested parties.

(NB: A revised copy of the proposed Environment & Leisure fees and charges was circulated)

Item 8: Disability Equality Scheme (DES)

RESOLVED

- 1 That the Disability Equality Scheme as detailed in Annex A of the report be endorsed.
- 2 That the detailed Action Plan be submitted to the Executive for approval in March 2007.

Item 9: In Control

RESOLVED

1. That the approach to the implementation of the In Control model of service funding and planning as set out in the Director of Social Services & Housing's report be approved, and the further work required for implementation supported.
2. That the policy for implementing Self Directed Support be approved.

Item 10: Corporate Performance Overview Report

RESOLVED that the overall performance of the Council during the period July-September 2006 be noted.

LEADER

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Bracknell Forest Borough Council Record of Decision

Work Programme Reference	I003917
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1. **TITLE:** Consultation draft Parking Standards Supplementary Planning Document
2. **SERVICE AREA:** Environment and Leisure
3. **PURPOSE OF DECISION**

To approve the draft Parking Standards (which will be used in the determination of Planning Applications) to be issued for public consultation.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

- 1 That the Draft Parking Standards Supplementary Planning Document be approved for public consultation for the period running from 15 January 2007 to 19 February 2007.
- 2 That the consultation process set out in section 7 of the report be approved.
- 3 That authority be delegated to the Executive Member for Planning and the Environment to make any necessary minor amendments to the Draft Parking Standards Supplementary Planning Document prior to consultation.

7. **REASON FOR DECISION**

The current Borough Council Parking Standards and Guidelines were approved in 2000 (non residential) and 2001 (residential). Subsequently Planning Policy Note 13 (PPG13) has been published along with the adoption of the Berkshire Structure Plan which set out specific guidance with regard to setting parking standards. The new Supplementary Planning Document is being developed to reflect changes in policy but which also respects local circumstances. The consideration of local circumstances appears to be in broad alignment with the newly released Planning Policy Statement 3 (PPS 3).

The Borough Council has published its Local Development Scheme setting out a full programme of documents that it will produce to replace the Bracknell Forest Borough Local Plan over the next 5 years. The review of the parking standards is one of the documents set to be produced and consulted upon in the new year.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Local Development Framework Member Steering Group has considered several options in taking forward the review of the parking standards. The first of these being to continue to use the already adopted standards. However, it was considered that this approach would not update the standards nor reflect the local circumstances of the borough.

A second approach presented was to base parking standards on access to key services

(with the most accessible locations having more restrictive standards and the least accessible with more generous standards). This approach was not developed further because concerns were raised by the LDF Steering Group, that there was no correlation between ownership and access, and that most of the Borough (outside of Bracknell town centre) could not be considered to have a high level of accessibility.

A further alternative approach was based on the guidance set out in Planning Policy Guidance Note 13 (PPG13), Planning Policy Guidance Note 3 (PPG3) and the Berkshire Structure Plan. This approach would use the standards in these documents and where relevant tighten these to have a restraint based set of Parking Standards. While recognising the weight that Inspectors place on such guidance, the Steering Group felt that they did not reflect well enough the local circumstances of the Borough. As described later the newly released PPS3, suggests the need to take account of local circumstances, along with making best use of land and good design when setting standards, which helps to support the approach set out later in this report.

- 9. **PRINCIPAL GROUPS CONSULTED:** GOSE
Local Authorities
Interest Groups
Parish Councils
Developers
- 10. **DOCUMENT CONSIDERED:** Report of the Director of Environment & Leisure.
- 11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I004167
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1. **TITLE:** Annual Performance Rating
2. **SERVICE AREA:** Social Services and Housing
3. **PURPOSE OF DECISION**

The report will outline CSCI assessment of the performance of Adult Social Services and its star rating.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the CSCI statement of performance rating be noted.

7. **REASON FOR DECISION**

All Councils with adult social services responsibilities are required to report their statement of annual performance to their Executive or equivalent.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None.

9. **PRINCIPAL GROUPS CONSULTED:** None.
10. **DOCUMENT CONSIDERED:** Report of the Director of Social Services & Housing.
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I001905
---------------------------------	----------------

1. **TITLE:** Draft Budget Proposals 2007/08

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To agree draft budget proposals for consultation.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the overall thrust of the budget package as outlined in section 5.2 of the Chief Executive's report be endorsed as the basis for consultation with Overview & Scrutiny Commission, other interested parties and the residents of Bracknell Forest.

7. **REASON FOR DECISION**

The recommendation is designed to allow the Executive to consult on its draft budget proposals as required by the Local Government Act 2000.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The range of options being consulted on is included in the supporting papers.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Chief Executive.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I001906
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1. **TITLE:** Draft Capital Programme 2007/08 - 2009/10

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To agree draft budget proposals for consultation.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That an initial General Fund capital programme of £8.471m for 2007/08, including the schemes listed in Annexes B–F be approved for consultation.

2 That an initial Housing Revenue Account capital programme of £5.500m for 2007/08, including the schemes listed in Annex G be approved for consultation.

3 That the revised criteria for Invest to Save schemes at Annex A be approved.

4 That the inclusion of an additional budget of £1m for Invest to Save schemes be approved for consultation.

5 That the use of the capital receipt from the disposal of the miscellaneous property, Homefield, as a contribution towards the provision of affordable housing on the Met Office site be approved.

7. **REASON FOR DECISION**

The reasons for the recommendations are detailed in the report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The options considered are detailed in the report.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I001907
---------------------------------	----------------

1. **TITLE:** Draft Housing Revenue Account 2007/08

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To agree draft budget proposals for consultation.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the draft proposal for the Housing Revenue Account budget for 2007/08 be agreed as the basis for consultation.

7. **REASON FOR DECISION**

The reasons for the recommendations are outlined in the report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative options considered are outlined in the report.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of Director of Corporate Services/Director of Social Services & Housing.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I001908
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1. **TITLE:** Draft General Fund Revenue Budget 2007/08

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To agree draft budget proposals for consultation.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the revised Commitment Budget at Annexe A of the report be approved;

2 That the provisional Local Government Finance Settlement be noted and the draft budget proposals for 2007/08 approved as the basis for consultation with the Overview & Scrutiny Commission and other interested parties.

7. **REASON FOR DECISION**

The recommendation is designed to allow the Executive to consult on its draft budget proposals as required by the Local Government Act 2000.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The range of options being considered were included in the report and its Annexes.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Chief Executive/Director of Corporate Services.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I003918
---------------------------------	----------------

1. **TITLE:** Disability Equality Scheme (DES)

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To agree the Council's Disability Equality Scheme, as required by the Disability Discrimination Act 2005, setting out; how the Council will assess its policies and practices; an action plan to promote disability equality and information required by the Council to carry out its duties

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the Disability Equality Scheme as detailed in Annex A of the report be endorsed.

2 That the detailed Action Plan be submitted to the Executive for approval in March 2007.

7. **REASON FOR DECISION**

This Disability Equality Scheme covers how the Council will assess the impact of its current and future policies and practices on disabled people; an implementation plan setting out how the Council will fulfil its general duty to promote disability equality; and what relevant information it already has about the needs of disabled people in its role as employer and as a service provider, and how it will gather further information.

Promoting disability equality in Bracknell Forest will be a continuous process, which will need to be undertaken in partnership with the wider community and with disabled people themselves.

Due to the tight timescale, it is intended that the consultation period be left open until the end of January 2007. During January and February, officers will do further work on the consultation responses to provide the Executive with a more detailed action plan for its meeting at the beginning of March.

8. **ALTERNATIVE OPTIONS CONSIDERED**

There is no alternative but to publish the scheme as it is a statutory requirement.

9. **PRINCIPAL GROUPS CONSULTED:** Staff and representatives of disabled groups.

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I004169
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1. **TITLE:** In Control
2. **SERVICE AREA:** Social Services and Housing
3. **PURPOSE OF DECISION**

The adoption of the In Control model of service funding and planning was agreed as part of the Learning Disability Strategy in Autumn 2005. This paper gives further detail of the proposed implementation and the Executive is asked to support this approach.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the approach to the implementation of the In Control model of service funding and planning as set out in the Director of Social Services & Housing's report be approved, and the further work required for implementation supported.
2. That the policy for implementing Self Directed Support be approved.

7. **REASON FOR DECISION**

The In Control approach to supporting individuals with learning disabilities is a modern and empowering approach based on the principles of citizenship. As such it enables the Council to meet its responsibilities within the modernisation agenda, as espoused within *Valuing People, Our Health, Our Care, Our Say*.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Maintain status quo.

9. **PRINCIPAL GROUPS CONSULTED:** None.
10. **DOCUMENT CONSIDERED:** Report of the Director of Social Services & Housing.
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

**Bracknell Forest Borough Council
Record of Decision**

Work Programme Reference	I003076
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1. **TITLE:** Corporate Performance Overview Report

2. **SERVICE AREA:** Chief Executive's Office

3. **PURPOSE OF DECISION**

To inform the Executive of the performance of the Council over the second quarter of 2006/07 (July-September 2006).

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the overall performance of the Council during the period July-September 2006 be noted.

7. **REASON FOR DECISION**

To ensure that the Executive is appraised of the performance of the Council, highlighting key areas, so that appropriate action can be taken if needed.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Chief Executive.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Date decision will be implemented
12 December 2006	21 Dec 2006

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**TO: THE EXECUTIVE
23 JANUARY 2007**

**SME CONCORDAT
(Director of Corporate Services)**

1 PURPOSE OF DECISION(S)

- 1.1 To endorse the adoption of the DTI Small Business Service's Small Business Concordat aimed at making Councils' contracts more accessible to small and medium sized businesses and hence improving value for money by opening the contracts up to wider competition.

2 RECOMMENDATION(S)

- 2.1 **That the SME Concordat be formally adopted by the Council.**
- 2.2 **That the proposed BFBC Action Plan to implement the SME Concordat be endorsed.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 In October 2005 ODPM and the DTI's Small Business Service wrote to Chief Executives drawing attention to the Small Business Concordat Good Practice Guide and Addendum and encouraging authorities to formally adopt it.
- 3.2 The National Procurement Strategy of Local Authorities set a specific milestone for councils to adopt the Concordat. The Council's Procurement Strategy aims to comply with the national strategy wherever practical.
- 3.3 Widening the range of bidders for the Council's business will help improve competitiveness and value for money. With the drive for greater aggregation of demand into larger contracts, often in collaboration with other authorities and "piggy-backing" of existing framework agreements, there is a danger that smaller enterprises will be squeezed out of the market. This could be detrimental to the longer term competitiveness of some markets unless measures are taken to ensure the involvement of smaller suppliers. Moreover it could be seen as running counter to the aims of the Council's Sustainable Community Plan to help regenerate the town centre.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 No alternative options considered.

5 SUPPORTING INFORMATION

- 5.1 Based as they are on best practice principles, the Council's procurement policies and processes already incorporate many of the Concordat's specific objectives. Of the 23 points on the Concordat, 18 are already addressed by existing practices – as identified in Annex 1. The outstanding 5 items that require action are as follows:
- a. How we will encourage a diverse & competitive market, incl small firms, social enterprises, ethnic minority businesses and voluntary & community sector.
 - b. Commitment to invite bidders to demonstrate effective use of their supply chain.
 - c. Consider role of SME specialist suppliers in delivering elements of larger contracts and frameworks
 - d. Seek feedback from suppliers on tender processes
 - e. Require suppliers to pay subcontractors within 30 days

Items b-e above will be addressed via changes to standard tender documentation and associated advice. To implement item a, a detailed action plan will be developed linked to Sustainable Community Plan. The Procurement Strategy & Implementation Plan may then need to be amended to reflect this.

