



# TRANSFERS *today*

A newsletter for all those involved in stock transfer

## MPs hear strong value defence

**T**he permanent secretary at the Office of the Deputy Prime Minister has mounted a strong defence of transfer.

Mavis McDonald gave wide-ranging support to stock transfer achievements when she appeared before MPs on the Public Accounts Committee.

They were taking evidence on the National Audit Office's report on transfer (*Transfers Today* 15), and several questioned whether the process represented good value for money.

Within the report was a hypothetical estimate that, if 1m homes were transferred, the overall cost of transfer to achieve comparable refurbishments and improvements would amount to £1.3bn more than if these had been undertaken by councils.

### Benefits justify cost

In the report, the ODPM argued transfer was cost neutral, citing a wide range of benefits which justified any potential extra cost, including more rapid improvements, greater tenant participation, neighbourhood regeneration and freeing of councils to concentrate of housing strategy, to name a few.

Committee chair Tory MP Edward Leigh asked Ms McDonald: "It costs £1,300 extra per house for transfer. The benefits are unquantified — are they justified? It is a very large

sum of public money."

Ms McDonald replied: "We have evidence that tenants have significantly benefited from improvement to poor housing, improved management and speedier repairs, and have higher levels of satisfaction.

"Transfer has raised £5.6bn for local authorities to invest and £6bn of private finance."

She went on to summarise some of the regeneration benefits that have resulted from stock transfer.

### Risks and salaries

Ms McDonald also strongly defended the salaries paid to senior managers of some new RSLs, compared with council directors: "In transfer the financial risk is greater, and so the responsibilities of a chief executive in an RSL are greater."

MPs also queried the assumption reported by the NAO that valuations assume a 30-year life for both homes and land. Labour MP Geraint Davies thought it was absurd to assume that homes had a 30-year life and that land values would fall instead of rise.

Ms McDonald said the 30-year assumption was not a whole life costing but represented a period where it was reasonable to assume that a home would need significant refurbishment at its end. The Treasury was willing to look at longer discount periods, but had

**Tenants have significantly benefited from improvements and speedier repairs and have higher levels of satisfaction**

never been asked to do so, she said.

Housing Corporation chief executive Norman Perry, who also gave evidence, said that land values were assessed on the assumption that after 30 years land would still be used for tenanted social

housing, not that it could be sold commercially.

Labour MP Gerry Steinberg said: "It seems to be good estates that have been transferred, not bad ones."

However, Mr Perry pointed out that transfer was moving increasingly into more difficult urban areas, and that writing off overhanging debt was increasingly liable to be a

cont'd p2

## PROGRAMME

<b>News:</b>	'Yes' vote a decade after 'no'	2
	End in sight after three years	3
	Latest bids show urban interest	3
<b>Facts &amp; figures:</b>	Ballot results 2002	4
<b>Finance:</b>	Implementing investment	5
<b>Transfer forum</b>		6
<b>Good practice:</b>	Inheriting legal proceedings	6
<b>Public eye:</b>	New chief at the CHTF	7
<b>Point of contact</b>		7
<b>After the event:</b>	Exceeded targets	8

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# 'Yes' vote comes a decade on

**T**enants of Maidstone Borough Council have voted to transfer their homes 10 years after they rejected a similar proposal.

This is thought to mark the first time that a failed large scale voluntary transfer ballot has been overturned.

On a 70.1% turnout, tenants backed transfer to Maidstone Housing Trust with 61.3% voting in favour.

The trust plans to spend £50.7m on improvements to the 6,500 homes in the first five years after transfer.

This sum is £12.1m more than the council could have found, and the trust will spend a further £8.5m to regenerate two estates.

One unusual problem for the authority and its advisers was having to overcome the legacy of the suspicion from the 1993 vote.

## Change of heart

A key figure in this was Labour councillor Wendy Marlow, who is now the cabinet member for housing but in 1993 was a prominent anti-transfer activist.

She changed her view because of the problem Maidstone faced in raising the money needed to improve its homes.

In a newsletter to tenants, she said: "I would not be supporting the transfer proposal unless I was sure that rents would not go through the roof."

**The bottom line is, if the transfer goes ahead, tenants would pay a similar rent — but they would get much more for their money**

"The bottom line is, if the transfer goes ahead, tenants would pay a similar rent to what the council would charge — but they would get much more for their money."

Another figure who underwent a similar change of view was Dorothy Baker, a tenant shadow trust board member.

