

BROMSGROVE DISTRICT COUNCIL

SCRUTINY BOARD

23RD MARCH 2010

SCRUTINY INVESTIGATION PROPOSAL

Responsible Portfolio Holder	Councillor P. Whittaker – Portfolio Holder for Strategic Housing, Environment & Climate Change
Responsible Head of Service	Ms. Liz Tompkins - Head of Housing Services
Responsible Head of Service For Overview & Scrutiny	Mrs Claire Felton – Head of Legal Equalities and Democratic Services

1. SUMMARY

- 1.1 An Overview and Scrutiny Proposal Form relating to the rights of residents living in Almshouses, has been completed by a member of the public, Mrs. J. E. Hopper which the Board needs to consider.

2. RECOMMENDATION

- 2.1 That the Board considers the completed proposal form (at Appendix 1), and agrees to one of the following:
- (a) that the topic is included on the work programme and the Board undertakes the investigation;
 - (b) that the topic is included on the work programme and a Task Group is established to undertake a more in-depth investigation (if this option is agreed, membership forms would be sent out to all non-Cabinet Members and completed forms, along with a completed overview and scrutiny exercise scoping checklist would be considered at the next meeting);
 - (c) that further information be requested from a relevant source before deciding whether or not further investigation is required; or
 - (d) decides to take no further action.

3. BACKGROUND

- 3.1 An Overview and Scrutiny Proposal Form relating to the rights of residents living in Almshouses, submitted by a member of the public, Mrs. J. E. Hopper is attached at Appendix 1 for the Board to consider and discuss.
- 3.2 If the Board decides that it does wish to investigate this topic further, it then needs to decide whether it is appropriate for the Board itself to undertake

the investigation or whether a more in-depth investigation is required and a task group would be established.

- 3.3 Another option is for the Board to request further information on the topic from a relevant source to assist Members to decide whether an investigation is required.
- 3.4 Alternatively, the Board could decide that it is not a topic it wishes to investigate, in which case no further action would be required.
- 3.5 Almshouses are charitable housing provided to enable people in need to live in a particular community. They are generally maintained by a charity or the trustees of a bequest.
- 3.6 Complaints have been made to the Local Authority regarding several disrepair issues within the property in November 2008. This was followed up by an inspection carried out by the Council's Housing Standards Officer (4th November 2008) and a letter was sent to the Trustees of the Thomas White Cottages detailing the works required.
- 3.7. Once confirmation of the 'tenancy' arrangement was received, it was evident that the property is owned by a charity and governed by the Charities Commissioning Board. According to legal advice received, the Local Authority does not have a duty to enforce against Category 1 Hazards that are within homes run by the Charities Act. With this in mind Bromsgrove District Council presented a mediation role between 'tenant' and the trustees, encouraging communication and access to the property to undertake works.
- 3.8. To the understanding of Bromsgrove District Council officers, the works have been completed, however it should be stressed that any complaints would be best made through the trusts complaints department/procedure as previously requested by the Thomas White Cottages Trustees Board. It is evident that there have been access issues in the past, although maintenance works have been carried out more recently.

4. FINANCIAL IMPLICATIONS

- 4 There are no financial implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

6. COUNCIL OBJECTIVES

6.1 This report does not directly link to the Council Objectives.

7. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

There are no risk management issues directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

8. CUSTOMER IMPLICATIONS

8.1 There are no customer implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 There are no implications directly relating to this report for the Council's Equalities and Diversity Policies, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no value for money implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

11. CLIMATE CHANGE AND CARBON IMPLICATIONS

11.1 There are no climate change and carbon implications directly relating to this report, however, if the proposal is accepted, any implications would be considered as part of any subsequent investigation undertaken.

12. OTHER IMPLICATIONS

Procurement Issues - None
Personnel - None
Governance/Performance Management - None
Community Safety including Section 17 of Crime and Disorder Act 1998 - None
Policy - None
Biodiversity - None

13. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

14. WARDS AFFECTED

All Wards.

15. APPENDICES

Appendix 1 Overview and Scrutiny Proposal Form

16. BACKGROUND PAPERS

None.

CONTACT OFFICER

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District Council
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OVERVIEW AND SCRUTINY – WORK PROGRAMME PROPOSAL FORM

Name of Proposer:	J. E. HOPPER
Title of Proposed Topic:	RIGHTS FOR ALMSHOUSE RESIDENTS
Specific subject areas to be investigated:	IT WOULD APPEAR THAT TRUSTEES HAVE TOTAL RIGHTS ON DECISION
Reasons why this subject should be considered:	BECAUSE THE MANY WE PAY IN IS MAKING NOT CALLED RENT WE ARE NOT CLASSIFIED AS TENANTS SO DO NOT HAVE ANY RIGHTS!
Evidence to support the need for this particular investigation:	I DISAGREED WITH A CHANGE THE TRUSTEES WERE GOING TO IMPLEMENT & I WAS THREATENED WITH EVICTION.
Council priorities it links to:	STRATEGIC HOUSING (RE: ANDREW COGEL)
Possible key outcomes: (i.e. what do you anticipate could be achieved?)	VULNERABLE ELDERLY PEOPLE SHOULD BE GIVEN SOME RIGHTS TO LIVE IN PERCE WITH SOME SECURITY, NOT BE BULLIED & HARRASSED.

Please indicate if any of the following apply to the proposed subject area:

CRITERIA	NO	YES	Why?
Is it a priority issue for the Council or the Local Strategic Partnership?			
Is it an important issue for local residents?		✓	BECAUSE IT SEEMS NO ONE IN BROMS KNOWS ABOUT ALMSHOUSE
Is it a topic where Overview and Scrutiny could feasibly and constructively make recommendations?		✓	HOPEFULLY SOMEONE WILL BE ABLE TO HELP OR ADVISE US. WHEN I TRIED I WAS REFERRED BACK TO TRUSTEES!
Is it a topic where external review would be helpful?		✓	
Is it a topic where a review could be made in time to make recommendations for the executive decision making process?		✓	
Is it a poorly performing service?		✓	FOR 43 RESIDENTS.
Is it a review that could render significant savings or value for money?		?	
Is the topic strategic in scope?		?	

LEGAL & DEMOCRATIC SERVICES
15 Feb 2017
REFERRED TO:-

Please return completed forms to: Scrutiny Officer, Committee Section,
Legal, Equalities and Democratic Services, Bromsgrove District Council
Email: scrutiny@bromsgrove.gov.uk