- 5.2 The aim would be to complete all of these actions by the end of March 2007.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The EC Treaty prohibits the restriction or distortion of competition within the Community. It is based on the principles of free movement of persons, goods, services and capital and fundamentally of non-discrimination. This thus serves to prevent positive discrimination in favour of small or local suppliers for example as part of a supplier selection or tender evaluation process. The Concordat therefore concentrates on eliminating the ways in which such enterprises can be inadvertently discriminated against eg by the way councils go about their day to day business.

Borough Treasurer

- 6.2 No specific comments although widening the range of bidders for Council contracts should improve value for money.

Strategic Risk Management Issues

- 6.3 There are no Strategic Risk Management Issues for this item.

Background Papers:

http://www.sbs.gov.uk/SBS_Gov_files/services/odpm_locgov_035612.pdf

http://www.communities.gov.uk/pub/700/SmallBusinessConcordatGoodPracticeGuideAddendumPDF99Kb_id1136700.pdf

Contact for more information:

Rob Atkins, Head of Procurement ☎ 01344 352297
rob.atkins@bracknell-forest.gov.UK

ANNEX 1: SME CONCORDAT - BFBC ACTION PLAN

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Concordat commitment		Currently compliant?	Source of compliance advice	Actions needed to ensure compliance
Underlying principles				
1	Contracts awarded on Best Value principles – incl whole life cost, and quality	✓	Proc Strategy – key principle no.3	None
2	Appropriate use of legal powers to promote economic, social and environmental well being	✓	Sustainable Community Plan	Provide procurement support to Town Centre-related projects
3	Compliance with principles of EC Procurement Directives	✓	Contract Regs para 5	None
Procurement Strategy Includes...				
4	Procurement's role in delivering wider objectives (eg community strategy, workforce issues, diversity and sustainability)	✓	Proc Strategy – key principle no.5 Sustainable Community Plan	Develop detailed action plan directly linked to Sustainable Community Plan. Amend Procurement Strategy & Implementation Plan to reflect this.
5	How we will encourage diverse & competitive market, incl small firms, social enterprises, ethnic minority businesses and voluntary & community sector.	✗	Sustainable Community Plan	
6	Business case & options appraisal for individual contracts	✓	Proc Manual Para 2.1	None

7	Commitment to invite bidders to demonstrate effective use of their supply chain.	x		Suggest including appropriate question in standard ITT package
8	Consider role of SME specialist suppliers in delivering elements of larger contracts and frameworks	x		Amend Proc Manual & ITT docs as Commitment 7 above. Consider specifically in relation to Town Centre Development and Civic Hub
Access to contract opportunities				
9	Publish Selling to BFBC website with guidance to suppliers and access to details of current contracts and bidding opportunities	✓	http://www.bracknell-forest.gov.uk/your-council/yc-procurement/yc-selling-to-the-council.htm	None
10	Discuss opportunities with potential suppliers	✓	via Thames Valley Procurement Forum	Link with supplier engagement programme associated with launch of TV Supplier Portal in 2006-7
11	Work with prime contractors to establish potential contribution of SMEs ethnic minority businesses, social enterprises and community sector suppliers in the supply chain	✓	Sustainable Community Plan	Discuss with BRP likely potential in conjunction with Town Centre redevelopment
Fair tender processes				
12	Apply rules and policies fairly	✓	n/a	None
13	Ensure all tenderers have equal access to relevant information.	✓	Procurement Manual para 2.6.6	None
14	Keep tender process as simple as possible	✓	n/a	None
15	(a) use standard core PQQ; (b) develop regional standard	✓ ✓	(a) http://bfnet.bracknell-forest.gov.uk/Procurement/pqqnew.doc (b) via Thames Valley Procurement Forum	(a) None (b) Part of work to develop and populate TV Supplier Portal

16	Assess suppliers against published evaluation criteria	✓	Standard tender docs and Selling to BFBC Guide: http://www.bracknell-forest.gov.uk/your-council/yc-procurement/yc-selling-to-the-council.htm	None
Feedback				
17	Seek feedback from suppliers on tender processes	x		Suggest suitable paragraph in standard acceptance and decline letters
18	Publish a complaints procedure	✓	Partial via - Standard 'Alcatel' decline letters	Suggest addition to Selling to BFBC web Guide
Contract Management				
19	Pay suppliers on time – within 30 days	✓	Standard Terms and Conditions of Contract	None
20	Give open and honest feedback	✓	Proc Manual para 2.12	None
21	Give poorly performing suppliers opportunity to put matters right	✓	Not written down	Suggest include future Contract Management chapter in Procurement Manual
22	Require suppliers to pay subcontractors within 30 days	x		Suggest amend standard Ts and Cs
Supplier Commitments				
23	Make clear to suppliers what is expected of them	✓	http://www.bracknell-forest.gov.uk/your-council/yc-procurement/yc-selling-to-the-council.htm	

**TO THE EXECUTIVE
23 JANUARY 2007**

REVIEW OF TENANTS AND LEASEHOLDERS COMPACT (Interim Director of Social Services & Housing)

1 PURPOSE OF DECISION

- 1.1 To adopt the updated and reviewed version of the Tenants and Leaseholders Compact shown in Annex A.

2 RECOMMENDATIONS

- 2.1 **That the revised Tenants and Leaseholders Compact be adopted.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 It is a government requirement that councils agree compacts with their tenants and review these regularly.
- 3.2 A new National Framework for Tenant Participation Compacts was published by the Office of the Deputy Prime Minister (now Department for Communities and Local Government) in March 2005, which used the experience of the development of Compacts since 2000 to update the framework. The Bracknell Forest Compact needed to be updated to take this new guidance into account.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The council could decide not to agree and / or publish the reviewed the Compact at this stage.

5 SUPPORTING INFORMATION

Background

- 5.1 The Compact is an agreement between the council as a landlord, and the tenants and leaseholders about how they can get involved and influence services provided to them
- 5.2 The current Tenants and Leaseholders Compact was signed in December 2003, in accordance with government requirements. This was a review of the original document which was signed in 2000.
- 5.3 Compacts are designed to be flexible. They contain targets and statements about tenant involvement and therefore need to be updated to incorporate progress and set new targets for continuous improvement.

- 5.4 Detail of the review process for the Compact is set out in the document in Annex A. An approach was taken of starting again when writing the document, rather than amending the old one as was done in the last review.
- 5.5 The Compact has been approved by the Shadow Board of the proposed new Housing Association and would be honoured by the new landlord in the event of a housing stock transfer.
- 5.6 The Compact is linked to the Offer document and is referred to in the section regarding involving residents in the running of the proposed new Housing Association.

Future Actions

- 5.6 Once the compact has been agreed by all parties, it needs to be launched and signed. This will take place after the Stock Transfer Ballot.
- 5.7 The compact needs to be distributed - it is suggested that as in 2003, all tenants and leaseholders receive a summary document with their newsletter and those who wish to request the full document will be able to do so. The full document will also be available on the council's website.
- 5.8 It will be necessary for all officers who have contact with tenants and leaseholders to be aware of the agreement which has been made with tenants and leaseholders.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The relevant legal provisions are contained within the report.

Borough Treasurer

- 6.2 There is a budget for tenant participation which is sufficient to cover anticipated commitments.

Impact Assessment

- 6.3 An Equalities Impact Assessment has been carried out on Tenant Participation. The Compact gives the opportunity for involvement for tenants and leaseholders of all backgrounds, and has specific targets relating to equalities.

Strategic Risk Management Issues

- 6.4 There are no Strategic Risk Management Issues for this item.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Tenants and Leaseholders Panel
Housing Sounding Board
Tenants & Leaseholders Champion
Shadow Board of the proposed new Housing Association

Method of Consultation

- 7.2 A tenant event was held in July 2005 to review involvement opportunities which was open to all tenants who had previously shown interest in involvement. A working group of tenant representatives, officers and the Tenants & Leaseholders Champion then met to put together the document, and when this was near completion it was sent with a questionnaire to the Housing Sounding Board (shown in Annex B). Tenant representatives and members of the Housing Sounding Board are asked if they require alternative formats and consultation would be provided appropriately as required.

Representations Received

- 7.3 There has been a high level of support. A summary of responses to the questionnaire is shown in Annex C. The target with the lowest level of support (supplying notice boards in communal areas) has not been made a priority as a result.

Background Papers

ODPM – National Framework for Tenant Participation Compacts 2005

Contact for further information

Joanna Flaxman, Social Services & Housing: 01344 35570

Joanna.flaxman@bracknell-forest.gov.uk

Doc. Ref

J:\PS&C Team\Joanna\Tenant Participation\Tenant Participation Compact\Reports re the compact\C.M.T\CMT decision report Jan06.doc



QUESTIONNAIRE ON THE DRAFT TENANTS AND LEASEHOLDERS COMPACT

The Tenants & Leaseholders Compact is an agreement between the Tenants & Leaseholders of Bracknell Forest and the Council. It aims to set out how Tenants & Leaseholders can get involved and have a say in the services provided to them.

We want to know what you think about the updated Compact document, so we would be grateful if you could complete the questions below to tell us your views.

<p>1. Do you think the compact is clear about what it is for?</p> <p>Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/></p> <p>Comments: _____</p>
<p>2. Do you agree with the aims in the compact? (page 9-10)</p> <p>Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/></p> <p>Comments: _____</p>
<p>3. Do you agree with the way the compact says that tenants will be involved in Housing Services (p11-20)?</p> <p>Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/></p> <p>Comments: _____</p>
<p>4. Do you agree with the standards for resources for Tenant Participation which are set out in the compact (p23-26)?</p> <p>Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/></p> <p>Comments: _____</p>
<p>5. Do you agree with the standards for meetings which are set out in the compact (p27-28)?</p> <p>Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/></p> <p>Comments: _____</p>

6. Do you agree with the **standards for tenants groups** which are set out in the compact (p30-31)?

Yes No Don't know

Comments: _____

7. Do you agree with the **standards for information** which are set out in the compact (p34)?

Yes No Don't know

Comments: _____

8. Do you agree with the **standards for monitoring and measuring performance** which are set out in the compact (p35-36)?

Yes No Don't know

Comments: _____

9. Do you agree with the targets for improvement in the compact, which are:-

To Run Estate Walkabouts on the council's main housing estates	Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/>
Comments:	
To Promote the Residents Voices Scheme and have at least 10 tenants / leaseholders signed up to the scheme. (See p 7 for an explanation of the scheme)	Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/>
Comments:	
To present Housing Management performance information to the Tenants & Leaseholders Panel on a quarterly basis	Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/>
Comments:	
For the Tenants & Leaseholders Panel to have a training / information session about Housing Management Policies and Procedures	Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/>
Comments:	
To present regular information about the performance of the repairs service through the Tenants and Leaseholders newsletter	Yes <input type="radio"/> No <input type="radio"/> Don't know <input type="radio"/>
Comments:	

To provide training for tenant representatives on equality and diversity issues as well as the Commission for Racial Equality (CRE) standards in housing	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		
To use any underspend in the Tenant Involvement budget to fund notice boards in communal areas	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		
To obtain the SHAP (Working Party on religions in Education) calendar of cultural and religious significant dates to help avoid clashes with meetings	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		
To develop a simple system of monitoring whether meeting standards are kept which is reported to the Compact Monitoring Meeting	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		
2 pages in the quarterly Tenants & Leaseholders Newsletter will always be used by Tenants and Leaseholders groups.	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		
To ensure that meetings run to time – this may require groups to restructure their meetings.	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		
A description of the tenant representative's role will be developed	Yes No Don't know	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments:		

Are there any other targets you think we should have to improve the way we find out Tenants & Leaseholders' views? _____

10. Do you think there are any other words that we should give meanings for in the glossary on p39?

11. Do you agree that if the Council Housing transfers to a Housing Association, that a new landlord should honour this document?

