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Tenant Empowerment and Local Regulation Team  
Communities and Local Government  
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BY EMAIL

29 October 2009

Dear Sirs

**Consultation response: The Housing and Regeneration Act 2008 – Registration of Local Authorities (Order 2009)**

Thank you for the opportunity to respond to this consultation, we outline below our views on each of the questions posed.

Our overall opinion is that we believe that the requirements and measurement of all providers of social housing should be as equal as possible to create a level playing field and ensure that all social housing tenants are receiving the same quality of service regardless of whom the landlord is (ALMO, Local Authority or Housing Association).

Q1: Do you consider that the Cross Domain Order would provide a framework to allow:

- The Tenant Services Authority to regulate local authority landlords in an effective and proportionate way?
- The Tenant Services Authority to regulate in a manner which ensures that it can achieve its fundamental objectives?

**Answer: No, we believe that the core elements of regulation are governance and financial viability. In these areas the TSA is not able to regulate all housing providers in the same way which compromises the cross domain regulation.**

Q2: Do you agree that all local authorities who currently retain ownership of social housing stock (regardless of management arrangements) should be subject to registration with the Tenant Services Authority? This would mean that organisations such as ALMOs who manage rather than own social housing stock would not be registered with the regulator directly.

**Answer: We believe that there should be a level playing field between all housing providers. We agree that ownership of stock should be the key factor in determining eligibility for registration.**

Q3: Do you agree that all social housing stock owned outright or acquired on a long-lease by a local authority should be subject to regulation by the TSA?

**Answer: We agree that any local authority that acquires social housing stock should be registered with the TSA.**

Q4: We propose that information burdens arising from new regulatory framework should be minimised through making best use of information already in the system (information already produced by local authorities for public reporting and internal management purposes). Do you agree that this approach will enable the TSA to gain a good understanding of performance without adding burdens to local authorities?

**Answer: We agree that existing systems should be used where possible and we are in favour of no additional regulatory burden.**

Q5: We propose that the TSA would have the same power to set standards for local authorities on matters of housing management as for housing associations. Any nationally applied performance indicators would need to be set by Government and included in the National Indicator Set when next refreshed. Do you agree that this approach would provide the TSA with the necessary powers to set standards across all providers of social housing?

**Answer: No because whilst the standards set might be the same, the powers to deal with the failing providers are not.**

Q6: Do you agree that the proposed regulatory and intervention powers will be sufficient to enable the TSA to promote high standards for tenants?

**Answer: No we do not believe this will promote high standards. We believe that it could create a situation of one rule for housing associations and one rule for Local Authorities.**

Q7: Do you agree with our proposals to pass the power to grant consent from the Secretary of State to the TSA in situations where local authorities wish to enter into a management agreement with another body to take over management of all or part of its housing stock?

**Answer: We do not agree with this proposal.**

Q8 – Q10 – nothing to add to these questions.

Please do not hesitate to contact me if you have any queries regarding our submission to this consultation.

Yours sincerely

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Head of Public Affairs