

DELEGATION OF HOUSING MANAGEMENT RESPONSIBILITIES

Report of the Chief Executive, Acting Director of Housing Services, Director of Corporate Services and Director of Finance

SUMMARY OF REPORT

1. This report draws to the attention of the Executive the results of the consultative ballot of tenants and leaseholders and seeks approval to make an application for the Secretary of State's consent to delegate housing management responsibilities to Derby Homes.

RECOMMENDATION

2. That the City Council make an application for consent to delegate its housing management responsibilities to Derby Homes.

REASON FOR RECOMMENDATION

3. The recommendations will enable a programme of improvements to council housing to be funded which would not otherwise have been carried out.

MATTER FOR CONSIDERATION

- 4.1 At its October 2001 meeting, the Policy Committee resolved in principle to delegate housing management responsibilities to Derby Homes.
- 4.2 A satisfactory conditional allocation of resources has since been obtained and ballot conducted by Electoral Reform Ballot Services in the period 14 January–11 February 2002. The number of papers issued exceeded the number of tenancies as joint tenants and joint leaseholders each received an individual vote. The result in the tenants' ballot was as follows

Number of ballot papers distributed	18, 994
Number of ballot papers returned	9,160
Number of ballot papers found to be invalid (blank/spoilt)	33
Thus, total number of valid ballot papers to be included in count	19,127

The question on the ballot paper was *are you in favour of the management of your home by Derby Homes?*

Number voting YES	8,048	(88.20% of valid vote)
Number voting NO	1,079	(11.80% of valid vote)
TOTAL	9,127	(100% of valid vote)
Turnout	48%	

The result in the leaseholder ballot was as follows

Number of ballot papers distributed	419
Number of ballot papers returned	165
Number of ballot papers found to be invalid (blank/spoilt)	1

Thus, total number of valid ballot papers to be included in the count 164

The question on the ballot paper was *are you in favour of the management of your home by Derby Homes?*

Number voting YES	142	(86.60% of valid vote)
Number voting NO	22	(13.40% of valid vote)
TOTAL	164	(100% of valid vote)
Turnout	39%	

- 4.3 Together with earlier informal consultation the ballot result is evidence of tenant support for the delegation of housing management responsibilities to Derby Homes. It is now proposed to make an application for the Secretary of State's consent. A draft copy of the application is available on request from the Acting Director of Housing Services. This application will be assessed against the conditions set out in the DTLR letter of 29 November 2001, attached at Appendix A.
- 4.4 A schedule of responsibilities to be delegated to Derby Homes, previously approved in principle has been and is attached at Appendix B. This list will form an annex to the Services Agreement between the City Council and Derby Homes, this being included within the application to the Secretary of State.
- 4.5 Final agreement will need to be reached on the Services Agreement. A paper from Anthony Collins Solicitors, attached at Appendix C, sets out the nature of that agreement which will be the subject of a report to the Executive on 26 March 2002. This appendix refers readers to the Services Agreement which forms part of the s27 application available on request

from the Acting Director of Housing Services.

FINANCIAL IMPLICATIONS

5. Derby Homes will receive a management fee in respect of the responsibilities it carries out on the Council's behalf, to be met from the Housing Revenue Account, which the Council will continue to maintain.

LEGAL IMPLICATIONS

- 6.1 The delegation of housing management responsibilities to Derby Homes is subject to the Secretary of State's consent being obtained under Section 27 of the Housing Act 1985.
- 6.2 The actual delegation of responsibilities will occur after receipt of the Secretary of State's consent and upon contract commencement which is anticipated to be 1 April 2002.

PERSONNEL IMPLICATIONS

- 7.1 All staff who it is anticipated will transfer to Derby Homes have been notified. These transfers will take place under TUPE and be subject to protection of existing terms and conditions. The Council intends to proceed with such transfers if it is given consent to delegate responsibilities to Derby Homes.
- 7.2 The Services Agreement referred to in this report makes provision that Derby Homes shall consult, negotiate with and recognise trade unions and staff have similar terms and conditions of employment to those applicable to Council employees.

ENVIRONMENTAL IMPLICATIONS

8. The programme of work to be carried out by Derby Homes will improve the quality of the environment and contribute towards improved energy efficiency.

EQUALITIES IMPLICATIONS

9. It is anticipated that equal opportunity practices and procedures will be agreed by Derby Homes in line with Council practices.

Background Papers:
None