Yes No Don't know

12. Do you have any further comments about the compact?

Please provide your name and address if you wish to receive your shopping voucher, and indicate which voucher you would like to receive.

Name: _____

Address: _____

- Sainsburys Voucher
- WH Smiths Voucher

Thank you for your time, please return the questionnaire in the enclosed pre-paid envelope provided by 7th July 2006.

Results of Housing Sounding Board Survey on T&L Compact

Is the compact clear?	
Yes	334
No	10
Don't Know	12

Do you agree with standards for resources?	
Yes	306
No	15
Don't Know	33

Do you agree with standards for information?	
Yes	318
No	6
Don't Know	21

Do you agree with the aims?	
Yes	329
No	5
Don't Know	12

Do you agree with standards for meetings?	
Yes	329
No	7
Don't Know	24

Do you agree with standards for monitoring?	
Yes	303
No	14
Don't Know	31

Do you agree with standards for Housing Services?	
Yes	335
No	9
Don't Know	15

Do you agree with standards for tenants groups?	
Yes	329
No	2
Don't Know	15

Do you agree with target - estate walkabouts?	
Yes	301
No	10
Don't Know	45

Do you agree with target - HM training?	
Yes	299
No	8
Don't Know	51

Do you agree with target - residents voices?	
Yes	318
No	19
Don't Know	31

Do you agree with target - newsletter, performance	
Yes	336
No	6
Don't Know	5

Do you agree with target - HM perf info?

Yes	329
No	5
Don't Know	24

Do you agree with target - race training?

Yes	252
No	24
Don't Know	67

Do you agree with target - notice boards?

Yes	202
No	63
Don't Know	74

Do you agree with target - groups - newsletter?

Yes	310
No	6
Don't Know	27

Do you agree with target - SHAP calendar

Yes	226
No	38
Don't Know	77

Do you agree with target - meeting times

Yes	281
No	14
Don't Know	46

Do you agree with target - monitoring system?

Yes	304
No	9
Don't Know	31

Do you agree with target - tenant role?

Yes	310
No	5
Don't Know	27

Do you agree with new landlord taking on compact?

Yes	301
No	16
Don't Know	25

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The Bracknell Forest Tenants and Leaseholders Compact

**An Agreement between:-
The tenants and leaseholders of Bracknell Forest
and
Bracknell Forest Borough Council.**

No. 3, December 2006



**This is how you, as tenants and leaseholders
can have a say on how your homes and
estates are managed**

“This document provides a wide range of opportunities for your voice to be heard, from meetings to questionnaires to estate walkabouts. You will have the opportunity to support, challenge and influence. We evolve to involve!”

Summaries or extracts of this document can be made available in large print, in Braille or on audio cassette. Copies in other languages may also be obtained. Please contact Joanna Flaxman on 01344 351570 or minicom 01344 352045.

Every tenant and service charge paying leaseholder will receive a summary document of this Compact, with this full version available on request.

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GLOSSARY OF TERMS USED IN THIS COMPACT DOCUMENT

<u>Word or phrase</u>	<u>Meaning</u>
Tenant	Someone who pays rent to the council to live in a home provided by the council (in this document “tenant” also means “leaseholder”)
Leaseholder	Someone who has bought their home from the council, but the council still owns the freehold so the person has to pay them ground rent and / or service charges
Compact	An agreement – in this case between the council and the tenants about how they will be consulted and involved in services they receive
Targets	Things we want to do and achieve within a certain time limit
Best Value	The government have said that all councils must review their services to make sure they provided the best value for money
Independent Tenant Advisor (ITA)	An outside agency who give tenants impartial advice about whether the housing stock should be transferred to a Housing Association and how this process should proceed.
Stock Options Appraisal	A process which all councils who own housing had to go through by July 2005 to investigate the options for meeting the government’s standards for social housing, there were four options given to tenants – keeping the stock owned by the council, transferring to a new or existing Housing Association, an Arms Length Management Organisation or setting up a Private Finance Initiative. The initial outcome in Bracknell Forest was to keep the stock owned by the Council in the short term, but due to the financial circumstances, to investigate further the option of transferring the stock to a Housing Association.

	<p>In 2006, an updated financial appraisal revealed that the Council could no longer afford to meet the Government's Decent Homes Standard by 2010 and that the Housing Services Operational Account would fall into deficit by 2009/10.</p> <p>Following a unanimous recommendation from the Housing Steering Group, the Council decided to consult and ballot tenants on the option of transferring the Council homes to a new local Housing Association.</p>
Decent Homes Standard	All property owned and managed by the council must meet the Decent Homes standard. To meet the standard, property must have reasonably modern facilities, be warm and weatherproof. The government wants all social housing to be brought up to the Decent Homes standard by 2010.
TPAS	A national organisation who work to promote tenant empowerment.
CRE	Commission For Racial Equality – this organisation issue standards to achieve racial equality in Housing which all landlords are required to meet.
SHAP	A national working party on world religions in education.
Dispute	A disagreement which cannot be resolved through the usual means.



About the Tenants & Leaseholders Compact

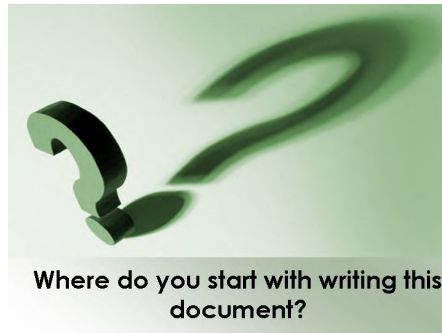
The Compact is a written agreement between the Council (as a landlord) and Council tenants and leaseholders. It sets out how tenants can be involved in issues that affect them, their homes and neighbourhoods.

The Government has advised that all Councils must agree Compact documents with their tenants, and regularly review them. They have produced guidance on this called the National Framework for Tenant Participation Compacts.

This compact is the third version. Previous documents were produced in 2000 and 2003. In 2003 every tenant and service charge paying leaseholder received a summary of the Compact, with the full version available on request.

In the event of a transfer to a new local Housing Association, the new landlord must honour this agreement.

The term tenant in this document is used to mean tenants and leaseholders.



Reviewing the Compact

The review in 2005/06 began with a workshop in July 2005 for interested tenants and leaseholders, where the borough's tenant involvement structure was examined and tenants and leaseholders explored some ideas from other landlords about how to involve more people. This was a successful event and outcomes have been fed into the review.



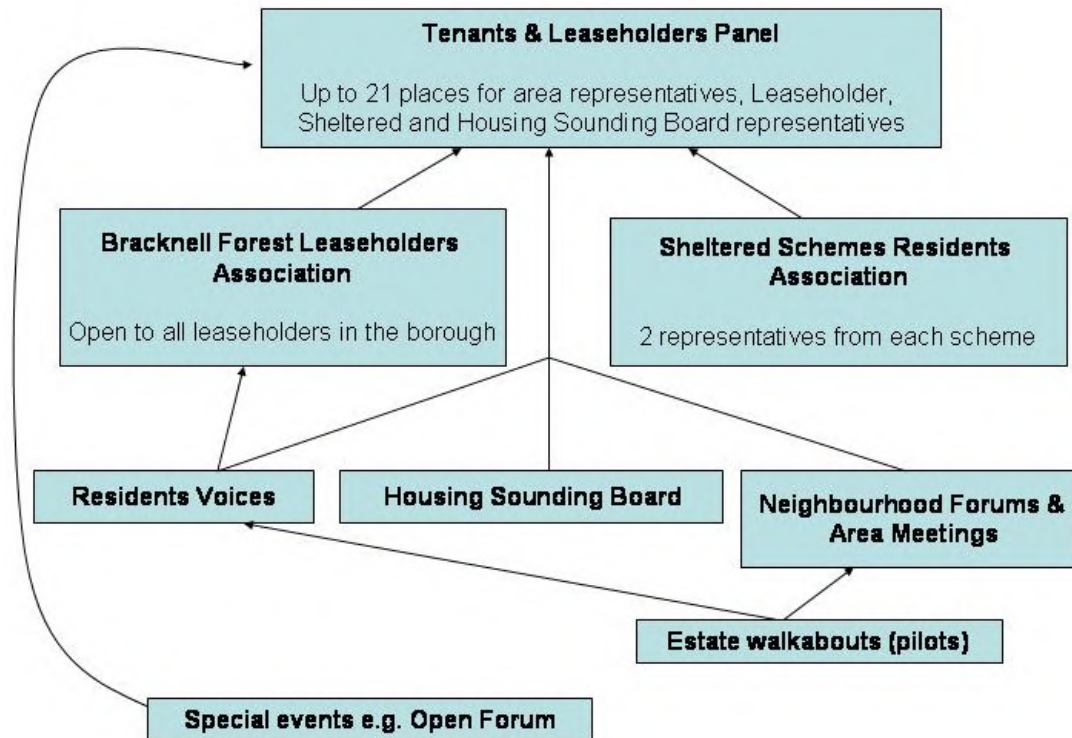
Tenants, leaseholders and officers discuss ideas for tenant involvement at the workshop

Key tenant and leaseholder representatives have met together with officers and the Tenants & Leaseholders Champion and have negotiated this agreement on behalf of all tenants and leaseholders of Bracknell Forest Borough Council. Members of the Housing Sounding Board were also consulted on a final draft of the document to gain the views of a wider body of tenants.



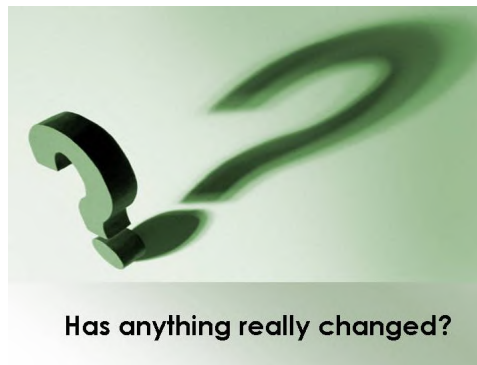
Where are we now?

The formal tenant involvement structure is shown below – this has been developed since the previous versions of the Compact.



In addition to the Groups and activities in the structure, there is also:-

- The News Group - tenants and leaseholders who look at the newsletter text and make comments.
- The Housing Transfer Group - this group of tenants, councillors and Council staff acts as a consultative body to support communication and feedback on the 'Your Homes, Your Choice' project to respective interested parties; to receive information on and help facilitate the consultation process and to be appraised of progress on the project. The Housing Transfer Group also plays a key role in helping to develop the formal "offer document". This will form the proposal on which tenants will be asked to decide whether or not their homes will transfer to a new, local Housing Association.



Whats New....

Since the publication of the last compact there have been new initiatives established, and events for tenants and leaseholders taken place, such as:-

- The Housing Sounding Board – a group of up to 1000 tenants and leaseholders who are willing to be consulted regularly and influence and be involved in services which affect them. Every effort is made to ensure that this group reflects the whole tenant population of the borough. A commitment has been made that this group will be offered the opportunity to respond to three telephone or postal surveys per year, for which they will get a £5 shopping voucher as an incentive. The Sounding Board is a way of obtaining the views of tenants who are not involved in formally recognised groups. Anyone wishing to join this should contact the council on 01344 351570 or log on to www.bracknell-forest.gov.uk/housingsoundingboard
- Neighbourhood Forums – the borough has been divided into 14 areas and each has a six monthly forum where local people can give their views and discuss issues relevant to their neighbourhoods. The council, police and other agencies attend these meetings. Action planning groups (NAGs) take place in between the six monthly meetings to oversee work in relation to priorities given at public meetings.

