



Kirklees
Tenant Scrutiny

Communities Who Can Tenant Scrutiny 8– Managing Untidy Gardens

SUMMARY REPORT

For presentation to KNH Delivery Committee 16 May 2016

The eighth investigation for Kirklees Tenant Scrutiny considered the management of untidy gardens.



Terms of Reference

'To consider how untidy gardens are dealt with by KNH and other housing associations in Kirklees, including good practice, value for money and consistency.'



Kirklees

Tenant Scrutiny

Communities Who Can

Tenant Scrutiny 8– Managing Untidy Gardens

The objectives of the investigation were to consider;

- The definition of an untidy garden and what this includes (is the KNH definition clear and appropriate?);
- The new legislation as it applies to tenants, residents and leaseholders;
- The policies and procedures for dealing with untidy gardens, including re-charging and the provision of low maintenance gardens;
- How to improve consistency and practice across different areas of Kirklees as appropriate;
- Reviewing the tenants agreement as regards untidy gardens if necessary;
- When and how other services get involved in untidy gardens e.g. Anti-social behaviour teams;
- How the assisted gardens scheme and other voluntary organisation schemes operate;
- Examples of good practice elsewhere;
- External influences on untidy gardens such as fly tipping and charges for removal of garden waste.

The benefits of the investigation were agreed as follows;

For tenants

- Fewer untidy gardens and reduced negative effects on other residents.
- Fairness and consistency across Kirklees.

For Kirklees Neighbourhood Housing/ Kirklees Council

- Improved good practice across Kirklees.
- Properties that are better looking and are easier to re-let.

The Panel's investigation included;

- Interviewing officers from KNH, Kirklees Council, and CWC at their meetings to gain some knowledge of procedures and experiences in dealing with untidy gardens and examples of good practice.
- Receiving background information and ideas from an independent person interested in setting up social enterprises to deliver gardening services.
- Collating information from Kirklees residents and from other housing providers.
- Carrying out surveys of Councillors, housing officers, and residents;
- Benchmarking against examples of good practice across Kirklees housing providers and the UK.



