

MINUTES OF THE MEETING OF THE LEADER SIGNING HELD ON Friday, 20th May, 2016, 14:30

PRESENT:

Councillor: Claire Kober, Leader of the Council

5. FILMING AT MEETINGS

The Leader referred those present to agenda item 1 as shown on the agenda in respect of filming at this meeting and asked that those present reviewed and noted the information contained therein.

6. URGENT BUSINESS

None.

7. STATUTORY HOMELESSNESS DECISIONS

The Leader considered a report which sought approval to retrospectively and prospectively authorise an extension to the arrangements to contract out Homelessness and Allocations decisions to HfH until the new Management Agreement comes into effect, as agreed at Cabinet on 15th March 2016. The report also sought approval for a further extension to the Council's contract with Housing Reviews Limited which contracts out conduct of reviews of homelessness and allocations decisions, until 31st October 2016.

RESOLVED

I). To authorise retrospectively and prospectively the continued contracting out of the permitted Part VI and VII functions of the Housing Act 1996, to HfH on the terms of the old management agreement as varied by the Deed of Variation of 24 September 2014 notwithstanding expiry of that agreement from 1 April 2016 until the new agreement comes into effect or for a period of 10 years, whichever comes first, subject to the Council's right to determine the contracting out of those functions at any time.

II). To authorise contracting out of the permitted Part VI and VII functions on the terms of the new agreement for a period until 31 March 2026 subject to the Council's right to determine the contracting out of those functions at any time.

III). To authorise amendment of Schedule 1 of the 2016 Management Agreement, to clarify the scope of the Part VI and VII functions delegated to HfH.

IV). To authorise the extension of the contract with HRL until 31st October 2016.

V). To note that the Council's tenancy management functions continue to be contracted out to HfH on the terms of the old management agreement until replaced by the new management agreement.

Reasons for decision

The Council has responsibilities under parts VI and VII of the Act that it can only delegate to third parties under the terms of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996. The existing authorisations to contract out these responsibilities, to HfH and HRL expired on 31st March 2016, with the expiry of the 2014 deed of variation to the 2011 Management Agreement and on 30 April 2016 with expiry of the contract to HRL, respectively. The Council has a statutory duty to carry out these functions or to contract them out to a third party.

Alternative options considered

Not to authorise the extension of the contracting out arrangements would mean that Homelessness and Allocations decisions made by HfH would be open to legal challenge. The alternative to this is that the Council would take these decisions in-house until the new Management Agreement comes into effect. Council staff with expertise and experience in this area were however transferred to HfH on 1st May 2016 and are now permanent employees of HfH.

If, in addition, the Housing Reviews contract is not extended, neither HfH, nor HRL will be authorised to carry out these reviews and any reviews made by those parties will be open to legal challenge.

8. NEW ITEMS OF URGENT BUSINESS

N/A

CHAIR:

Signed by Chair

Date