- Activities to consult and involve tenants in the Housing Transfer proposal, such as:-
 - ❖ Estate based and town centre roadshows
 - ❖ Home visits to tenants by staff to explain the reason why the council needs to consider transfer, the process and the proposal
 - ❖ Two large evening events at a local hotel venue
 - ❖ Meetings in sheltered schemes
 - ❖ Surveys with all tenants
 - ❖ Focus groups to look at the options for the housing stock in more detail.
 - ❖ Surveys of the Housing Sounding Board

The 2003 Compact set targets for improving Tenant Involvement, and the following progress has been made:-

- A poster was designed by tenant representatives and the Council and distributed around the borough to try and encourage tenants and leaseholders from all backgrounds to get involved.
- A Residents Voices scheme for tenants and leaseholders who wish to represent just their street or block has been developed.
- Mailboxes have been placed in libraries and community centres for tenants and leaseholders to use to contact tenants and leaseholders groups.
- Ground rules have been set for Tenants & Leaseholders Panel meetings and Sheltered Schemes Residents Association meetings to enable them to run smoothly.
- Links have been made with the wider community through Community Days and more recently Neighbourhood Forums.
- The Sheltered Schemes Residents Association now has a representative from each scheme in the borough and decided not to expand to include other groups of older people but to remain specific to Bracknell Forest Borough Council sheltered schemes.

- The Tenants & Leaseholders Panel has met with many other groups of tenants from other areas, particularly as part of the Options Appraisal process.
- A website has been set up for the Tenants & Leaseholders Panel – the address is www.bftlhp.org.uk
- The Tenants & Leaseholders Panel celebrated their ten year anniversary with a social event and balloon race.



Past and Present members of the Tenants & Leaseholders Panel, together with officers and Councillors, celebrate 10 years of the Panel in Bracknell Forest in June 2006

The following aspects of the targets in the 2003 Compact still need to be developed, and will be continued in work related to the 2006 Compact:-

- The Residents Voices scheme needs to be promoted to enable take up, as this has been unsuccessful so far.
- Information given to new tenants needs to be improved so that they know about involvement opportunities and who their representatives are.



Aims for the Compact

Bracknell Forest Borough Council and its tenants groups and representatives will work towards the following aims:-

- Giving tenants the opportunity to have a real influence on issues that affect their communities through their tenant representatives and tenants groups, which are directly linked to the Council's decision making structures. This will be complemented by other methods of consultation and participation.
- Ensuring that there are a variety of ways that tenants can get involved, which reflect that people can give as much or as little time and commitment as they wish to.
- Setting up and supporting an effective working partnership between tenants, councillors and Council officers and the wider community.
- Maintaining a good working relationship with the councillor who has been nominated as the Tenants & Leaseholders Champion.
- Ensuring that all partners to this Compact treat each other with respect, integrity, openness and honesty.
- Promoting equal opportunities for all tenants ensuring that groups seek to reflect the diversity of the borough. Parties to the Compact shall work for good relations amongst all members of the community.

- Ensuring that the Council facilitates reasonable access to resources, advice, practical and financial support to tenants who want to get involved, as well as helping to develop tenant involvement across the borough.
- Making sure that tenants have the opportunity to be trained to give them the knowledge and skills to participate effectively. Training will also be available to officers and councillors so that they are aware of the roles of tenants in the decision making process.
- Ensuring that the Compact continues to change with time to represent the aims of tenants and their representatives.
- Reviewing and assessing how the Compact is working, and whether targets have been achieved, every six months, by tenants, officers and councillors.

A REAL SAY IN HOW HOUSING IS RUN

Chapter 1 – Core Standards for involvement in the Housing Service

Tenants and leaseholders will be involved in and consulted about the following subjects:-

1. Developing the council's housing policy and strategy

- The Tenants & Leaseholders Panel will look at final drafts of housing policies and strategies before they are submitted for approval (e.g. to the Corporate Management Team or the Executive) and their comments, wherever possible will be incorporated into the final versions. If their suggested changes cannot be taken on board, adequate explanation will be given by officers. The comments of the Tenants & Leaseholders Panel will be reported to the relevant decision making group.
- If a new strategy or policy affects a specific group such as sheltered tenants or leaseholders, it should be taken to the relevant Association meeting prior to the Tenants & Leaseholders Panel.
- If there are major changes to a policy or strategy, or if it is a new document, the Housing Sounding Board will be consulted prior to the Tenants & Leaseholders Panel so that the Panel know the views of the wider tenant population before they give their comments.
- In the case of the Housing Strategy, a group of residents have also indicated that they are willing to be involved in this in the future, and therefore this specific group will be consulted when the Housing Strategy is updated.
- There is a seat for a Tenants & Leaseholders Panel member on the Strategic Housing Partnership – this group exists to promote sustainable development and support existing communities, to promote housing as an issue and to encourage the provision of more affordable housing including key worker housing. This tenant representative has speaking and voting rights. A Tenants & Leaseholders Panel member also sits on the Adult Social Care & Housing Scrutiny Panel where they have speaking but not voting rights. Both of these representatives will stand for the collective views of the Panel.

2. *Drawing up and Appraising Options for Housing Investment and Improvements*

- Tenants were consulted and involved in great detail in the Housing Stock Options Appraisal which took place in 2004-05 to look at the options for funding the government's Decent Home Standard. In 2006 an updated financial appraisal revealed that the Council could no longer afford to meet the Government's Decent Homes Standard by 2010 and that the Housing Revenue Account (Housing Services' Operational Account) would fall into deficit by 2009/10 due to the requirement to pay £9 million to the Government every year. Following a unanimous recommendation from the Housing Steering Group, the Council decided to consult and ballot tenants on the options of transferring the Council homes to a new local Housing Association.
- Tenants will continue to be involved in the ongoing process of looking at the future of housing in the borough, involvement of tenants will include information exchange and gathering views through home visits, road shows, and other activities.
- The Housing Sounding Board will be consulted on a regular basis about their views regarding whether the homes should be transferred to a Housing Association or remain with the council.
- The Housing Transfer Group is an advisory body reporting to the Council's Executive and has an overview of the process that leads to tenants voting on the proposal to transfer the Council's Housing stock to a new local Housing Association. The group will seek to ensure that tenants and leaseholders are provided with clear and accurate information so that they can make an informed choice at the ballot. The group will also play a key role in the development of the formal offer to tenants. Membership of the group consists of:-
 - ❖ two members of the Tenants & Leaseholders Panel, one leaseholder representative, one sheltered representative, two (tenant) members of the Housing Sounding Board
 - ❖ five members of the Council, including the leader, the Executive member for Housing and one opposition member
 - ❖ three staff representatives, drawn from Housing, Bracknell Forest Services and Corporate Services
 - ❖ One representative of the Trade Union.

This group gives tenants a direct say in the future of homes in the borough. Representatives must feedback to their respective groups where appropriate about the areas under discussion in the Housing Transfer Group.

- All tenants receive regular newsletters about the progress of the "Your Homes – The Way Forward" project.

3. *Developing and taking forward the chosen option for investment*

- The Housing Transfer Group will continue to exist with tenants represented as outlined in (2) until group members make a decision that the group will either evolve into another group or disband.
- The decision made in July 2006 to consult tenants on the option of transferring Council homes to a new Bracknell Forest Housing Association will lead to a formal ballot of tenants in Spring 2007. Leaseholders will also be consulted on their views.
- In the lead up to a ballot, a shadow board for the proposed new Housing Association will be set up, with seats for tenants.
- An Independent Tenant Advisor has been funded by the council, and chosen by the tenants to guide them through the process running up to a ballot and give tenants independent advice and information.

4. *Drawing up the Council's capital and renovation programmes*

- The Council has a duty to make sure all its homes come up to the government's Decent Homes Standard by 2010. With funding already inadequate to meet this target if the homes remain owned by the Council, unfortunately there is limited scope for tenant involvement and choice in the capital programme, as there has been in the past.
- The Tenants & Leaseholders Panel will receive information about the capital programme just before the start of the financial year. This information will also be published in the Tenants and Leaseholders Newsletter.
- In the event of a transfer to a Housing Association, there would be increased opportunities for consultation with tenants on the capital budget, and as in previous years it may be possible for tenant representatives to take a tour of the borough to give them information about areas of the borough they are not so familiar with, which will be of use when they are consulted on the future works on the housing stock.

5. *Developing and implementing regeneration and improvement programmes*

- The Tenants & Leaseholders Panel will receive update reports on any relevant regeneration and improvement schemes and may ask appropriate officers to attend their meetings to give updates, e.g. on the regeneration of Bracknell town centre.

- If an improvement programme includes large numbers of council leaseholders it is important that the Bracknell Forest Leaseholders Association are consulted, along with the legally required consultation with leaseholders.

6. *Budgets, finance and rent setting*

- All tenants will be informed of the rent rise each year. This will be through the Tenants & Leaseholders newsletter, and individual letters. In the past, tenants were consulted over the options for rent rises, but this can no longer take place as the government sets the rent as part of its rent restructuring programme. Should this situation change, the Tenants & Leaseholders Panel would be informed and discussions would take place about the way forward.
- All tenants will be given four weeks notice of their individual rent increase.
- The Tenants & Leaseholders Panel can request reasonable information about budgets on capital and responsive repairs, housing management, voids, tenant participation etc., and these will be provided in 10 working days or at the next meeting of the Panel, depending on the urgency of the request. A designated Panel member automatically receives repairs performance information including budgets, on a monthly basis, and can share this with other Panel members if required.
- Key members of staff from Bracknell Forest Services who provide a repairs service to council homes, attend the Tenants & Leaseholders Panel on a quarterly basis to give performance and service information, which includes budgets.
- Information about the use of housing budgets is published in the tenants and leaseholders newsletter from time to time.
- A presentation is made to the Tenants & Leaseholders Panel on a yearly basis by a senior accountant from the council, to give information about the budget proposals for the coming financial year.

7. *Allocations and lettings policies and procedures*

- The Tenants & Leaseholders Panel and other tenants groups will be consulted about changes to allocations and letting policies as outlined in (1).
- For any major changes tenants who are on the list waiting for a transfer will be consulted.

- Residents will be consulted about the change over to a Choice Based Lettings scheme which is a new system of allocating properties. Choice based systems allow social housing tenants to exercise some choice over their future homes. Customers move from being 'point hunters' to 'home hunters' by responding to adverts that list available properties.
- The Tenants & Leaseholders Panel will be informed of any significant and relevant changes to national policy or legislation around allocations and lettings.

8. *Anti-social behaviour policies and procedures*

- The Tenants & Leaseholders Panel have been consulted on the development of the Anti-social Behaviour policy and procedures for dealing with anti-social behaviour and will continue to be consulted about changes to anti-social behaviour policies as outlined in (1).
- The Safer Communities Manager and Anti-Social Behaviour Co-ordinator will be invited to the Tenants & Leaseholders Panel on an at least yearly basis to update on current progress, e.g. how many Anti Social Behaviour Orders have been granted, and can be invited to other groups at their request. The Panel can request more frequent updates if this is required, e.g. to discuss initiatives to reduce crime and anti-social behaviour.
- The Tenants & Leaseholders Panel will be informed of any relevant changes to national policy or legislation around anti-social behaviour.

9. *Management of Housing Services and policies and procedures for repairs, maintenance, rent collection and rent arrears and empty properties*

- The Tenants & Leaseholders Panel and other tenants groups will be consulted about changes to housing management policies as outlined in (1).
- The Tenants & Leaseholders Panel will be consulted on any review of service standards for housing management.
- The Housing Sounding Board will regularly be consulted on their satisfaction levels with the Housing Service. Also the service is required every three years to consult a wider group of tenants on this matter and to report the result to central government.

10. *Tenancy management and sustainability issues, tenancy agreements and conditions*

- If any changes to the tenancy agreement are proposed, the Tenants & Leaseholders Panel will be invited to consider how best tenants' views can be reflected e.g. in working groups etc., which happen before the compulsory legal consultation with every tenant.