Kirklees

Tenant Scrutiny

Communities Who Can

Tenant Scrutiny 8 – Managing Untidy Gardens

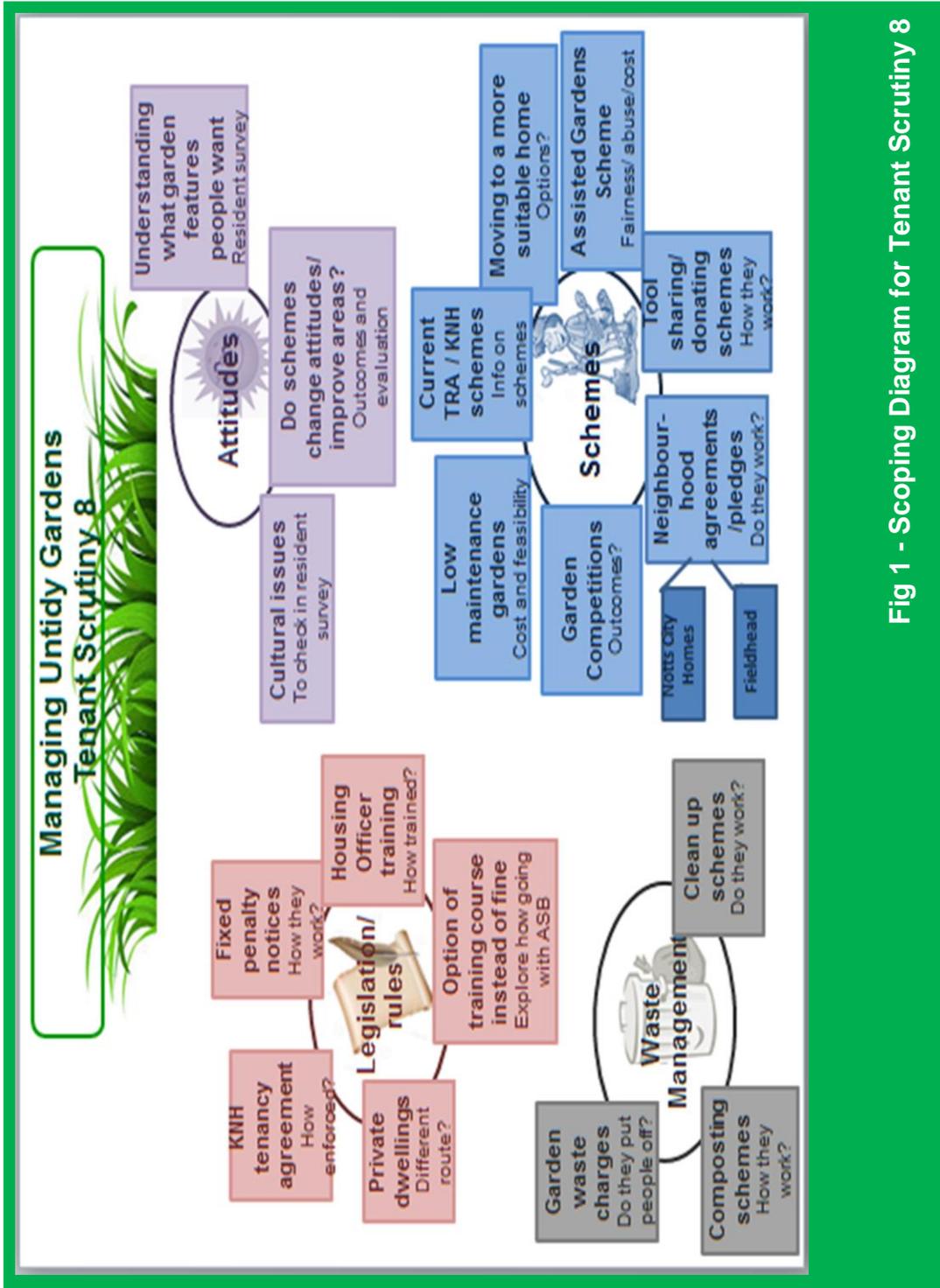


Fig 1 - Scoping Diagram for Tenant Scrutiny 8



KEY FINDINGS

The Panel has prioritised its recommendations A to I and the supporting evidence for each finding is listed;

Recommendation A:

- i. Pilot a scheme for younger people on estates to be trained in gardening skills and then be able to provide a low-cost gardening scheme for residents in their area. The introduction of the scheme would fit with the 'earning or learning' requirement to be introduced in April 2017.
- ii. If the pilot is found to be successful, consideration should be given to extending into a small business start-up scheme for people older than 24.

The Evidence:

- Examples of gardening schemes operating in other areas were considered by the Panel and members particularly liked the schemes that helped people to gain skills and employment.
- From the housing officer survey, one person commented that *'A lot of tenants I speak to about untidy gardens ask if they could pay to have it done. It may be worth considering offering this as an extra service that they pay for throughout the year to make it more affordable'*.
- Following on from the housing officer comment, the resident survey asked if they would be willing to pay a small charge e.g. £10 an hour to look after their garden. Slightly more people (53%) said that they would pay or would consider paying for gardening services than wouldn't. In Huddersfield South this figure climbed to 80% of respondents.
- KNH managers have expressed concern over the cost of invoicing for resident payable services. However the Panel felt that this could be overcome by working with a social enterprise or charitable organisation.
- Learning from the Glasgow scheme, an appropriate level of management would need to be in place to ensure the quality of work being supplied by any social enterprise.

Full report pages 29-31 and 35-36



Recommendation B:

Provide further training for housing officers in the enforcement action available to them through the Council and ensure that completion of the training is recorded.

The Evidence:

- Housing officers had received a briefing session on the new powers available to the Council's enforcement team i.e. Community Protection Notices, Fixed Penalty fines.
- In spite of this training, 62% of housing officers said that they were unsure about the new powers. A further concern was that no housing officer was confident that the new powers would bring about an improvement to the management of untidy gardens.
- Four out of the thirteen housing officers responding to the survey had never used formal action to deal with untidy gardens.
- One housing officer stated: *'I am frustrated as we never take action against our tenants who continually allow their gardens to become untidy, overgrown and full of rubbish.'*

[Full report pages 18-20](#)

Recommendation C:

Improve the clarity of conversations and materials used for new tenants to make sure that they are aware of the garden size and type. This could be achieved by;

- i. Improved information on size and type of garden on the 'Choose and Move' information; and
- ii. Amendment of the sign-up form to include this information during the 'meaningful conversation'.

The Evidence:

- It was recognised through the investigation by talking to Councillors, Housing Officers and residents that larger gardens are sometimes too much of a challenge for their occupiers.