She told fellow tenants: "Last time, I was dead against transfer, but things have changed. I'm still asking awkward questions and so far, everything is being done fair and square." ■

## Strong defence put to Public Accounts Committee

Cont'd from p1

feature of future deals, with the increased urbanisation of transfers.

He strongly argued that tenants benefited from transfer because of the focus housing associations could bring. "There is a cultural shift from a 'no' to a 'yes' culture when transfer takes place. We have a lot of evidence that housing associations do better than the majority of local authority housing departments and change into different organisations," he said.

Liberal Democrat MP David Rendel asked why senior managers of receiving RSLs sometimes appeared to be the same people who had run the former council housing department.

Mr Perry replied this was "not axiomatic", and said the Corporation would be "quite rigorous on governance and recruitment" to prevent

**The committee will consider in its return to the National Audit Office whether ministers are justified to claim that transfer was cost neutral**



Tenants get faster improvements — but the public accounts committee will say whether it believes ministers can justify saying transfers are cost neutral

inappropriate appointments.

The committee chair made it clear that the committee would return in its response to the NAO to the issue of whether it was justified for ministers to claim that transfer was cost neutral.

Ms McDonald insisted that it was because, although local authorities can borrow more cheaply than can RSLs, other benefits of transfer more than compensate for this.

Mr Leigh said: "The government has made a policy decision to transfer homes to keep expenditure off its balance sheet, which is its right, but has argued it is cost neutral."

Comptroller and auditor general Sir John Bourn, who heads the NAO, queried the case for cost neutrality.

He said that transfer meant money that would have been spent by councils on housing improvements was instead used in a way

that did not count as public spending.

Successive governments had engineered a complex system to try to demonstrate cost neutrality. The result was that it was extremely difficult to assess whether stock transfer were cost neutral or not.

He said: "I do think it is too complicated for us ever to be certain at the end of the day that [transfer] was cost neutral." ■

## BRIEFING...

### First full mix and match

Islington council could be one of the first authorities to use transfer, ALMO, PFI and stock retention to achieve the decent homes standard, if its rumoured partial ALMO application is successful. The council has been working with tenants over the past year to find out their views.

### Bit by bit for Liverpool

Liverpool council is hoping to continue with its programme of small transfers by asking nearly 400 tenants to consider transfer to Arena Housing Association. Newsletters have been sent to residents of 376 houses explaining that the council cannot borrow enough money to improve homes. Arena has around 11,000 properties and is based in Liverpool. It was chosen as preferred partner by a panel including tenants.

### Only TMO votes yes

Mosscares Housing is to start a 10-year improvement programme on the Carrbrook estate in Manchester after tenants voted 'yes' to transfer. About 95% voting agreed to the plan on a 83 per cent turnout. The estate is managed by Manchester's only TMO. (See *Transfers Today* 15.)

### New staff findings and monitor kit

The ODPM is expected to publish over the summer two key publications. The first is the findings from its recently completed research on transfer and staffing issues. The second will be proposals for a monitoring and evaluating transfer toolkit to be used by authorities post transfer.

### Tenants vote to leave good council

Tenants of Teignbridge council, in Devon, backed transfer to the newly formed Teign Homes in a ballot at the end of March. An 81.3 per cent turnout saw 3,647 tenants vote, with 2,343 in favour and 292 against. Transfer is expected to take place in March 2004. Tenants had shown high satisfaction with the council, which had to convince them that financial projections meant that transfer was the only way to preserve the service standards.

# End in sight three years on

**W**hat may be England's longest transfer concluded after three years in March when Craven council transferred 1,540 homes to Craven Housing, a new subsidiary of Yorkshire Housing Group.

Craven Housing, which is due to spend £55m over 30 years, is unusual in that tenants will have a majority of seats on its board.

Tenants voted in favour by a 3:1 margin on an 80% turnout, despite having registered a 98% satisfaction rating with the council's service.

The council wanted to promote transfer because it will face negative subsidy



problems with its housing revenue account three to five years ahead.

However, the high satisfaction rating made tenants unwilling to accept change, and lengthy work was needed to convince tenants of the case.

Because of Craven's small size, it was impractical for it to set up a new RSL. Yorkshire was selected after a lengthy process, and a promise of significant autonomy for Craven Housing. ■

### Latest bids show urban interest

This year's programme applications continue to show increasing urbanisation.

Expressions of interest were received from at least 14 councils when entries closed just before Easter. Those chosen for the programme are due to be named in June.

