

CABINET

10 NOVEMBER 2023

REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PLANNING

A.7 CONSIDERATION AND ADOPTION OF HOUSING POLICES ON REPAIRS, DAMP AND MOULD, AND FIRE SAFETY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider the following draft policies prepared in relation to the maintenance and operation of the Council's retained housing stock:

- Repairs Policy
- Damp and Mould Policy
- Fire Safety Policy

EXECUTIVE SUMMARY

The Government has introduced regulation of the housing sector, the full effect of this will commence on 01 April 2024. Together with Tenants' Charter and potential revised Decent Homes Standards, fire safety requirements and disrepair claim proliferation the service faces major increased demands,

The provision of housing services is essentially self-funding with separate accounting processes to the Council's other, General Fund, functions. The increasing demands are likely to place significant additional pressures on finances and other resources.

Although the adoption of these policies is not of itself mandatory, there are legal and regulatory standards for performance, which these policies aspire to facilitate compliance with.

Repairs Policy establishes performance targets, and establishes a framework around compliance matters, information and property standards.

Damp and Mould policy sets out more detailed arrangements for dealing with damp and mould issues in the housing stock.

Fire Safety Policy identifies appropriate locations for evacuation and stay put policies, assessment of risk and provision of information.

RECOMMENDATION(S)

That Cabinet, having considered the draft policies appended to this report, formally adopt the policies and authorises their direct and immediate implementation.

REASON(S) FOR THE RECOMMENDATION(S)

In order to set in place clear policies to inform future maintenance and management activities and to set in place a clear policy framework to prepare for regulation.

ALTERNATIVE OPTIONS CONSIDERED

- Not setting in place policies in these areas – not proposed.

PART 2 – IMPLICATIONS OF THE DECISION**DELIVERING PRIORITIES**

The delivery of safe, efficient housing maintenance and management is in accordance with a number of Corporate Plan priorities:

- Building and managing our own homes
- 24 hour a day digital services – My Tendring
- Use assets to support priorities
- Health and wellbeing – for effective services and improved public health
- Carbon Neutral by 2030

The emergent Corporate Plan priorities:

- Pride in our area and services to residents
- Raising aspirations and creating opportunities
- Championing our local environment

OUTCOME OF CONSULTATION AND ENGAGEMENT

The Council's Tenants' Panel exists to engage with tenants. The panel members have been keen to understand factors around a number of specific repair issues and have expressed a general desire for service evolution. Officers propose to review the Resident Involvement strategy in line with emerging regulatory expectations.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	No	If Yes, indicate which by which criteria it is a Key Decision	<input type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to	

		the meeting date)	
<p>The principal legislative power to carry out our Housing functions is given by the Housing Act 1985 as varied by subsequent legislation. Significantly, events in Kensington and Chelsea and Rochdale Councils have generated and augmented a desire for sector regulation leading to the Social Housing (Regulation) Act 2023.</p> <p>Although none of the legislation mandates the introduction of the policies that are the topic of this report, the 2023 Act initiates the official regulation of the sector.</p>			
X	<p>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</p>		
<p>No additional comments to those set out in the report.</p>			
<p>FINANCE AND OTHER RESOURCE IMPLICATIONS</p>			
<p>There are no direct financial implications associated with the adoption of these policies.</p> <p>The wider effects of regulation, Tenants' Charter and potential changes to Decent Homes Standard as well as Minimum Energy Efficiency Standards have yet to be fully understood. Initial funding has been agreed separately to facilitate stock condition monitoring and enhanced estates functions. Further additional costs will be managed through the 30 year business plan.</p> <p>The increased regulation and service expectations will place additional financial stress that has not been matched by income growth. It is likely that significant short term prioritisation will be necessary.</p>			
X	<p>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</p>		
<p>No additional comments to those set out in the report.</p>			
<p>USE OF RESOURCES AND VALUE FOR MONEY</p>			
<p>The following are submitted in respect of the indicated use of resources and value for money indicators:</p>			
<p>A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;</p>		<p>The Council has an adopted Financial Strategy.</p>	
<p>B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,</p>		<p>The Council has a mature constitutional structure and framework of policy for decision-making. It is intended that the appended policies will augment that framework.</p>	
<p>C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and</p>		<p>The Council has an adopted Financial Strategy.</p>	