Kirklees

Tenant Scrutiny

Communities Who Can

Tenant Scrutiny 8– Managing Untidy Gardens

- One of the Councillors responding to the email survey stated that: *‘Some people don’t want gardens so why don’t we try to allocate houses with gardens to those that do?’*
- When exploring further with officers there was a feeling that new tenants sometimes feel pressurised to sign up quickly for a property and don’t always think through whether the garden is of a suitable size.
- 23% of the residents saying that they had an untidy garden in the survey said that their gardens were too big. 92% of this category were upset by untidy gardens even though they described their own as untidy.
- Panel members concluded that more emphasis should be put on the suitability/size of gardens during the sign-up process.

[Full report pages 21-24](#)

Recommendation D:

CWC and KNH work together to develop a way of sharing good practice garden schemes across Kirklees estates and TRAs.

The Evidence:

- The Panel heard from numerous schemes across Kirklees that are helping to reduce the number of untidy gardens and to inspire people to take more pride in their area.
- Other outcomes from garden schemes were to reduce social isolation, to share and learn new skills, and to increase volunteering.
- The resident survey found that only 22% of people across Kirklees knew about gardening schemes in their area and other areas. From the people living in Batley and Spen, only 7% stated that they knew about garden schemes.
- The Panel felt that better sharing of information across Kirklees would help communities to develop their own garden schemes.

[Full report page 25-29](#)



Kirklees

Tenant Scrutiny

Communities Who Can

Tenant Scrutiny 8– Managing Untidy Gardens

Recommendation E:

Better communicate the enforcement powers available to the Council to deal with untidy gardens by;

- i. Amending the standard warning letters used by housing officers; and
- ii. Publicising in KNH external circulations and on social media.

The Evidence:

- Housing officers feel frustrated by the lack of power that they have to deal with untidy gardens.
- Housing officers send warning letters to occupiers/landlords with untidy gardens stating a date by which the garden must be cleared. However up to three letters may be sent before the housing officer will consider referring through to the enforcement team or ordering works to be carried out in default.
- Three from thirteen housing officers reported in their survey response that garden issues could take up to **40%** of their time. The panel were concerned that this was an excessive amount of time when there is often more important work for housing officers to do.
- The charges for any clearance works arranged by the housing officer will be placed on the housing account for the property (not the rent account). Only 5% of recharges are successfully claimed back from the tenant/landlord.
- Serious breaches, such as gardens that are full of rubbish, are then referred through to the Council's enforcement team who have anti-social behaviour powers to serve notices/injunctions/take criminal proceedings.
- The Panel felt that the threat of Council enforcement action earlier in the process would encourage tenants to clear their gardens more speedily and effectively.

[Full report page 15 - 20](#)



Recommendation F:

CWC and KNH work together to design a card that can be used to congratulate residents on their tidy gardens. The cards could then replace the KNH tidy garden letter and also could be used by TRA representatives and housing officers on estate inspections.

The Evidence:

- The Panel were pleased that there is a standard letter available to housing officers to congratulate tenants on maintaining their gardens well. This rewards the people who take pride in their gardens and also can make the housing officer role more fulfilling.
- However it was not certain whether these letters were used by all housing officers.
- The Panel felt that an attractively designed card would be a better option than a letter for tenants with well-maintained gardens. The tenant could then display their card should they wish to.
- The use of congratulatory cards could be extended to estate inspections, where TRA representatives could help to distribute them, improving joint working and reducing officer workloads.

[Full report page 15 & 20](#)

Recommendation G:

Improve the fairness and consistency of the assisted garden scheme such as by;

- i. Carrying out an analysis of the reasons for assisted garden scheme to be granted to more properties in the Huddersfield North area;
- ii. Improving the general communication of the scheme to all residents.

The Evidence:

- The assisted garden scheme is publicised through housing officers. There is also said to be a self-referral route on the KNH website, but Panel members could not find mention of the scheme on the website. The only reference to the scheme that they could find was on the old KFTRA website.