Authorities that have indicated they are considering transfer include Wakefield, Hartlepool, Trafford, Peterborough, Purbeck, Stroud, Manchester, Hackney, Lambeth, Tower Hamlets, Forest Heath, North East Lincolnshire, Kingston and Wirral. ■

## TAKEN AS READ... current research and recent publications

### MEMBERS' ONLY AREA

*National Housing Federation. Go to [www.housing.org.uk](http://www.housing.org.uk)*  
The Federation has launched an area on its website for members. Users can personalise their home page, download documents, find details of member services and deals, and talk to colleagues.

### A GUIDE TO THE DATA PROTECTION ACT 1998 PRIVACY, CONFIDENTIALITY AND INFORMATION-SHARING

*National Housing Federation £32.50 + £2.50 p&p. Credit card order: 0870 010 7676, or email:*

*[publications@housing.org.uk](mailto:publications@housing.org.uk)*

This guide sets out principles for processing personal data and the rights individuals have over how their details may be used.

### GOOD PRACTICE GUIDE FOR RSLs ASSESSING THE PERFORMANCE OF THEIR DIRECT LABOUR ORGANISATIONS.

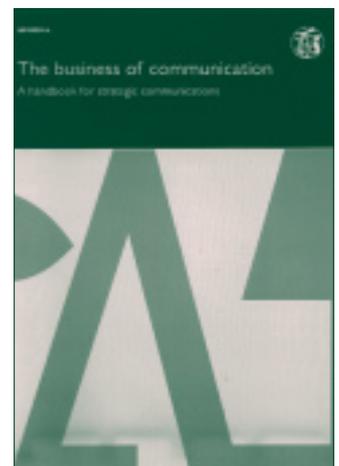
*Free from the Housing Corporation website, [www.housingcorp.gov.uk](http://www.housingcorp.gov.uk)*  
This guide outlines practices and provides guidance on issues to be addressed when assessing performance. Reviewing and improving DLO performance will mean RSLs are better placed to

achieve the decent homes standard and have a more focused approach to Egan and sustainability issues.

### THE BUSINESS OF COMMUNICATION: A HANDBOOK FOR STRATEGIC COMMUNICATIONS

*NHF £20.00 (members £15.00) + £2.50 p&p. Credit card order: 0870 010 7676 or email: [publications@housing.org.uk](mailto:publications@housing.org.uk)*

This explains how good communications and public relations can help you sell yourself, defend yourself, promote your objectives and help improve the image of RSLs. It looks at targeting



different audiences and planning a communications strategy and contains case studies.

# FACTS & FIGURES: TRANSFER BALLOT RESULTS 2002

LOCAL AUTHORITY	STOCK	%			PROPOSED NEW LANDLORD
		Turnout	For	Against	
LB Waltham Forest	2,613	65%	62%	38.0%	London & Quadrant Housing Trust
LB Hackney	900	91%	70%	30.0%	Hanover in Hackney
LB Merton	9,612	66%	48.5%	51.5%	Unsuccessful ballot
LB Harrow	518	78%	75%	25.4%	Home Group Ltd
Birmingham	80,000	65.50%	33.20%	66.80%	Unsuccessful ballot
Manchester (Langley Estate)	3,418	76%	90%	9.6%	Bowlee Park
Herefordshire	5,780	73%	58%	42.3%	Herefordshire Housing Ltd
Carlisle	7,680	67%	52%	48.0%	Carlisle Housing Association
Liverpool CC Eastern Fringe (south)	2,833	68%	79%	21.0%	Lee Valley Housing Association
Liverpool Eastern Fringe (central)	3,707	66%	88%	12.0%	Berrybridge Housing
Amber Valley BC	5,632	72%	57%	43.0%	Amber Valley Housing
City of Bradford	26,100	66%	62%	38.0%	Bradford Community HT Group
Crewe & and Nantwich	6,000	73%	65%	35.0%	Wulvern Housing
Liverpool	3,468	65%	66%	34.0%	Cobalt House Ltd
Oldham MBC Limeside (Hollins/The Avenues)	646	71%	87%	13.0%	Portico Housing
Craven District Council	1,630	80%	76%	24.0%	Craven Housing Ltd
Forest of Dean District Council	3,754	74%	69%	31.0%	Forest of Dean Housing Ltd
North Hertfordshire DC	5,780	69%	60%	40.0%	North Hertfordshire Homes Ltd
East Manchester	5,000	76%	90%	10%	Eastlands Homes
<b>TOTAL/AVERAGE</b>	<b>17,5071</b>	<b>68%</b>	<b>65%</b>	<b>36%</b>	

2002 was a bumper year with the highest number of homes transferring during the (financial) year, and a steep increase in the number of successful ballots and percentage of tenants voting to transfer.

