



## GOVERNMENT PLANS WILL SHAPE TMOs FUTURE

This special issue of the TMO Magazine is to tell you about Government proposals that will have a big impact on the future of tenant led management and community ownership of housing in England.

The ideas are set out in three reports published by the Government this summer dealing with tenant empowerment, the regulation of 'social' landlords and the creation of a new national agency to co-ordinate housing investment.

Legislation is expected in the next session of parliament and some changes will come into force next year. The NFTMO has been meeting with representatives of the two other national tenants' organisations, TAROE

and CCH, to agree a joint response to the consultation documents. The NFTMO executive committee is encouraging all TMOs and other tenants organisations to send in their own responses.

NFTMO Chair Terry Edis believes this is an important moment for the TMO sector and for wider tenant empowerment. "It is great that Housing is at last high on the Government agenda again," said Terry "and I am pleased that the three national tenants organisations are working together to respond positively to the Governments' proposals and to make sure that the tenants' voice is clear and effective. I don't think an opportunity like this will come along again in my lifetime."

### THE PROPOSALS KEY POINTS

#### Government proposals for change include: -

- A streamlined Right to Manage with new ballot rules.
- A new voluntary framework for developing TMOs in the housing association sector.
- A new 'fast track' local management agreement for limited transfer of management responsibilities to tenants organisations.
- An attempt to clarify where ALMOs fit in the Right to Manage process.
- Support for tenants' organisations that are interested in community ownership of housing through tenant-led stock transfer.
- A new 'National Tenants Voice' organisation.
- A new 'super agency' for housing and regeneration.
- A discussion about possible 'tenant led ALMOs'.

## WORKING TOGETHER TO STRENGTHEN TENANTS' VOICE

The three national tenants organisations recognised by Government have agreed to work together to strengthen the voice of council and housing association tenants in England. Thirty representatives from TAROE, NFTMO and CCH met this month to discuss Government proposals on tenant empowerment, housing regulation and Communities England.

The meeting was the first of its kind and revealed a strong sense of common purpose and a determination to work with Government to provide a disciplined, coherent and accountable tenants' voice at all levels of housing policy making.

Nic Bliss of CCH added "There is a huge diversity of housing circumstances and needs around the country and it is too simplistic to think in terms of a single 'tenants view' on any issue. Our challenge as national representative bodies is to give a voice to that diversity. Tenant empowerment has been a theme of housing policy for many years but too many landlords still shut tenants out of decision making."

*Picture caption: Tenants and Residents Organisations of England (TAROE) and Confederation of Co-operative Housing (CCH) working with the NFTMO.*

# THE TENANT EMPOWERMENT CONSULTATION PAPER

On this page Richard Crossley, of the Government's Communities and Local Government Department, summarises for you some key points from the Tenant Empowerment Consultation document. Richard also raises some questions that the Government would like your views on.

The document asks for views on proposals in the following areas:

- New Right to Manage regulations for local authority tenants – simplifying the process
- Encouragement of a voluntary tenant management process for local authority tenants and for housing association tenants
- Included within this an even simpler process where tenants wish to take on limited responsibilities (called a Local Management Agreement)
- How to encourage a better relationship between ALMOs and TMOs
- A national voice for tenants (as proposed by the Cave review)
- Strengthening the position of tenants undertaking tenant-led stock option appraisals
- Stock transfers ballots and consultation
- Tenant-led ALMOs

NFTMO members will be particularly interested in responding to tenant management proposals, summarised below, but of course, your views will be welcome on all the areas.

## New Right to Manage regulations for local authority tenants

The proposals aim to simplify the right to manage process. The key changes will be

- Only one ballot of tenants will be required, rather than the two that is required at the moment
- The ballot will take place when it is known: what responsibilities the TMO wishes take on; the budgets for each of these responsibilities; the proposed membership and governance arrangements of the TMO.
- The ballot requirements will be for a majority of those voting (not a majority of tenants of the estate as required by the final ballot under the current regulations)
- Support can be provided by anyone, not necessarily an Approved Agency (we still envisage a role for approved agencies in assessing competencies)

We'd particularly like your views on

1. Are there any other things we can do to speed up the process?



2. Should we open up support and training to any organisation?
3. Is there a case for ending the approved agency role in assessing competence?

## Voluntary tenant management process

We are aware that tenant management works best when tenants and landlord work together. We therefore want to encourage and promote a 'voluntary' process. We will set out a similar process for housing associations and housing association tenants.

Local authority tenants will have the back-up of the statutory right to manage. We know the NFTMO would like a similar right for housing association tenants, but our view is that this will not be practical. Reasons are given in the consultation document.

We'd like your views on the voluntary processes we have set out.