Kirklees

Tenant Scrutiny

Communities Who Can

Tenant Scrutiny 8– Managing Untidy Gardens

- From the housing officer survey, 7.7% of officers were not sure if they had heard about the scheme. Half of the respondents were unhappy with the assisted garden scheme and commented that it was *'open to abuse'*, *'the criteria are too weak'*, *'new tenants receive the scheme as the previous tenant moves out until a new assessment has been carried out'*.
- One Councillor commented that *'a scheme for those unable to maintain their gardens should be developed'*, obviously being unaware of the existing scheme.
- It was doubtful that the scheme was reaching all the tenants it should be when the resident survey found that 55% of people with untidy gardens reported having a disability or illness as the reason for the state of their garden.
- The Panel carried out an exercise to consider the spread of membership of the assisted garden scheme and compared this to the age and disability demographics for each area; The percentage of homes receiving the service was found to be higher in Huddersfield North than any other district (8.7% as opposed to 4.8%, 4.5%, and 4.3% in other areas) despite this area having the **lowest** number of older people and the **second lowest** number of tenants with a disability.
- Panel members found the assisted garden scheme to be unfairly awarded across Kirklees. They also were concerned that knowledge of the scheme relied on housing officers spreading the word as opposed to wide-spread publicity.
- (The Panel also had some doubts about the quality of the service, through comments received from housing officers, although they were unable to confirm these without conducting a survey of the recipients of the service.)

[Full report page 31 - 33](#)

Recommendation H:

Pilot a scheme that makes garden tools available to residents in some areas of Kirklees.

The Evidence:

- From the housing officer survey, the second most common reason given for people to have untidy gardens was a lack of gardening equipment (23% of responses).



Kirklees

Tenant Scrutiny

Communities Who Can

Tenant Scrutiny 8– Managing Untidy Gardens

- One housing officer suggested that a means- tested tool purchasing scheme could be developed and may well provide a more cost – effective way of dealing with untidy gardens than letters and fines.
- 18% of respondents with untidy gardens said that they did not have any gardening tools. The 36-50 age group were most likely to give this reason. Those stating that they did not have suitable gardening equipment lived in Dewsbury & Mirfield and Huddersfield North.
- The Panel felt that a tool purchasing/ lending/ sharing scheme was worth further exploration.

Full report page 21 -24

Recommendation I:

Test out the viability / carry out a costing exercise on the provision of low-maintenance gardens i.e. reducing the size of gardens, removing prickly bushes, providing easy to maintain surfaces. In particular savings that can be made in officer time should be assessed.

The Evidence:

- Currently, low-maintenance gardens are only provided in extreme circumstances e.g. part of the adaptations for an elderly resident. In other circumstances the provision of hard surfaces/decking/artificial grass is considered too expensive (in excess of £400 per garden). KNH considered the provision of low-maintenance gardens as unviable.
- Comments received for the housing officer survey included: *'We should be looking at producing lower maintenance gardens for those on the assisted garden scheme'* and *'Gardens can be too big for households - this is often not recognised when letting properties.'* (Two housing officers)
- One of the Councillor responses said *'Some people don't want gardens, **try to allocate houses with gardens to those that do**'.*
- The resident survey asked if people would like gardens that were easier to look after. **63.75%** said that they would definitely/maybe like a garden that is easier to look after. **73%** of respondents from Batley and Spen wanted a garden that was easier to look after. All Asian respondents said that they would like a lower maintenance garden.



- One of the comments received from a resident during the survey was: *‘My garden is far too big for me to look after. I would like to live in a modern flat.’*
- The Panel were concerned that so many residents said that they would like an easier garden to look after, whether they considered their garden to be tidy or not. Even **59%** of people describing their gardens as ‘very tidy’ said that they would like a lower maintenance garden.
- Panel members thought that the benefit from providing a low-maintenance garden could far outweigh the cost of the time and paperwork involved in dealing with untidy gardens that residents are unable to/ do not wish to maintain.

[Full report page 33 - 35](#)

The full report includes further detail of each recommendation and the related evidence, incorporating ‘Panel Views’ sections for ease of reading.

The Panel also made the following suggestions for KNH to consider and bear in mind for their future plans. These are items that the Panel felt are desirable but have less obvious benefits for reducing the incidence of untidy gardens;

Other suggestions		Page No.
1.	Consider using a resident survey as part of the process to provide ongoing intelligence and track improvements in garden tidiness.	13
2.	Consider encouraging people to attend good citizen training before their garden is referred through to the enforcement team. (Perhaps this would be offered in areas with a high number of problems).	20
3.	Investment team to notify tenants of the likely time scales for their fences to be erected/ fixed where they are on the batched work list.	24
4.	Consider introducing a Tenant Reward Scheme where residents receive an incentive for being ‘good tenants’, including keeping their gardens tidy.	30

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