There was a sharp drop in the

number of unsuccessful ballots compared with the previous three years, and a steady increase in the number of tenants voting yes overall.

When yes ballots are compared to 2001, the number of tenants voting yes increases to 75% — a 7% increase.

One of the lowest turnouts was in Merton, where there was only a 3% difference between the yes and no vote. This compares to an average of 40% in favour, indicating that higher turnouts out usually result in tenants voting for transfer.

## FORTHCOMING

### NETWORKING FOR TRANSFER

5 June

Central stock transfer network meeting

Contact Joanne Kelsall on 0121 643 1212 or joannek@housing.org.uk

14 July

National network meeting, Optima Community Housing association, Birmingham

Contact Ruth Vivian on 020 7843 2243 or ruthv@housing.org.uk

Network groups are open to council, transfer and existing RSL officers engaged in transfer or its aftermath.

1-2 July

Housing Care and Support Conference and Exhibition 2003, University of Warwick

Contact business support team on 0780 0107 676 or bss@housing.org.uk

14-16 July

Development, regeneration & maintenance conference: Building better futures, Coventry

Contact business support team on 0780 0107 676 or bss@housing.org.uk

7 July

New board members training, London  
Contact business support team on 0780 0107 676 or bss@housing.org.uk

21-22 July

IT conference and exhibition, Telford  
Contact business support team on 0780 0107 676 or bss@housing.org.uk

21-22 July

HR conference, Telford  
Contact business support team on 0780 0107 676 or bss@housing.org.uk

11 Sept

Workshop for company secretaries, London

Contact business support team on 0780 0107 676 or bss@housing.org.uk

24- 26 Sept

NHF National Conference, International Convention Centre, Birmingham

Contact business support team on 0780 0107 676 or bss@housing.org.uk



# Implementation of investment

**F**or most stock transfers, the implementation of its investment programme is one of the biggest challenges it faces.

Unless properly managed, it poses the greatest risk to the new transfer organisation, both in terms of failing to meet the offer document and financial implications if costs exceed business plan.

## Start early

It is imperative that planning commences as early as possible, preferably well before ballot with careful consideration given to the contents of the offer document which will set many of the ground rules for future investment.

Similarly, the criteria for investment decisions should also be established prior to any formal consultation.

A number of transfers have gone through where verbal promises made during the consultation period were not part of any stock condition survey or offer document and hence no funding was included in the business plan presenting finance directors with an unnecessary headache.

### BE THE EARLY BIRD

Some of the main processes requiring early consideration are:

- ▶ Development of the investment programme criteria and formulation of the key drivers.
- ▶ Creation of a contract regime, application of OJEC and timeframes.
- ▶ Levels of board and tenant group involvement and the implication of this on the timeframe.
- ▶ The implementation of culture change in project delivery.

Detailed planning undertaken post ballot is the key to successful implementation and the development of a streamlined process to facilitate this is paramount. With increasing emphasis on stock transfers to work in partnerships on major work programmes, the transfer organisation needs to understand the challenges that this may present.

**While partnering can be as simple or complex as the client wishes, it is not a panacea which guarantees work will be completed on time and within budget**

All new stock transfers will be going through a significant change process and the adoption of partnering is likely to be yet another change from previous council practices.

While partnering can be as simple or complex as the client wishes, it is not a panacea which guarantees all work will be completed on time and within budget.

There is often a tendency to meet Housing Corporation/ODPM requirements by partnering all work without implementing change from previous working practices and this will clearly place strain on relationships and possibly result in future disappointment.

## Best economies

Stock transfers have huge opportunities to maximise economies of scale, whether through the sheer volume of work proposed by a particular transfer or alternatively, by a number of transfers/transfer organisations in a region co-operating to increase buying power.

The biggest economies will come through efficient project management, coupled with a well thought out long-term —



PHOTO: NIGEL MINTO

The amount of work to be done or working with other RSLs can lead to great economies of scale

usually five year — investment programme.

This will enable contractors and suppliers to plan ahead, resource the project adequately and develop suitable manufacturing platforms.

## Process and panic

Similarly, it is vital that proper processes and systems are developed to record work done and associated costs.