11. *Housing Benefit and debt advice, debt recovery procedures*

- General information regarding Housing Benefit policy, procedures or performance statistics will be submitted to the Tenants & Leaseholders Panel as they request.
- Information about Housing Benefit performance will be included, every six months in the information session on Housing Management with the Tenants & Leaseholders Panel.
- The Council has appointed an officer within Housing Management Services to give tenants and their families advice & support in claiming Welfare and Housing benefits. This service is regularly highlighted in the Tenants & Leaseholders newsletter. Debt counselling can also be arranged through referral to the Citizens Advice Bureau.

12. *Leaseholder issues and charges*

- The Bracknell Forest Leaseholders Association will be consulted on all major issues relating to leaseholders, before the Tenants & Leaseholders Panel.
- The council will make use of all reasonable opportunities to encourage leaseholders to become part of the Association.
- The Bracknell Forest Leaseholders Association will always be attended by a Housing Officer with specific responsibility for leaseholders.
- The Bracknell Forest Leaseholders Association can ask for other officers (such as staff from Bracknell Forest Services) to attend their meetings, and any such requests will be met, provided at least 2 weeks notice is given.
- Two positions on the Tenants & Leaseholders Panel will be reserved for Leaseholder representatives to be selected by a nomination from the Bracknell Forest Leaseholders Association. The Panel representatives will aim to ensure that the impact on leaseholders of Council policy is considered.

- Training and information will be available concerning leasehold issues such as service charges, statutory consultation, rights and responsibilities.
- Every effort will be made to ensure that the Housing Sounding Board has a proportional representation of leaseholders, reflecting the make up of the council leaseholder population of the borough.
- There will be a place for one leaseholder on the Housing Transfer Group which looks at the future of council housing in Bracknell Forest and will play a key role in developing the transfer proposal.

13. Sheltered Housing Services

- The Sheltered Schemes Residents Association will be consulted on all major issues relating to sheltered tenants and schemes, before the Tenants & Leaseholders Panel.
- The council will make use of all opportunities to encourage every scheme to be represented on the committee of the Association.
- The Sheltered Schemes Residents Association will always be attended by the Supportive Housing Manager or Supportive Housing Officer from the Council.
- The Sheltered Schemes Residents Association can ask for other officers (such as staff from Bracknell Forest Services) to attend their meetings, and any such requests will be met, provided at least 2 weeks notice is given.
- Two positions on the Tenants & Leaseholders Panel will be reserved for sheltered tenants representatives to be selected by a nomination from the Sheltered Schemes Residents Association. The Panel representatives will aim to ensure that the impact on sheltered tenants of Council policy is considered.
- Every effort will be made to ensure that the Housing Sounding Board has a proportional representation of sheltered tenants, reflecting the make up of the sheltered tenant population of the borough.
- There will be a place for one sheltered tenant on the Housing Transfer Group which looks at the future of council housing in Bracknell Forest, for as long as this group runs.
- Information on the performance of Forestcare (the organisation who provide emergency support to sheltered and other housing in the borough via pull cords, pendants etc.) will be submitted to the Tenants & Leaseholders Panel upon reasonable request.

14. Council Service and performance strategies; and arrangements for monitoring and reviewing council performance, addressing shortcomings and remedial action

- The performance of Bracknell Forest Services who provide the repairs service is reported on a quarterly basis to the Tenants & Leaseholders Panel.
- The Social Services and Housing Quarterly Operations Report is available for Tenants & Leaseholders Panel members to view at any time, and reports from other departments can also be requested. Panel members can ask questions about the information contained in these reports.

15. Setting, monitoring and reviewing services, performance standards and targets for housing management and neighbourhood services

- The Tenants & Leaseholders Panel and Housing Sounding Board will be consulted on the Housing Management Service Standards, including what information on performance should be published to all tenants and leaseholders.
- Tenants and leaseholders can have their say on neighbourhood services via the Neighbourhood Forum process.
- If residents wished to set up a local or special interest compact (e.g. for younger, Black and Minority Ethnic or sheltered tenants) then the council would support the development of this.

16. Proposed remedial action if performance falls short

- If performance issues are reported to any of the groups in the tenant involvement structure which require further investigation, they can raise referrals with the relevant department or organisation. The officer responsible for Tenant Participation or a group member nominated at the meeting will then pass this issue to relevant council officer at the earliest opportunity, usually by e-mail. A reply should be received within 10 working days. If no response is received or if there is dissatisfaction with the response, it may be decided that the Tenants & Leaseholders Champion should take the matter forward (in the case of the Sheltered Schemes Residents Association, it can be the Tenants & Leaseholders Champion or Pensioners Champion who does this).
- Members of groups in the tenant involvement structure may call officers to attend their meetings to give account of shortfalls in performance provided 2 weeks notice is given.

17. *Proposals to contract housing services to other providers including through partnering contracts*

- Information about contractors working with Bracknell Forest Services can be provided to the Tenants & Leaseholders Panel upon reasonable request, and information given at quarterly performance reports at panel meetings if requested.
- When works take place involving leaseholders, formal consultation takes place – three quotes are sought and leaseholders are later informed of who the contractors are.

18. *Neighbourhood issues which affect tenants homes or the management of the housing service*

- The Neighbourhood Forum process will be used for residents to feed in any issues in the area they live in, and also be informed or consulted on any changes or issues. Area representatives on the Tenants & Leaseholders Panel will be invited to relevant Neighbourhood Action Groups (NAGs) where action planning takes place with all agencies as a result of feedback from the community.
- If there are specific neighbourhood issues in an area, tenants and leaseholders will be liaised with individually.
- A tenant in each area of the borough have an opportunity to sit on the Tenants & Leaseholders Panel and represent their area – after being elected / supported by other tenants in their area. Other tenants and leaseholders can raise issues with this representative if they wish to.
- Tenants and leaseholders have a more informal opportunity to have a say through becoming a Residents Voice (people who represent a road or block and do not have to attend meetings).
- Information on neighbourhood issues may also be publicised in the Tenants & Leaseholders newsletter.

19. *Equality policies, including race equality policies and policies on racial harassment*

- The Tenants & Leaseholders Panel and other tenants groups will be consulted about equalities policies as outlined in (1), this includes any reviews of the council's Race Equality Scheme and Action Plan and also the Disability Equality Scheme (which came into place in December 2006) and the Gender Equality Scheme (which comes into place in April 2007).

20. Customer Care

- A random sample of people who contact Customer Services are sent a customer satisfaction survey. A random sample of around 250 tenants per month are also sent a further satisfaction survey when they request a repair.
- Reports on customer care performance will be given to the Tenants & Leaseholders Panel yearly or more often upon reasonable request.
- The Tenants & Leaseholders Panel and Housing Sounding Board will be consulted on Service Standards for Housing Management, which include how the service deals with customers.

21. Environmental Works

- If the Council's Housing stock remains with the council, it is unlikely that environmental works (such as improvement to external features of estates) will take place due to funds being directed towards the government's Decent Home standard, however if any works are to be undertaken, the Tenants & Leaseholders Panel will see details of this as part of information they receive about each year's Capital programme, and there would also be local consultation.

22. Arrangements for providing information, for tenant consultation and involvement, including handling complaints and remedial action

- Information is provided to all tenants and leaseholders through the quarterly Tenants & Leaseholders newsletter.
- A dedicated officer is employed by the council to support and promote tenant involvement. A Consultation Manager is also employed by the council to work specifically on the Your Homes – The Way Forward project on the future of council housing in the borough.
- The Social Services and Housing Department have a Customer Response Officer who deals with complaints from customers of the department. Bracknell Forest Services also have a Complaints Monitoring Officer for the repairs service.

Targets for Tenant Involvement in the Housing Service

To Run Estate Walkabouts on the council's main housing estates.

(These involve residents, officers and others meeting to look at areas on estates which need improvements and agreeing how and whether this can take place. Tenants will receive invitations to attend and will be able to have their say on areas / issues visited).

By: Pilot in August 2006, if successful, a programme in place by July 2007

Who is responsible: -

Officer responsible for Tenant Involvement
Head of Housing Management
Housing Officers

To Promote the Residents Voices Scheme and have at least 10 tenants / leaseholders throughout the borough signed up to the scheme

(This is a scheme which allows tenants to represent their street or block rather than a large estate and without the commitment of regular meetings. "Voices" need to have the written support of 3 tenants in the area that they wish to represent)

By: December 2006

Who is responsible: -

Officer responsible for Tenant Involvement
Head of Housing Management
Housing Officers

To present Housing Management performance information to the Tenants & Leaseholders Panel on a quarterly basis

(This information will show the Panel how well the service is performing e.g. how rent arrears are being collected and how fast empty properties are relet).

By: July 2006

Who is responsible: -

Head of Housing Management

For the Tenants & Leaseholders Panel to have a training / information session about Housing Management Policies and Procedures

(This will allow the Panel to have more insight into the work of the Housing Management Service)

By: October 2007 – a brief will be proposed by August 2007

Who is responsible: -
Head of Housing Management
Officer responsible for Tenant Involvement

To present regular information about the performance of the repairs service through the Tenants and Leaseholders newsletter

(This will allow all tenants to see how their repairs service is performing, not just the Tenants & Leaseholders Panel)

By: October 2006 and ongoing

Who is responsible: -
Head of Strategy & Business Systems at BFS

Due to tenant demand, to re-start Tenants & Leaseholders Area meetings.

(These may be linked with Estate Walkabouts)

By: A pilot cycle in October 2006, followed by a review

Who is responsible: -
Officer responsible for Tenant Involvement
Head of Housing Management

SUPPORT TO KEEP PEOPLE INVOLVED

Chapter 2 – Standards for Resources for Tenant Participation

The following resources will be provided to support tenant involvement:-

- **Financial Resources**
 - ❖ The tenant involvement budget for 2006/07 is £23,170. (This was £37,760 in 2005/06 and £36,760 in 2004/05 – the decrease is due to savings needing to be made in the Housing Revenue Account).
 - ❖ If associations start up in geographical areas they will be given a grant of £50 to start up and then £100 per year upon meeting grant requirements
 - ❖ Borough wide groups can apply for a grant of £500 annually which will be topped up to £1000 if a need can be demonstrated. This can be used to hire venues, provide transport, fund social events, any publicity and any other appropriate expenses.
 - ❖ Tenant and leaseholder representatives who incur out of pocket expenses such as telephone calls, parking, childcare etc. may claim the full cost of these back upon production of a receipt and completing a claim form.
 - ❖ The cost of Neighbourhood Forums and Neighbourhood Action Groups is met by the Council corporately.
 - ❖ The Council will explore methods of obtaining additional resources for tenant involvement, such as using Wise-Up, a service which allows councils to generate funds by placing adverts for relevant services in their Tenants & Leaseholders newsletters.
- **Facilities (funded by the tenant involvement budget unless otherwise stated)**
 - ❖ Access will be provided for groups to meet in council meeting rooms if they request this and if there is availability, refreshments will be provided.
 - ❖ Meeting venues and refreshments outside the council offices will be provided and funded if required and if costs are reasonable.

- ❖ Stationery items and photocopying needed for the running of a group or the work of a representative will be provided to groups / representatives who do not already have a grant.
- ❖ Transport to meetings will be available, provided that at least 24 hours notice is given in the request and the group attended do not have a grant. If tenants use personal cars, mileage allowance is payable at the same rate as council members.
- ❖ The council has six laptop computers with internet connection available for tenant and leaseholder representatives, these will be allocated on a needs basis, which will be reviewed by the officer responsible for tenant involvement every six months.
- ❖ During the consultation on the option of Stock Transfer, the council will fund a freephone telephone number for tenants and leaseholders so that they can obtain free advice and information (funded by the stock transfer budget).
- ❖ The Council will fund an Independent Tenant Advisor for independent advice and information (funded by the stock transfer budget).
- ❖ If a group does not have the facility to take notes from their meetings, support can be provided by the council to do this until such time as a minute taker comes forward.