performance to improve the way it manages and delivers its services.	
MILESTONES AND DELIVERY	
If Cabinet is minded to adopt the policies they will come into immediate effect, subject to any call-in. Work to implement physical improvements and maintenance will be ongoing throughout the business plan period. The review of the procedures will be carried out periodically as indicated in each of them.	
ASSOCIATED RISKS AND MITIGATION	
<p>The policies are intended to set a compliant standard for maintenance and management of the stock.</p> <p>Failure to maintain and manage the stock appropriately has potential regulatory and other legal consequences. It is also essential to the health and wellbeing of our residents.</p> <p>The adoption and implementation of the policies is aimed at minimising the risks of harm and non-compliance.</p> <p>The increasing standards for maintenance and management are likely to impose increasing costs within the Housing Revenue Account, which will be managed within the 30 year business plan.</p>	
EQUALITY IMPLICATIONS	
The appropriate maintenance and management of the housing stock is an important progressive factor in enhancing equality.	
SOCIAL VALUE CONSIDERATIONS	
The appropriate maintenance and management of the housing stock is an important progressive factor in enhancing the social wellbeing of the Council's tenants.	
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030	
The appropriate maintenance and management of the housing stock is a contributory factor in reducing energy use. Other measures linked to stock condition and other ongoing work are key contributing factors and will be evaluated within the 30 year business plan.	
OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS	
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.	
Crime and Disorder	The appropriate maintenance and management of the housing stock is an important progressive factor in addressing the causes of crime and disorder.
Health Inequalities	The appropriate maintenance and management of the housing stock is an important progressive factor in terms of health equalities.

Area or Ward affected	All
PART 3 – SUPPORTING INFORMATION	
BACKGROUND	
<p>The Council has retained its housing stock and, although reduced by right to buy sales, still owns and manages 3,052 dwellings in addition to significant numbers of leasehold flats, garages and community property. The Council has historically enjoyed high tenant satisfaction levels and strong compliance with decent homes standard.</p> <p>High profile events in have highlighted aspects of social housing repair ad management. The Government has introduced regulation of the housing sector, the full effect of this will commence on 01 April 2024.</p> <p>Although the adoption of these policies is not of itself mandatory there are legal and regulatory standards for performance which these policies aspire to facilitate compliance with. The proposed policies appended are intended to augment the Council's policy framework. In addition to the appended and below policies a Housing Asset Management Plan is proposed.</p> <p>Existing policies will also be reviewed:</p> <ul style="list-style-type: none"> • Jaywick Sands Local Lettings Sale Policy 2021 • Homeless Reduction Rough Sleeping Strategy 2020-24 • Housing Strategy 2020-2025 • HMO Policy 2021 • Summary of Housing Allocations Policy • Housing Allocations Policy • Private Sector Housing Enforcement Policy • Civil Penalties Policy 2018 • Empty Homes Strategy 2016-2019 • Housing Anti Social Behaviour Strategy 2016-2021 • Recharge Policy • Decant Policy 2021 • Alterations and Improvements Policy • Resident Involvement Strategy 	
CURRENT POSTION	
<p>Proposed new policies are attached:</p> <p>The Repairs Policy is intended:</p> <ul style="list-style-type: none"> • To ensure that we provide homes that are safe and in a good state of repair for our tenants and leaseholders • To ensure that, when tenants or leaseholders report a repair or receive a repairs and maintenance service from us, they are treated in a consistent manner and with empathy and respect • To provide clear information about the services provided and the responsibilities of the Council, its tenants and leaseholders • To provide an efficient, prompt and cost-effective repairs and maintenance service 	

- To comply with the statutory requirements, legislation and good practice relating to repairs and maintenance.
- To improve customer understanding and satisfaction with the repairs and maintenance service provided

The Damp and Mould Policy is intended to:

- To ensure that we provide and maintain dry, warm and healthy homes for our tenants and leaseholders
- To ensure that we take a zero tolerance approach to damp and mould
- To ensure that we undertake effective investigations and implement all reasonable remedial repair solutions and improvements to eradicate damp and mould, including managing and controlling condensation
- To ensure that, when tenants report damp and mould in their property, they are treated in a consistent manner and with empathy and respect.
- To comply with the statutory requirements, legislation and good practice relating to damp and mould issues.
- To work in partnership with contractors, tenants, and leaseholders to ensure that safe and healthy properties are maintained in relation to damp and mould matters.
- To ensure that tenants have access to and are provided with advice and guidance on managing and controlling damp, mould and condensation.
- To ensure that the fabric of our properties is protected from deterioration and damage resulting from damp, mould and condensation.

The Fire Safety Policy is intended to:

- Provide a Policy Statement
- Define responsibility for fire safety
- Identify properties where fire alarm systems and evacuation procedures are in place
- Identify requirement for Fire Risk Assessments
- Set out principal procedures with regard to
 - General Fire Risks
 - Fire Fighting Equipment and Fire Systems
 - Fire Signage
 - Escape Routes.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None.

APPENDICES

Appendix A – Housing Repairs Policy
Appendix B – Damp and Mould Policy
Appendix C – Fire Safety Policy

REPORT CONTACT OFFICER(S)	
Name	Andy White
Job Title	Assistant Director (Buildings & Public Realm)
Email/Telephone	01255 686933 awhite@tendringdc.gov.uk