Funders and valuers will want to know how

**The biggest economies will come through efficient project management, coupled with a well thought out long-term — usually five year — investment programme**

much needs to spent on the stock in the future as well as the impact completed programmes have on asset value and cover. The IT systems will need to cater for this and be able to produce information in the format required all by parties.

On some of the more complicated transfers, this in itself can be particularly challenging resulting in an annual panic to get all the information ready. ■

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## Transfer forum

Please address your letters to:  
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### EVENTS FEEDBACK

#### BME INVOLVEMENT

Involving black and minority ethnic communities in council stock option appraisal and transfer was the subject of a recent NHF event. This highlighted:

- ▶ identifying and focusing on issues of importance to BME communities
- ▶ strategies to build trust
- ▶ getting beyond 'established' community leaders
- ▶ sensitivity to calendar events
- ▶ developing a workforce reflecting the community
- ▶ targeting messages.

For information about this and other London region events, contact Elaine Hill, tel: 020 7843 2217, email: elaineh@housing.org.uk

#### LOOK NORTH EAST

The Northern stock transfer meeting hosted by the Sunderland Housing Group included a tour of the association's regeneration work, estate improvement and the new choice-based letting property shop.

Topics covered included:

- ▶ the excellent customer scheme
- ▶ detailed plans behind the 4,000 new homes programme
- ▶ steps taken to develop services post transfer
- ▶ aspirations behind the £200m new build programme.

For further information, see [www.sunderlandhousing.co.uk](http://www.sunderlandhousing.co.uk) ■

The views in *Transfers Today* do not necessarily reflect the views of the Editor or the National Housing Federation

### GOOD PRACTICE

# Inheriting legal proceedings

**T**he recent Court of Appeal case of *Knowsley Housing Trust v Revell* has finally settled how transfer organisations can take over legal proceedings started by a transferring local authority.

In most stock transfers, transfer organisations have tried to take over ongoing possession proceedings at the date of transfer.

The other option of abandoning ongoing cases, serving new notices of seeking possession and issuing legal proceedings can be costly and delay taking action for crucial months.

It has therefore usually been better to inherit cases by substituting the name of the transfer organisation for the name of the transferring local authority.

The technical problem with inheriting the proceedings has been because of the change of

tenants' status from being secure to assured.

Different grounds of possession apply to them after transfer and the council's NSPs served on its secure tenants are no longer in the correct form for assured tenants.

Furthermore, the court papers after transfer will also refer to the incorrect grounds in the Housing Act 1985, rather than the correct grounds in the Housing Act 1988.

#### A case of NSP

After their stock transfers, Knowsley Housing Trust (KHT) and Helena Housing took over their respective councils' possession proceedings.

Two of the defendants took issue on the basis that assured notices seeking possession had not been served, only secure NSPs. KHT and Helena Housing argued



that the court could dispense with service of the assured NSP because, at the time of service, the defendants had received a correct NSP no prejudice had been caused to the tenants in not receiving assured NSPs, which would have contained no additional information.

In deciding the case, the Court of Appeal set out a procedure to be followed by receiving RSLs so that they can take over and use the Council's pending possession proceedings.

The approved procedure is that the RSL makes one application to take over the cases, amend the court papers and say why the court should dispense with service of the assured NSP.

The tenant has an opportunity to contest the application but the court gave a strong direction that in most cases this would be inappropriate. If the tenant wants to contest whether an assured NSP should have been served then he/she should raise it early on.

This procedure set out by the Court of Appeal ensures there should usually not be any additional court hearings. The procedure should assist transfer organisations to manage rent arrears and anti-social behaviour cases from the date of transfer. ■

PHOTO: NIGEL MINTO



Poplar Harca was in a test case over whether transfer RSLs were public bodies

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# New chief of the task force

**M**oving from implementing supporting people to working with local authorities involved in transfer will be viewed by many as jumping from the frying pan into the fire.

It is a move that Hilary Bartle — the new head of the Community Housing Task Force — relishes. She sees her experience of supporting people as providing a perspective that will ensure that the needs of the elderly and a range of other groups are more clearly recognised.

Building on the CHTF's work, Hilary Bartle is keen to ensure that tenants "are at the heart of consultation and are clearly involved

from the earliest stage of the option appraisal process in developing the most appropriate option for them — as well as ensuring that the decent homes standard is met".

