Estate Agreements
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Introduction

Some of the first estate agreements were developed in 1990 by Chris Holmes, the then Director of Housing for the London Borough of Camden. Experience of working with tenants’ associations had shown a need for consultation about housing management decisions at an estate level. Having an agreement on the standards of service that tenants could expect at estate level, was seen as promoting consultation with tenants and also strengthening the accountability of the Council.

Since 1990 a number of landlords (both local authority and registered social landlords (RSLs) i.e. Housing Associations, Trusts etc.) have introduced estate agreements into their tenant participation arrangements as a way of increasing, or at least formalising, their consultation with tenants.

Estate agreements have proved to be flexible, straightforward and relatively easy to bring into being. They have given the opportunity for a common focus to service providers of different kinds and who serve the same estate community, to work in partnership with the local people.

Given good will, genuine commitment and continuity estate agreements have worked well and have contained the basic principals of the Best Value regime in housing, referred to later in this information sheet. Estate agreements have also acted as the template for council estate neighbourhood tenant compacts. These are now appearing throughout the country, as required by the Government.

What is an Estate Agreement?

- Tenants and landlords agree to provide the best possible service to the estate within existing resources and local priorities are taken into account.

- It works like a contract and is negotiated between the tenants and homeowners on an estate and the Council or other registered social landlords.

- It is not legally binding.

- It usually lasts for one year, sometimes for up to three years.

- It is unincorporated - which means it has no legal framework or penalty.

- It monitors service delivery but does not manage it.

- It provides an agreed way for dealing with under-performance.

- A neighbourhood or local tenant participation compact could be an estate agreement.

What would an Estate Agreement look like?

Agreements can vary in their design and purpose but all will contain:

- Priorities for action.

- Standards of service for the estate and arrangements for the delivery of services.
Tenant Participation Advisory Service

- How tenants will be kept informed and consulted.
- How the tenants’ association (TA) or other community organisation fits in with consultation agreements.
- How service standards will be monitored and arrangements for tackling underperformance.
- How tenants can complain if service standards are not kept.

Agreements are usually in two parts:

1. Key priorities for the next year.
   Problems identified, with solutions agreed by the tenants.

2. Services to be provided over the next year.
   Standards to be met on service provision.

What area could an Estate Agreement cover?

Any area, from a traditional urban housing estate of hundreds or thousands of houses, to a few streets or houses based around a small number of villages.

What would the tenants’ commitment be?

Estate agreements aim to give tenants more say about the management of their estate without them needing to take on major responsibilities themselves. They would be involved in:

- Setting standards.
- Agreeing performance plans.
- Reviewing the service.

These three core activities also fit with the Best Value Framework and are similar to tenant participation compacts.

What if the landlord or service providers break the agreement?

Every household on the estate will be given a copy of the agreement. This means that everyone who lives in the community will be aware of the general standards of service they can expect to receive and any special action the landlord or other service provider will be taking to overcome particular problems.

Tenants, landlords and service providers will jointly monitor the agreement. This can take place through quarterly or annual reviews.

The agreement is voluntary and in itself is not legally binding, so there is no recourse in law for tenants to follow if service standards are not met or targets unachieved. However, some of the targets and standards included in the agreement will be set down in other contracts that are enforceable in law.

With the introduction of the Best Value regime, any breach of the agreement could be used as evidence to the Housing Inspectorate when they review local authority performance or the Regulator from the Housing Corporation in the case of registered social landlords.

These voluntary agreements have tended to work well up to now as they are based on good will and co-operation between the tenants, landlords and other service providers.
What are the advantages and disadvantages of an Estate Agreement?

**Advantages:**

- Estate agreements can include a wide range of services, like the police, cleansing and dog control etc. They can be tailored to meet the needs and priorities of tenants.
- They give tenants the opportunity for consultation and involvement in helping to shape the services they want to receive.
- They can be monitored and upgraded.
- There is scope for tenants to monitor the standards of service received, with clear procedures for complaints and feedback. This can assist the service provider to set future priorities and evaluate the service they have provided to date.
- They provide an opportunity for the service provider to become more accountable to residents.
- They are less demanding than other forms of tenant involvement in terms of the level of commitment needed.
- They can be effective on multi-landlord estates where services need to be more consistent.
- They encourage partnerships, by bringing residents and service providers together for discussions and by encouraging multi-agency co-ordination of services.
- They can be implemented quite quickly, which is important on estates with a high turnover of tenancies.
- They can be used as evidence of performance and participation under the local authority Best Value regime and with the Housing Corporation Regulator.
- They can be used with tenant participation compacts to develop a local compact.

**Disadvantages:**

- They do not tend to provide any new services for estates.
- There is no guarantee of extra resources to tackle problems on estates, even if these are highlighted in the agreement.
- Any financial crisis during the year of the agreement could damage its credibility.
- It is not a legally binding document, so could end up being an empty public relations exercise.
- Housing officers involved in the agreement may worry that the success or failure of it could rest on factors that were outside of their control.
- They may not be appropriate on council estates where locally negotiated tenants’ compacts are in existence.

How can we set up an Estate Agreement?

Here is a step by step guide to developing an Estate Agreement:

1. Ask for it. This could be a request from the TA or a proposal from the landlord for the tenants to consider.
2. The options need to be considered by the tenants. This could be in the form of
Tenant Participation Advisory Service

a presentation by the landlord’s tenant participation officer or an independent adviser.