- **Advice**

- ❖ The Council will employ an officer responsible for tenant involvement – the role of this officer who is based in the Social Services and Housing department is to provide advice, support and training for tenants, to develop and co-ordinate involvement mechanisms in the borough and overall to implement the Tenants & Leaseholders Compact. This officer is employed for 30 hours per week and has administration support for 7 ½ hours per week. These officers are funded from the Housing Revenue Account.
- ❖ The Tenants & Leaseholders Panel will always be attended by the Assistant Director – Sustainable Communities and / or Head of Housing Management.
- ❖ Throughout the consultation on the option of stock transfer process an officer who manages consultation with tenants on the issue regarding the future of council housing in the borough will also be employed. This officer is employed for 37 hours per week.

- ❖ The Full Council will annually nominate and elect a councillor as Tenants & Leaseholders Champion (existing champions may be re-elected), who will act as a communication channel between individual tenants, tenants' groups, and the Council, and ensure that tenants' views are fed into decision making processes.
- ❖ As mentioned above an Independent Tenants Advisor will be appointed.



*Councillor Mrs. Shelagh Pile
Bracknell Forest's Tenants & Leaseholders Champion, 2005 →*

The role of the Champion is:-

1. To give advice and views to tenants and leaseholders (as long as it is stated that they are his or her views)
 2. To report to full Council on issues affecting tenants and leaseholders
 3. To liaise with tenants and leaseholders on relevant issues
 4. To liaise with ward councillors on relevant issues
 5. To act on behalf of tenants' groups if requested and / or if all other avenues have been exhausted
 6. To attend, where reasonably possible, tenants and leaseholders meetings
- ❖ The Council are full members of the Tenant Participation Advisory Service (TPAS) - this is a national organisation who work to promote tenant empowerment. Their aim is to extend the reach and quality of tenant influence by working with social housing residents and landlords to develop successful partnerships and supporting tenants and community groups to take on a more representative role. TPAS is a not for profit membership organisation that provides information, advice, consultancy, training and conferences on all aspects of involving tenants in their housing management. To this end they provide: A freephone helpline and information service for social housing tenants and landlord members, Conferences and seminars on all aspects of tenant participation, training and consultancy. They also have links with Central Government and help to

develop government policy around tenant participation issues.
(see useful contacts)

- ❖ During the consultation on the process of stock transfer (including the stock transfer ballot process) tenants and leaseholders have had and will continue to have access to independent advice through external consultants who they have selected with support from the council.

- **Training**

- ❖ Internal and external training will be provided as and when required by tenant representatives, subject to available budget.
- ❖ Links will be made with neighbouring authorities and joint training possibilities considered wherever possible.
- ❖ The officer responsible for tenant participation will ensure that tenant representatives and groups are aware of training sessions and conferences which may be of interest to them. This includes events in the borough and those run by external organisations
- ❖ Elected members and Housing staff can also be trained as the need arises, subject to available budget.

- **Innovative Approaches to involvement**

- ❖ The Housing Sounding Board – a list of up to 1000 interested tenants and leaseholders will be maintained on behalf of the council by a research consultancy.
- ❖ Housing Officers direct some of their time into involvement activities such as home visits regarding the consultation on transferring homes to a new local Housing Association.

Targets for Tenant Participation Resources

To provide training for tenant representatives on equality and diversity issues as well as the Commission for Racial Equality (CRE) standards in housing which all landlords are required to meet.
By: September 2006
Who is responsible:- Officer responsible for Tenant Involvement Human Resources Department

To use any small amounts of funding which may be remaining in the Tenant Involvement budget at the end of the year to fund notice boards in communal areas of flats etc. – priority will be given to areas with Residents Voices or Associations
By: May 2007 and ongoing
Who is responsible:- Officer responsible for Tenant Involvement Head of Housing Management Services

GETTING EVERYONE TOGETHER

Chapter 3 – Standards for Meetings

In order to be effective, tenants and leaseholders meetings should:-

- Have a clear objective (we will aim not to have meetings for the sake of meetings!).
- Have an agenda.
- Have minutes or outcomes to feedback to people who took part, or people who are being represented (the Tenants & Leaseholders Panel have a feedback form so they can report back to the panel consistently about meetings they attend on the panel's behalf).
- Have relevant background papers distributed prior to the meeting wherever possible and all papers distributed 7 days prior to the meeting.
- Be held on dates and at times convenient to the community or members of the group as far as it is possible to accommodate everyone's needs. Every effort will be made to avoid clashes with other relevant meetings and events.
- Be in physically accessible venues.
- Be in venues that are easy for the community to reach.
- Be in venues that are of a suitable size for the meeting (i.e. rooms which are not too big or too small).
- Have support available if necessary for people to take part fully e.g. a hearing loop, information in large print, Braille or on tape or interpreters if appropriate and if requested.
- Be publicised in good time – ideally at least giving no less than 10 working days notice. Publicity should state:-
 - ❖ The purpose of the meeting
 - ❖ Exactly where the meeting is to be held (with a map if necessary)
 - ❖ The time and date of the meeting
 - ❖ Who to contact to request transport or request reimbursement of expenses

- Be chaired in an effective manner where everyone can have their say but the meeting ends at the specified time and the agenda is kept to.
- Be fair and democratic.
- Abide by the ground rules and constitution if a group has developed them.
- Groups can invite appropriate council officers or other organisations to their meetings to provide further information on relevant topics. These officers must be given at least two weeks notice of a meeting and the request shall not be refused unless it is reasonable to do so.

Targets for Meetings

To obtain the SHAP (Working Party on religions in Education) calendar of cultural and religious <u>significant</u> dates to help avoid clashes with meetings if possible.
By: August 2006
Who is responsible:- Officer responsible for Tenant Involvement

To develop a simple system of monitoring whether meeting standards are kept which is reported to the Compact Monitoring Meeting
By: January 2007
Who is responsible:- Officer responsible for Tenant Involvement

TELLING EVERYONE ABOUT IT!

Chapter 4 – Standards for Information

In order to promote clear and effective communication, information about tenant involvement will:-

- Be open, honest and truthful, with nothing hidden.
- Be jargon free, in plain English and as basic as possible.
- Contain as few acronyms as possible – if they have to be used, a full explanation must be given.
- Be short and brief.
- Contain no complicated statistics.
- Be available in alternative formats on request, such as different languages, on tape, in Braille, in large print etc. Alternative formats should be provided within 10 working days of the request.
- Be up to date (especially if on public notice boards).
- Avoid racist, sexist, discriminatory or biased language.
- State who it is relevant to.
- Give contact information, e.g. telephone numbers and e-mail addresses.

Information should be provided on:-

- Involvement activities and support available.
- The core standards for involvement in the housing service as outlined in Chapter 1.
- The Tenants and Leaseholders Compact – full versions of the compact will be provided to those who request them, and summaries will be available to all tenants and service charge paying leaseholders.
- Changes in council policy that affect tenants.
- Changes in government policy that affect tenants.

Information will normally be provided in the Tenants and Leaseholders Newsletter but occasionally leaflets and flyers may be produced. Housing Sounding Board may be contacted by e-mail or telephone to give information or ask their views.

Information about tenant involvement will be available on the Council's website, as well as the Tenants & Leaseholders Panel website, including minutes of meetings as well as this compact and the associated summary.

The newsletter is published quarterly, and chairs of tenant and leaseholder groups will be asked to contribute information from their groups. The News Group will ensure that information in the newsletter is appropriate and clear.

Targets for Information

2 pages in the quarterly Tenants & Leaseholders Newsletter will always be reserved for Tenants and Leaseholders groups who will endeavour to find relevant information to communicate to tenants

(The remaining 6 or 10 pages will be used by the Council to communicate with tenants).

By: July 2006 and ongoing

Who is responsible:-
Chairs of Groups

WORKING TOGETHER FOR ALL TENANTS

Chapter 5 – Standards for Tenants Groups

A “Tenants Group” means any group of tenants who meet together regularly and fulfil the below criteria.

In order to represent tenants and leaseholders effectively, tenants’ groups in Bracknell Forest will:-

- Be representative of the people they serve rather than themselves as individuals.
- Have a constitution agreed by the majority of the group members.
- In the case of borough-wide groups (i.e. The Tenants & Leaseholders Panel, Sheltered Schemes Residents Association and the Bracknell Forest Leaseholders Association) all be council tenants or leaseholders.
- Have a regular general meeting (e.g. annual or bi-annual) if they are an Association.
- Have a clear process of electing members onto groups (if relevant) and the officers of the committee. Some groups may decide that their meetings are an open forum, and some may require members to be elected on – either way is acceptable as long as this is set out in the constitution.
- Elect a chairperson and vice chairperson, as well as a secretary if possible. If the group has a bank account and funds they must also elect a treasurer.
- Have a procedure for dealing with members or committee officers who do not fulfil their role.
- Be non party political
- Open their meetings to observers at least four times per year.

Targets for Tenants Groups

To ensure that meetings run to time – this may require groups to restructure their meetings.

(The idea is not to prevent opinions but allow people to get home on time having had their say!)

By: July 2006 and ongoing

Who is responsible?:-
Panel & Association chairs

A description of the tenant representative's role will be developed

By: October 2007

Who is responsible?:-
Officer responsible for Tenant Involvement
Tenants representatives

MAKING SURE IT WORKS

Chapter 6 – Standards for monitoring and measuring performance

In order to ensure that standards in the compact are met, and that tenant involvement is of a high quality the council and tenants will:-

- Hold a meeting every six months to monitor progress of the compact – this will be attended by Tenants & Leaseholders Panel members, relevant council officers and the Tenants & Leaseholders Champion. The TPAS Compact Health Check document may be used to check on progress.
- Undertake regular surveys with the Housing Sounding Board on satisfaction with participation opportunities.
- Scrutinise the response to the question on the compulsory Tenant Satisfaction Survey (STATUS survey) which the council must carry out every three years, which asks tenants how satisfied they are with opportunities for participation. This response can also be directly compared with the response received by other landlords.
- Any complaints about support for tenant involvement or service delivery should be directed initially to the Assistant Director, Sustainable Communities. If the complainant does not consider there to be a satisfactory outcome, the issue can be passed through the Corporate Complaints procedure if appropriate and if other avenues have been exhausted. Further information is available from the council about the Corporate Complaints procedure.
- Compare information and benchmark with other authorities and organisations to gain and share new ideas and practices.
- Carry out an Equality Impact Assessment (EIA) on Tenant Participation every 3 years as part of the Council's EIA programme – these assessments are a legal requirement and an essential part of the council's work to eliminate discrimination, promote equality of opportunity and promote good relations between people of different backgrounds and groups.
- Review the compact document every two years. (This review may take up to a year so it would be assumed that a new document would be published every three years)

Dealing with Disputes

In the event of a dispute arising within the Bracknell Forest Tenants & Leaseholders Compact, or difficulties occur in the relationship between the council and tenants groups or representatives, the council will work with tenants to ensure the dispute is resolved.

As far as possible, disagreements will be resolved between the parties themselves. If the difficulty is still not resolved, the following steps may be taken:-

1. A scrutiny panel containing independent tenants, elected members and staff members will be established solely for the purpose of investigating the case/complaint. The panel will review the case and make recommendations for an improvement in the situation.
2. If the case is still unresolved, representations may be made to a neighbouring local authority, selected jointly by the landlord and tenant representatives, to be appointed as a 'critical friend', probably on a reciprocal basis. A panel of nominees from this authority, including elected members, staff members and tenants, will review any conflict and will make suggestions about how to reach an amicable solution.
3. In continuing unresolved or serious cases an independent mediator will be hired to work with both parties to find a compromise with which all parties agree. Both the landlord and the relevant tenant representatives will choose the mediator.
4. Where all other measures have failed to reach a satisfactory conclusion an independent arbitrator will be appointed jointly by the landlord and tenants to review the case and arrive at a conclusion. This conclusion is binding and must be adhered to by all parties involved.