## Local Management Agreements

Where tenants wish to take control of limited services (perhaps cleaning in a block or grounds maintenance) we want to provide a much simpler process. This is based on a model developed by CityWest Homes in Westminster.

## Tenant management and ALMOs

We are aware of the difficulties in some areas over roles and responsibilities where there are ALMOs and TMOs. The right to manage regulations will require a local authority to inform an ALMO when a right to manage notice is served, and in guidance we will say we expect the local authority to discuss with the ALMO what role the ALMO might play in the TMO development.

We'd like to know what more we could do to

encourage a positive relationship between ALMOs (and other organisations who might be managing on behalf of a local authority) and ALMOs.

## A national voice of tenants

The Cave Review of social housing regulations, published on the same day as the Tenant Empowerment consultation, recommends the establishment of a national organisation to ensure that a tenants' voice is heard in policy-making. Such a body could have an advocacy role, working alongside and complementing representative organisations such as the NFTMO and TAROE.

We'd welcome your views on what the aims and remit of such a body might be.

## Responses & Comments

Responses and comments need to be in by 11th September to Lesley Storer, Communities and Local Government, Community Renewal and Liveability Division, Zone 1/F4, Ashdown House, 123 Victoria Street, London SW1E 6DE. Or e-mail [tenantempowerment@communities.gsi.gov.uk](mailto:tenantempowerment@communities.gsi.gov.uk)

## Download the Consultation Document

Copies of the consultation document can be downloaded from our web-site [www.communities.gov.uk](http://www.communities.gov.uk), or obtained from Communities and Local Government Publications, PO Box 236, Wetherby LS23 7NB. Tel: 0870 1226 236, fax: 0870 1226 237, textphone: 0870 1207 405, email: [communities@twoten.com](mailto:communities@twoten.com). (Please quote the product code 07 PEU 04696)

**Richard Crossley**  
Adviser on Tenant Empowerment  
Communities and Local Government

# WHO KEEPS AN EYE ON YOUR LANDLORD?

The Government has been urged to set up a single housing regulator to oversee the performance of councils, ALMOs and housing associations. At the moment the task of monitoring and policing those housing providers is split between the Housing Corporation, the Audit Commission, the Government's Communities and Local Government Department and Councils themselves.

In his report "Every Tenant Matters: A review of social housing regulation" Professor Martin Cave says that the new regulator should be independent and have

- the right to obtain information and to inspect providers
- the power to cap rent increases due to poor performance
- the scope to set and issue fines
- the ability to appoint board members
- in cases of persistent poor performance where the landlord has failed to respond to previous intervention, the power to transfer management and/or ownership (for example to a TMO).

- a duty to promote ways in which tenants can be empowered and have more choices

If the recommendations of the Cave report are implemented then a possible future scenario is that tenants' organisations could trigger action by the regulator against a poorly performing landlord and, if things don't improve, a transfer of management or ownership to a tenant led organisation.

The Cave Report also calls for a new national "consumer champion" body for social housing tenants. Cave says the new body would take on the role of influencing local, regional and national government and ensuring tenants' voices are heard at all levels where decisions that affect them are taken. The report calls the proposed new body 'the national tenant voice' and suggests a role for the National Consumer Council in making it happen.

You can download a copy of the Cave Report at <http://www.communities.gov.uk>

## NEW AGENCY GETS £4 BILLION BUDGET

In June the Government announced proposals for a new agency for regeneration and housing in a major shake-up of the way it supports the delivery of new homes and sustainable communities in England.

The new agency was to be called Communities England but is now expected to be renamed. It will take on the functions of English Partnerships, the Housing Corporation, and some of the work currently carried out by Government officials including work on the decent homes programme, housing market renewal, housing PFI, housing growth and urban regeneration. The new 'Super Agency' will have a budget of over £4 billion.

The Government Minister said "Above all Communities England will reflect the Government's on going drive to ensure that the ambitions of local people for their communities and their families are realised."

The Housing and Regeneration Review was launched in April to assess the institutional structures for housing and regeneration

delivery carried out by English Partnerships and the Housing Corporation. The review was asked to consider the best way of organising national delivery mechanisms to maximise the use of private investment, public subsidy and land holdings, and assets funded by past public investment, to support the delivery of new homes and mixed, sustainable communities.

The Government aims to reduce the number of organisations involved and so make it simpler to take forward housing and regeneration projects. At the moment English Partnerships is the national regeneration agency, while the Housing Corporation is the national Government agency that funds new affordable housing and regulates housing associations in England.

The proposals are set out in a Government Consultation Paper called 'Delivering Housing and Regeneration: Communities England and the future of social housing regulation'. You can download a copy at <http://www.communities.gov.uk>. Views have to be sent in by September 10th.