3. A worker needs to be identified to work with the tenants, landlords and other service providers. This could be a Section 16 Agency like TPAS or an employee of the landlord’s organisation.

4. A steering group is established to negotiate the agreement. This is made up of the tenants, the landlord’s managers and workers in the area, the tenant participation officer and the worker developing the agreement.

5. The areas of service provision to be included in the agreement are identified and agreed upon after an estate walkabout by the group and housing officers.

6. The training needs of the group are identified and delivered by the development worker or training provider.

7. A survey of the estate is carried out, to find out what residents’ opinions of the identified services are and to produce a priority list.

8. Newsletters are produced for local people, informing them of what is going on.

9. An open day is arranged to enable residents to comment on the proposals.

10. A study trip is arranged to see an estate agreement in operation.

11. The content of the estate agreement is agreed with the senior management of the landlords and any other service providers.

12. The landlord’s and other service providers’ management boards approve the agreement and it is signed by them all.

13. The area managers of the landlord and other service providers oversee the implementation of the agreement.

14. Quarterly monitoring meetings are arranged. An identified worker from the service providers services these meetings.

15. An annual review takes place.

Who pays for it?

The service providers, including the landlords, usually contribute to the cost of setting up and maintaining an estate agreement.

An estate agreement could be a preferred option as a result of an application by the tenants on council housing estates for an “Options Study”. This is paid for by the Government (The Office of the Deputy Prime Minister) and accessed through a Section 16 agency like TPAS.

An Options Study allows the tenants and the landlord to look at all of the options open to them to improve co-operation in the management of the local estate community. This is a door-opening grant without the necessity of any further commitment but the work finishes with a clear action plan of next steps forward. TPAS has an information sheet on option studies. Contact us if you want a copy.

The Action Plan produced at the end of an Options Study may include an estate agreement as the way forward. The Government does not fund the work undertaken to develop the estate agreement.

Best Value Regime and Estate Agreements

The Best Value regime has been introduced by the Government and operates in both council housing departments and other social housing landlord organisations (housing associations, housing trusts etc.) regulated by the Housing Corporation.
This requires the landlord to set out indicators of service and show clearly what they are and how they have performed over the past year. They are set out under the three main headings:

- Setting standards.
- Agreeing performance plans.
- Reviewing the service.

This is so that everyone, including the tenants, can see how their service is performing year on year and in comparison with that of other landlords.

The council and other social landlords need to publish their local performance plans which will show the targets, how they are to be achieved and include any major plans for new investment or organisational change.

The landlords are subject to inspection on their performance by the Housing Inspectorate or the Housing Corporation. Tenants and landlords can present an estate agreement as evidence of co-operation, tenant participation and performance monitoring to these bodies.

The inspection process results in awards being made which will affect future funding and development by the landlord.

**Tenant Participation Compacts and Estate Agreements**

The Government requires all councils to produce tenant participation compacts at two levels:

1. Authority wide.
2. Local neighbourhood.

These agreements are very similar to estate agreements but they only apply to council housing. They can include other landlords where there is a mixed estate but are not compelled to do so.

The authority wide compact covers all council housing within the boundary of the local authority, setting out core standards, performance, consultation, etc., and forms the public face of the Best Value performance standards, referred to above.

Where an estate agreement is already in place it could well influence or become the framework of the local neighbourhood tenant participation compact, but it must fit with the agreed authority wide compact.
Further Reading

Best Value in housing - a guide for tenants and residents
Publisher: DTLR (now The Office of the Deputy Prime Minister)
Available from: Housing Support Unit, ODPM, Eland House, Bressenden Place, London, SW1E 5DU. Tel: 0207 944 3257 (written requests preferred)
Year: 2000
Price: No cost

Estate agreements a new arrangement for tenant participation
Author: Andy Steele, Peter Somerville and Graham Galvin
Publisher: University of Salford, Department of Housing, Allerton Building, Frederick Road, Salford, M6 6PU.
Year: 1995
Price: £10
No ISBN

From estate action to estate agreement: regeneration and change on the Bell Farm Estate, York
Author: Ian Cole
Publisher: The Policy Press in association with the Joseph Rowntree Foundation
Year: 1995
Note: Now out of print, a summary is available in “Findings” on www.jrf.org.uk/knowledge/findings/housing/070.asp

Good practice guide for the implementation of estate agreements and model estate agreement for social landlords and their tenants
Publisher: University of Salford
(address as above)
Year: 1995
Price: £10
No ISBN

National framework for tenant participation compacts
Publisher: DETR (now The Office of the Deputy Prime Minister)
Address as above.
Year: 1999
Price: No cost

Neighbourhood agreements in action: a case study of Foxwood, York
Author: Ian Cole, Emma McCoulough and Janet Southworth.
Publisher: Joseph Rowntree Foundation by York Publishing Services, 64 Hallifield Road, Laythorpe, York, YO31 7ZQ.
Tel: 01904 431213
Year: 2000
Price: £12.95p
ISBN: 1 902633 86 5
Note: Summary is available in “Findings” on www.jrf.org.uk/knowledge/findings/housing/070.asp

Option Studies (TPAS Information Sheet)
Publisher: TPAS Ltd., 5th Floor, Trafford House, Chester Road, Manchester M32 ORS.
Tel: 0161 868 3500
Year: 2001
Price: £2/free to tenants and members
No ISBN

The TPAS Information Service also has a number of examples of estates agreements in our library. Contact us if you want copies.

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