Each panel will sit for a maximum of 10 working days and if there is no resolution after this time it will move onto the next step.

What's the difference between mediation and arbitration?

In mediation, the mediator assists the parties in resolving their own conflict and reaching an agreed resolution. In arbitration, the arbitrator makes the final decision over the dispute which is final.

Closing statement from the Tenants & Leaseholders Panel



Hi everyone,

This is the new Tenant and Leaseholders Compact. A lot has happened since the last Compact in 2003.

My time on the Tenant and Leaseholders Panel has been very busy and challenging and rewarding.

We have all gone through the Options Appraisal, because of Bracknell Forest wanting to meet the Decent Homes standard set by the Government. The Panel visited other councils who have all gone through that process, which was very interesting.

Now we are on the final stage. Eventually by Spring 2007, all tenants will decide the best way forward by a ballot.

We have seen quite a lot of changes, not just new people coming on to the Panel but the Housing Sounding Board has successfully been recruited to for a few months now. This new venture was to try and get more people involved, as much or as little as they wanted to.

We have all been active, meeting members of our community, and attending road shows. Also there are Neighbourhood Forums for all residents to attend and exchange their views with the Council, Police and any other interested parties. We still have the Tenants and Leaseholder's Newsletter going out to all of you and I hope you find it informative.

Kind Regards

Jacki Brundish
Acting Chair of the Tenants & Leaseholder's Panel 2005-2006



Hello to all Tenants & Leaseholders of Bracknell Forest Borough Council,

Before I introduce myself I would like to thank our previous Chair David Maynard and Acting Chair Jacki Brundish for their sterling work with the Tenants & Leaseholders Panel for the past two years.

I'm Peter Maguire and I have been representative of Hanworth on the panel since 2002, I have been elected Chair person for this next term of office by the Tenants & Leaseholders Panel and I would like to thank them for their confidence in my election.

I can only agree with Jacki's introduction to the Compact, and will ensure to the best of my ability to maintain the high standard of all our previous Chairs.

The future of Bracknell Forest Housing Stock is with you the tenants & leaseholders of the Borough, we will ensure with the Independent Tenant Adviser (DWA) to give you the factual information to make an informed choice for the Ballot of Stock Transfer or Retention by the Council.

Yours Sincerely

Peter Maguire
Chair of the Tenants & Leaseholders Panel 2006 ☞

Useful Contacts

- Officer responsible for Tenant Participation at Bracknell Forest Borough Council – tel 01344 351570,
e-mail Joanna.Fluxman@bracknell-forest.gov.uk
web: www.bracknell-forest.gov.uk/tenantparticipation
- Bracknell Forest Tenants & Leaseholders Panel website –
www.bftlhp.org.uk
- Tenant Participation Advisory Service – tel 0161 868 3500
e-mail: info@tpas.org.uk
web: www.tpas.org.uk
- PEP (national agency which works with agencies to improve services for residents) – www.pep.org.uk
- TAROE (Tenants and Residents Organisations of England) –
www.taroe.org.uk

Thank you to the Compact working group who committed many hours to reviewing this agreement, regular group members were:-

- ❖ Peter Maguire – Hanworth tenant and leaseholder representative and Chair of the Tenants & Leaseholders Panel
- ❖ Jacki Brundish – (At the time of review - Acting Chair of the Tenants & Leaseholders Panel) and Great Hollands tenant and leaseholder representative
- ❖ Richard Ireland – Crown Wood tenant and leaseholder representative
- ❖ Robert Gristwood – Priestwood tenant and leaseholder representative
- ❖ Linda Coyle – Leaseholder representative
- ❖ Mark Hickson – Head of Housing Management Services
- ❖ Carrie Brierley – Senior Housing Officer
- ❖ Councillor Mrs. Shelagh Pile – Tenants & Leaseholders Champion
- ❖ Joanna Flaxman – Policy & Commissioning Officer

Thank you also to the members of the Housing Sounding Board who made comments on drafts of the compact.

THIS AGREEMENT is made the DATE

BETWEEN

Bracknell Forest Borough Council

(called the "Council" in this Agreement)

AND

The Tenants & Leaseholders of Bracknell Forest Borough

In this Agreement, made in accordance with the National Framework for Tenant Participation Compacts (the "National Framework"), the Council and the tenants, through T&LP and other representative groups pledge to work towards the aims and goals set out on Page 9. The Agreement is not intended to constitute a legally binding document.

The Council and the T&LP (on behalf of tenants and leaseholders) agree to abide by the terms of this Agreement which are set out in Chapters 1 to 6.

This Agreement is signed with the authority of the Council.

Signed Executive Member for Adult Services,
Health Commissioning & Housing

Signed Chief Executive

This Agreement is signed with the authority of the Tenants & Leaseholders Panel.

Signed Tenants & Leaseholders Panel Chairman

Signed Tenants & Leaseholders Panel Member.

**TO: THE EXECUTIVE
23 JANUARY 2007**

PROCEDURE FOR WAIVING REPAYMENT OF RIGHT TO BUY DISCOUNTS (INTERIM DIRECTOR OF SOCIAL SERVICES & HOUSING)

1 PURPOSE OF DECISION

- 1.1 Under section 155 of the Housing Act 1985, former social tenants who dispose of a property within a specified period after purchasing it under the Right to Buy scheme have to repay upon demand by the Council all or part of the discount they received on purchase, unless it is an exempted disposal. Section 185 of the Housing Act 2004 amends section 155 of the Housing Act 1985 by extending the specified period from 3 years to 5 years.
- 1.2 Section 185 of the 2004 Act also clarifies that the Council has discretion not to demand that former social tenants should repay part or all of the discount they received. The aim of this report is to establish a procedure to deal with any requests under this legislation.
- 1.3 ODPM's guidance to Right to Buy landlords issued in February 2005 states this power will only be used in exceptional circumstances, and landlords will have procedures in place to consider and decide requests that discretion not to require right to buy purchasers to repay discount should be exercised. This report recommends the criteria and procedure to be used in Bracknell Forest.

2 RECOMMENDATION(S)

- 2.1 **That the guidance from the Office of the Deputy Prime Minister to Right to Buy Landlords on the implementation of section 185 of the Housing Act 2004 be noted.**
- 2.2 **That the proposed criteria and procedure in Appendix A, to consider and decide requests from Right to Buy purchasers that discretion should be exercised in pursuit of section 185 of the Housing Act 2004 be approved.**
- 2.3 **That the power to make determinations under Section 185 will be delegated to the Assistant Director Sustainable Communities & the Section 151 Officer (in consultation with the Head of Property).**
- 2.4 **That authority be delegated to the Council's Appeals Committee to hear appeals against decisions not to exercise discretion in pursuit of section 155 of the Housing Act 1985 as amended by section 185 Housing Act 2004.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 Section 185 came into force on 18 January 2005 and applies to any resale by a right to buy purchaser taking place on or after 18 January 2005 and which triggers repayment of discount. Landlords have discretion whether or not to demand repayment of the full amount of discount for any disposal which takes place on or after 18 January 2005, and which triggers repayment of discount.

- 3.2 It is for each landlord to decide whether the circumstances in any particular case would justify the exercise of discretion under section 155 of the Housing Act 1985 as amended by section 185 of the Housing Act 2004.
- 3.3 The consideration process should be open, fair and transparent, bearing in mind that decisions may be subject to judicial review and/or scrutiny by the Local Government Ombudsman or Housing Ombudsman.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 There would be an option for the requests to be solely considered and adjudicated by the Assistant Director Sustainable Communities & the Section 151 Officer (currently the Borough Treasurer) (in consultation with the Head of Property) - referred to elsewhere in this report as the "Authorised Officers", however, this would be open to the challenge that such a procedure would not fulfil the Government's guidance described in 3.3 that the procedure should be open, fair and transparent.

5 SUPPORTING INFORMATION

Requests to Exercise Discretion

- 5.1 Initially, requests to exercise discretion that discounts should not be re-paid will be considered by the "Authorised Officers". The "Authorised Officers" must be in agreement in any decision that this discretion should not be exercised.

Appeals

- 5.2 It is proposed that authority should be delegated to the Council's existing Appeals Committee to hear appeals against decisions by the "Authorised Officers" not to waive discount repayment. The Appeals Committee currently decides Education transport appeals and Amenity land sales appeals.
- 5.3 The Government's guidance indicated that decisions should be cleared with the Council's external auditors. However, the Borough Treasurer's advice (6.2) states this requirement would effectively "fetter the auditors' discretion". The Council's external auditor has endorsed this view. In response to this advice it is proposed that this requirement should be omitted from the Appeal Committee's terms of reference and the consultation with the Council's external auditor on the draft procedure be duly noted.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 Nothing to add to this report.

Borough Treasurer

- 6.2 Any decision not to require right to buy purchasers to repay their discount will result in a loss of capital receipts. In 2005/06 three purchasers were required to repay their discount, totalling £33,100. The expectation is that this discretion will not be exercised frequently and the loss of capital receipts should not, therefore, be significant.

- 6.3 The draft policy and procedure was submitted to the Council's external auditors for comments and observations, demonstrating their involvement with the development process, in accordance with Government guidance, whilst leaving their independence intact to deal with any accounting issues or objections.

Impact Assessment

- 6.4 The Government's guidance warns that in most cases a decision by a former landlord not to demand repayment will lead to a net cost to the public purse and landlords should therefore clear decisions with their auditors. It is anticipated that there will only be a limited number of these requests and therefore there will not be a significant financial impact on the Council's funds.
- 6.5 The receipt of a request based on community safety grounds should be thoroughly appraised to ensure that all appropriate measures have been taken by the Council and the Council's partners in accordance with the action points described in the Bracknell Forest Safer Communities Partnership's Safer Communities Strategy. Where it is identified that appropriate measures have not been taken they should be put in place to ensure that the root problem is addressed and a long term improvement in Community relations and cohesion is achieved.

Head of Property

- 6.6 Corporate Property will always provide property advice when requested and this will be the case with S185 Housing Act 2004 matters. The decision as to whether to exercise discretion will be for others to decide.

External Auditors

- 6.7 We are satisfied, on the basis of our review of the procedure note provided, that the Council's proposed policy on the waiving of the requirement to repay discounts granted on right to buy sales is consistent with Government guidance. This view is subject to any further information that may come to our attention during the course of the audit, and in particular information arising from any questions raised or objections made by local government electors exercising their statutory rights under the Audit Commission Act 1998.

Strategic Risk Management Issues

- 6.8 There are no Strategic Risk Management Issues for this item.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Tenant and Leaseholder Panel

Method of Consultation

- 7.2 The proposals were discussed as an agenda item at the Tenant and Leaseholder Panel.

Representations Received

7.3 Panel members fully supported the proposals.

Background Papers

Housing Act 2004: Changes to the Right to Buy legislation revised guidance to Tenants – Office of the Deputy Prime Minister (Right to Buy Policy Branch) dated 18 January 2005
Right to Buy Changes Information Report to SCMT – 9th March 2005

Contacts for further information

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Doc. Ref

Right to Buy – Request to waive discount repayment – DMT Report 7

APPENDIX A

Supplementary note to Appeal Panel procedure

The Appendix supplements, for Right to Buy discount appeals, the Council's existing Appeals Committee procedure, which for example requires officers to prepare a report for the Committee.