NFTMO Chair, Terry Edis

## THE NFTMO EXECUTIVE COMMITTEE'S VIEW

The NFTMO says that the Government proposals will influence the prospects of existing TMOs and the future development of new TMOs. Our view is :-

- We welcome the planned streamlining of the Right to Manage process. The NFTMO has been arguing for years that it takes far too long to develop a TMO and that the ballot rules have been unfairly stacked against the developing TMO
- We are disappointed that the proposals do not include a Right to Manage for housing association tenants. We believe there is no logical reason why housing association tenants should not be given the same rights as Council tenants.
- The NFTMO should be involved in monitoring the quality of training and advice given to developing TMOs.
- A bigger role should be played by established and successful 'beacon' TMOs in supporting and mentoring tenants' groups who are working to establish their own TMO.
- The proposed new Housing Regulator should have powers to intervene when councils, ALMOs or housing associations obstruct the legitimate aspirations of communities who want to manage or own their own housing.
- Where tenants' organisations choose community ownership of their housing, after a stock options appraisal, their council should be obliged to co-operate with the transfer of ownership to that tenant-led organisation.
- The proposed 'national tenants voice' should be shaped up and managed by the existing representative national tenants organisations.

**Do you agree? Let the Government have your views. But hurry ! Consultations close on the 10th and 11th of September.**

# NFTMO STOCK TRANSFER FORUM CALLS FOR 'OPTION C'



The NFTMO Forum for groups involved in Community-Led Stock Transfer projects has called for the Government to genuinely empower tenants' organisations who want to explore community ownership as a long term option for their Council housing.

In responding to the Government Consultation Paper called 'Tenant Empowerment' the Forum wants to see Option C chosen in the section dealing with community-led transfer.

In the paper the Government sets out three options for removing some of the obstacles for tenants that can arise if the Council does not support community ownership solutions.

Option A is no change. Option B allows Councils to block transfers on the grounds of finance. Option C requires the Council to co-operate with a community-led stock transfer in most circumstances and will require new legislation.

The Forum's support for Option C is based on their view that neither Option A or B would stop some local authorities from frustrating Government policy and community aspirations regarding tenant-led stock transfers.

The Forum calls on TMOs to respond independently to the Consultation Paper in support of Option C.

## TMO TRAINING & ONE DAY CONFERENCE PROGRAMME

October 2007 to March 2008

### WELL RUN WELL GOVERNED?

Achieving the TMO  
Good Governance Kite Mark

Milton Keynes - Wed 10th Oct 2007  
Acorn House, Milton Keynes

### EMPLOYING TMO AND CO-OP STAFF

Good practice and problems

Birmingham - Wed 13th Feb 08  
Austin Court, Birmingham

### TMO REGIONAL CONFERENCES – JANUARY AND FEBRUARY 2008

London/South  
TMO Regional Conference  
30th Jan 08,  
The Resource Centre,  
Holloway, London

West Midlands/North  
TMO Regional Conference,  
5th Feb 08,  
The Holiday Inn, Birmingham  
City Centre

The Regional Conferences are in partnership with InStep. To register an interest please telephone 0500 844 111 or email [info.instep@tribalgroup.co.uk](mailto:info.instep@tribalgroup.co.uk).

### TMOs & LEASEHOLD MANAGEMENT ?

London - Wed Nov 7th 2007  
Bermondsey Village Hall, London SE1

### A BUSINESS PLAN FOR YOUR TMO OR CO-OP

Milton Keynes - Wed 5th Mar 08  
Acorn House, Milton Keynes

### CALCULATING AND NEGOTIATING YOUR TMO or CO-OP ALLOWANCES

London - Thur Nov 15th 2007  
Friends House, Euston

All training courses  
£30+VAT per delegate

20% members' discount on all events. To book your places email [contact@nftmo.com](mailto:contact@nftmo.com) or ring 01704 227053.

A Programme of events designed for members and staff of TMOs and groups who are exploring or developing a TMO.  
For more details, go to [www.nftmo.com](http://www.nftmo.com)

**NFTMO**  
The National Federation of  
Tenant Management Organisations

The next issue of the NFTMO magazine will be back to the usual format and will be published in October.

If you have a contribution to make to a future issue please contact [magazine@nftmo.com](mailto:magazine@nftmo.com) or ring 01704 227053.

The TMO Magazine is published by the National Federation of Tenant Management Organisations Ltd.  
Views expressed are not necessarily those of the NFTMO. The Magazine is for and about Tenant Management Organisations and Housing Co-operatives.

DESIGNED BY RICHARD PEARSON / E-MAIL: [RICHARD@PENGUINBOY.NET](mailto:RICHARD@PENGUINBOY.NET) / WEBSITE: [WWW.PENGUINBOY.NET](http://WWW.PENGUINBOY.NET)