With the statutory obligation for councils to have option appraisals signed off by 2005, "there is an increasing emphasis that tenants have been actively and effectively consulted, and this will be an issue that the advisers are focusing on increasingly, working closely with the local authorities and regional government offices".

She says: "Consultation needs to be set in the context of ensuring that the wider needs of the community are taken into account. Council needs to think globally and produce more robust plans, with clear evidence that housing is being viewed in the round.

She adds: "There is a clear message from the CHTF and all parts of the ODPM that the sustainable decent homes target must be met.

"The real issue is how local authorities working with tenants and other members of the community will achieve the target".

Local authorities should be viewing themselves more



Hilary Bartle: the issue is how councils work with the community to achieve the decent homes target

as market managers, she says — they should not look exclusively at the ALMO, retention or stock transfer options.

From working on supporting people she is clear "that sheltered schemes have been forgotten in the past by some local authorities," she says.

"The decent homes standard provides an opportunity to make sure that the needs of sheltered residents are addressed."

She continues: "Mix and match is very often going to

be increasingly appropriate, taking into account the needs of the tenants, the community and the stock."

## Hunting extra costs

While there continues to be debate over cost effectiveness of ERCF and dowry funding to assist with costs of partial transfer and regeneration, it is clear that extra gap funding will not be openly available.

"As signposted in the PSA plus review, there will be some scope for local authorities to approach the regional housing board for funding from the single pot, but clearly a very strong case will have to be made and they will be competing with other demands on cash. In this context there can be no guarantees as this stage," she says.

"We would be expecting authorities and partner associations to explore other funding approaches before they approach the regional housing boards for extra cash." ■

Hilary Bartle is the head of the Community Housing Task Force. She was talking to Nigel Minto, head of membership and projects at the NHF

### THE BARTLE AGENDA

- ▶ Tenants are at the heart of option appraisals
- ▶ authorities are the strategic market managers
- ▶ CHTF works closely with government offices
- ▶ LAs must think globally
- ▶ Housing cannot be seen in isolation
- ▶ Explore mix and match

## POINT OF CONTACT

The National Housing Federation provides information and advice to individuals and organisations.

If you have an issue about transfer and would like to talk to someone who has also experienced it, we can usually put you in touch.

More details of Federation services are on our website: [www.housing.org.uk](http://www.housing.org.uk)

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# AFTER *the event...*

## NIGEL MINTO on an RSL that exceeded targets

**O**ne of the first transfers covered here (Transfers Today 2) was the takeover of 20,125 homes by Whitefriars Housing Group from Coventry council. This brought the promise of

### SINCE TRANSFER

- ▶ 2600 homes rewired
- ▶ 1355 with improved heating
- ▶ 1353 fascia and gutters cleaned and refitted.
- ▶ 1095 homes benefiting from environmental works
- ▶ 2515 homes benefiting from roofing works

### AIMS: NEXT 12 MONTHS

- ▶ Doubling the amount spent on adaptations for disabled tenants to over £800,000
- ▶ Introducing a rent reward schemes to improve rent collection
- ▶ Extending the recharge repairs policy
- ▶ Merging the property lettings units
- ▶ Extending the Home Choice scheme allowing tenants to bid for certain properties
- ▶ Supporting training for over 300 people

£240m investment over six years.

Back in September 2001 chief executive Howard Farrand stressed four themes:

- ▶ managing the window replacement programme
- ▶ partnership working
- ▶ leading on regeneration
- ▶ improving services.

One of the main promises made when tenants voted for transfer was that tenants would get new windows. Over 6,205 windows have now been replaced. These are fitted with double glazing, reducing heating bills, and can be locked, making tenants feel a lot safer.

New kitchens and bathrooms have been installed in 7,800 properties and a further 9,000 kitchens and bathrooms are planned over the next two years.

All improvements will be completed in five years instead of six, meaning that all of Whitefriars homes will



Works were completed ahead of schedule — in five years instead of six

meet the decent homes standard five years ahead of schedule.

As well as increasing overall tenants' satisfaction Whitefriars has set up a new out of hours emergency repairs number service. It has also set up a scheme with Lovell and Wates Construction to recruit local young people into multi-skilled construction apprenticeships. Teenagers have benefited from team building and construction skills training and have found work as a result.

Whitefriars has worked closely to form partnerships

with community groups, playgroups and a city hospice as part of its regeneration role in the community.

Working with environmental agency Groundworks, Whitefriars also redeveloped derelict garages and land into a community area including a place for sports and other activities. ■

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