1. Introduction

Under section 155 of the Housing Act 1985, former social tenants who dispose of a property within a specified period after purchasing it under the Right to Buy scheme have to repay upon demand by the Council all or part of the discount they received on purchase, unless it is an exempted disposal. Section 185 of the Housing Act 2004 amends section 155 by extending the specified period from 3 years to 5 years.

Section 185 of the 2004 Act also clarifies that the Council has discretion not to demand that former social tenants should repay part or all of the discount they received. This note offers guidance on when in the Government's view it might be appropriate to exercise this discretion.

2. Consideration of requests for the exercise of discretion

All former tenants who wish to request discretion that discounts will initially be referred to the "Authorised Officers" the Assistant Director of Sustainable Communities and the Section 151 Officer (currently the Borough Treasurer) in consultation with Head of Property. In considering requests the "Authorised Officers" should have regard to the Government criteria where it may be appropriate to use discretionary powers, as described in paragraphs (a) to (d).

Appeals against decisions by the "Authorised Officers" not to waive discount repayment will be referred to the Appeal Committee. Requests will be determined by means of written representations, or by a formal hearing of the parties (in which case the applicant should have the option of appearing with a representative or advisor).

The Appeal Committee will also wish to bear in mind the need for clear and objective evidence; for example, from a local police force, a doctor or psychiatrist, or an employer.

It is envisaged the Council will only exercise their discretion in cases where the former tenant cannot afford to repay part or all of their discount.

In most cases a decision by the Appeal Committee not to demand repayment will lead to a net cost to the public purse.

Criteria where it may be appropriate to use discretionary powers

It is for the Appeal Committee to decide whether the circumstances in any particular case would justify the exercise of discretion under section 155 of the Housing Act 1985 as amended. However, the Government considers that this is most likely to be justified in circumstances where repayment would lead to demonstrable personal hardship. But it may also be justified in other circumstances.

Examples of circumstances where discretion might be justified include the following. In each case, it will normally be necessary to establish both the facts justifying a move, and that such a move could not take place unless part or all of the repayable discount were to be waived.

(a) where an owner of the property wishes to move because otherwise he or she and/or other family members (especially children) face a demonstrable threat of violence or of significant harm; for example, due to:

- relationship breakdowns involving actual or threatened domestic violence;
- racial, faith, homophobic or any other kind of harassment;
- extreme anti-social behaviour, such as persistent drug dealing in an adjoining or nearby property

(b) where the sudden onset of a severe medical condition or serious deterioration of an existing condition makes a move essential on medical grounds;

(c) where an early move is essential to return to employment; for instance where an individual has a firm offer of a job in another area and would thereby be able to return to work, either:

- after long term unemployment; or
- after having been made redundant, when his/her skills are such that there is no prospect of getting another job locally.

(d) where a traumatic personal event (for example, sudden bereavement) makes a move essential for emotional or psychological reasons.

It is envisaged that this power will only be used in exceptional circumstances.

**TO: THE EXECUTIVE
23 JANUARY 2007**

NOTTINGHAM DECLARATION ON CLIMATE CHANGE (Director of Environment & Leisure)

1 PURPOSE OF DECISION

- 1.1 The Nottingham Declaration on Climate Change demonstrates a commitment by local authorities to address climate change as a cornerstone of council strategy. It also commits the council to develop plans to progressively address the causes and impacts of climate change, according to local priorities. Nearly 200 local authorities have signed the Nottingham Declaration to date.

2 RECOMMENDATION

- 2.1 That on behalf of the Council the Leader and Chief Executive sign the Nottingham Declaration on Climate Change.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The UK has a legally binding commitment under the Kyoto Protocol to reduce emissions of a basket of six greenhouse gasses by 12.5% below 1990 levels over the period 2008-2012.
- 3.2 The 2000 UK Climate Change Programme confirmed a domestic policy goal of moving towards a reduction in emissions of carbon dioxide (CO₂), the most important greenhouse gas, by 20% below 1990 levels by 2010.
- 3.3 The 2003 Energy White Paper further developed the UK's climate change policy by adopting a longer-term goal of putting the UK on a path to reduce CO₂ emissions by 60% by 2050, with real progress by 2020.
- 3.4 The 2006 UK Climate Change Programme introduced additional measures aimed at achieving the UK climate change targets. This acknowledged that action by local authorities is likely to be critical to the achievement of Government's climate change objectives. Measures to encourage and support local authority climate change programmes include the Nottingham Declaration on Climate Change.
- 3.5 On 30th October 2006, Nicholas Stern published his review of the Economics of Climate Change. This concludes that climate change is a serious global threat but there is still time to avoid the worst impacts if we take strong action now. The report also concludes that the benefits of strong and early action far outweigh the economic costs of not acting.
- 3.6 The Nottingham Declaration is a broad, high level statement of commitment by local authorities to address climate change. It was first launched in October 2000 at a Nottingham conference of 200 leaders, chief executives and senior managers of United Kingdom local government. The Declaration was re-launched at the Second National Councils Climate Conference in December 2005. The revised version is similar to the original but better reflects current climate change thinking.

- 3.7 The Declaration has to be signed by the Leader and Chief Executive of a local authority, demonstrating their commitment to tackling climate change as a cornerstone of the council's strategy. It also commits the council, within two years, to develop plans to progressively address the causes and impacts of climate change according to local priorities. The Executive Member for Planning & The Environment will be responsible for overseeing the Council's commitment to climate change.
- 3.8 The Declaration is a non-statutory, voluntary commitment with no formal monitoring process or sanction. Signatories are encouraged to set targets and publicise their achievements in order to maintain momentum and to motivate staff and the broader community.
- 3.9 The Energy Savings Trust provides a Nottingham Declaration Action Pack to support the process. This explains how local authorities can reduce emissions of greenhouse gasses and adapt to the climate changes that are already underway. The Action Pack provides detailed guidance for the development of a five stage action plan. This can be used to address climate change from the council's own estate and corporate functions; from the services it provides; and in the broader community. The scope of the action plan is determined by the authority in the early stage of its development.
- 3.10 A climate change strategy incorporates energy management and carbon management in a hierarchical way:
- a) Energy Management - energy security, efficiency and cost savings;
 - b) Carbon Management - carbon emissions from energy and non-energy sources e.g. landfill, carbon offsets for travel, carbon sequestration by forests, etc;
 - c) Climate Change - carbon management plus adaptation e.g. biodiversity, agriculture, flood defences, building standards, health, tourism, etc.

Strategic choice helps to resolve potential conflicts between levels, e.g. renewable energy reduces carbon emissions but may be more expensive than fossil fuel energy in the short term.

- 3.11 The Bracknell Forest Borough Council policy context for a climate change strategy is:
- a) Medium Term Objective 11:
 - Create and maintain a quality environment
 - b) Environment Policy
 - Use resources such as energy and water efficiently and effectively.
 - Increased use of energy generated from renewable resources whenever feasible
 - Encouraging sustainable transport initiatives for Council staff
 - c) Community Plan Priority 2 - Protecting and enhancing the environment
 - Reducing waste and pollution
 - Increased energy efficiency and renewable energy
- 3.12 A departmental objective to "investigate the feasibility of producing and implementing a carbon management plan" was included in the Environment & Leisure Service Plan 2006/07. Support for a preliminary study of this was negotiated with the Thames Valley Energy Centre with part funding from the Energy Savings Trust. This has been approved by CMT.
- 3.13 The demise of the Town Centre combined heat & power project has triggered a rethink on renewable energy options, drawing together officers dealing with different

aspects of energy management across BFBC. These discussions confirmed the need for a coherent Bracknell Forest Borough Council energy strategy.

- 3.14 On 6th December 2006 the Director of Environment & Leisure convened a Climate Change Working Group, which endorsed the need for a climate change strategy and for Thames Valley Energy Centre to undertake an audit and develop key recommendations to inform the future development of a strategy. The group subsequently proposed that Bracknell Forest Borough Council should sign the Nottingham Declaration and is seeking the Executive's support to do so.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 No alternative considered.

5 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 5.1 Nothing to add to the report.

Borough Treasurer

- 5.2 In signing this document the Council does not commit additional financial resources other than those already included within its budget.

Impact Assessment

- 5.3 Signing the Nottingham Declaration will give renewed emphasis to the Council's environmental efforts and the delivery of the action plan, when complete, will make a contribution to protecting the environment in the long term, as well as having immediate benefits.

Strategic Risk Management Issues

- 5.4 Climate change presents many long term risks for this Borough and signing this Declaration will start a process of assessing and mitigating against risks.

Other Officers

- 5.5 Not applicable

6 CONSULTATION

Principal Groups Consulted

- 6.1 None

Method of Consultation

- 6.2 Not applicable

Representations Received

6.3 Not applicable

Background Papers

Energy Savings Trust website

Contact for further information

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The Nottingham Declaration on Climate Change

We acknowledge that

- Evidence shows that climate change is occurring.
- Climate change will continue to have far reaching effects on the UK's people and places, economy, society and environment.

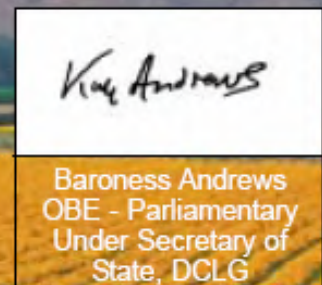
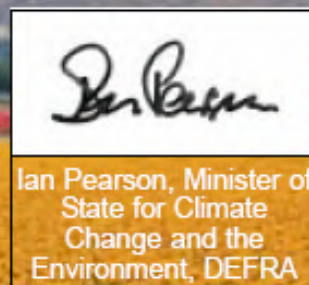
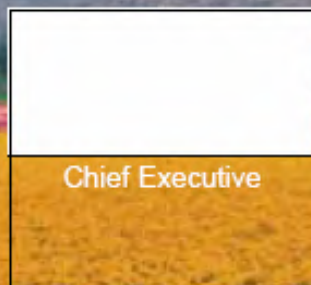
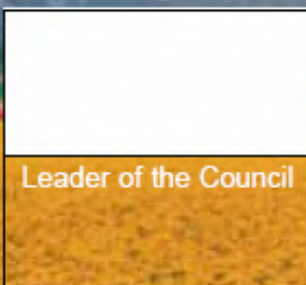
We welcome the

- Social, economic and environmental benefits which come from combating climate change.
- Emissions targets agreed by central government and the programme for delivering change, as set out in the UK Climate Change Programme.
- Opportunity for local government to lead the response at a local level, encouraging and helping local residents, local businesses and other organisations - to reduce their energy costs, to reduce congestion, to adapt to the impacts of climate change, to improve the local environment and to deal with fuel poverty in our communities.
- Endorsement of this declaration by central government.

We commit our Council from this date _____ to

- Work with central government to contribute, at a local level, to the delivery of the UK Climate Change Programme, the Kyoto Protocol and the target for carbon dioxide reduction by 2010.
- Participate in local and regional networks for support.
- Within the next two years develop plans with our partners and local communities to progressively address the causes and the impacts of climate change, according to our local priorities, securing maximum benefit for our communities.
- Publicly declare, within appropriate plans and strategies, the commitment to achieve a significant reduction of greenhouse gas emissions from our own authority's operations, especially energy sourcing and use, travel and transport, waste production and disposal and the purchasing of goods and services.
- Assess the risk associated with climate change and the implications for our services and our communities of climate change impacts and adapt accordingly.
- Encourage all sectors in our local community to take the opportunity to adapt to the impacts of climate change, to reduce their own greenhouse gas emissions and to make public their commitment to action.
- Monitor the progress of our plans against the actions needed and publish the result.

_____ Council acknowledges the increasing impact that climate change will have on our community during the 21st century and commits to tackling the causes and effects of a changing climate on our city/county/borough/district.



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