

# CABINET

21 FEBRUARY 2025

## REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PLANNING

### A.5 CONSIDERATION AND ADOPTION OF THE HOUSING ASSET MANAGEMENT PLAN AND THE ASBESTOS MANAGEMENT POLICY (HOUSING STOCK)

#### 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:

- Housing Asset Management Plan
- Asbestos Management Policy (Housing Stock)

##### **EXECUTIVE SUMMARY**

In response to the Regulator for Social Housing having its powers enhanced under the Social Housing (Regulation) Act 2023, new Consumer Standards and Tenant Satisfaction Measures have been introduced and which took effect on 1 April 2024.

The adoption of this Plan and Policy will therefore assist with the compliance of the legal and regulatory standards for performance.

The Housing Asset Management Plan has been developed to provide a framework to enable the safe, efficient, and effective management of our Council owned homes and related buildings and facilities.

To assist the Council to better understand our housing stock, the Development and Building Team have access to various software. Lifespan (asset management) and Oneserve are housing specific data management platforms that hold all of the Council's compliance and stock data including the issuing of and monitoring of work flows. The use of Safety Culture (iAuditor), as an inspection tool, enables the creation of templates to assist with the recording of the relevant information required when all types of site inspections are undertaken. This captured information also feeds into responsive and planned maintenance works including the management of disrepair complaints.

This plan also strongly supports one of the six themes contained in the Council's Corporate Plan and Vision 2024-2028: Pride in our Area and Services to Residents, with a continuing commitment to providing decent Council housing that everyone deserves.

The Asbestos Management Policy sets out the actions taken within the housing stock to manage Asbestos Containing Materials (ACMs) in accordance with The Control of Asbestos Regulations 2012 (CAR), and best practice guidance.

## RECOMMENDATION(S)

It is recommended that Cabinet:

- (a) adopts the Housing Asset Management Plan and the Asbestos Management Policy for its housing stock and authorises their direct and immediate implementation, subject to call in; and
- (b) authorises the Corporate Director (Operations and Delivery) to make future updates or amendments to the Policies in consultation with the Portfolio Holder responsible for Housing.

## REASON(S) FOR THE RECOMMENDATION(S)

In order to set in place clear plans and policies to inform future maintenance and management activities and such policy framework to evidence compliance with regulatory standards.

## ALTERNATIVE OPTIONS CONSIDERED

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

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

These policies contribute to a number of themes within the Corporate Plan 2024-28:

#### **Pride in our area and services to residents**

*“We want to put residents’ first, by promoting clean and tidy communities, providing decent housing that everyone deserves...We also want to promote pride in our communities by encouraging everyone to take responsibility for keeping their area a pleasant place in which to live and work.”*

These policies are promoting and embedding the management of our Council owned housing stock and achieving high standards.

#### **Raising aspirations and creating opportunities**

*“Tending is ambitious and our residents will be supported to reach their potential and realise their opportunities...”*

Quality housing is considered to be one of the determinants of health and success. These policies are aimed at enhancing homes and embedding quality standards in the stock that the Council controls.

#### **Championing our local environment**

*“We believe our environment is special, it is the space where we live and work, and therefore deserves protection. We will be tough on those who do not respect our environment. We want to create and maintain spaces for leisure, wellbeing and healthy lifestyles, and deliver access to open spaces and community resources.”*

These policies are promoting and embedding the management of our homes and achieving high standards.

### **Working with partners to improve quality of life**

*“We want to promote safer, healthier, well connected and inclusive communities...”*

Quality housing is considered to be one of the determinants of health and success. These policies are aimed at enhancing homes and embedding quality standards in the stock that the Council controls.

### **Financial Sustainability and openness**

*“To continue to deliver effective services and get things done we must look after the public purse; that means carefully planning what we do, managing capacity, and prioritising what we focus our time, money and assets on...”*

These policies are aimed at dealing effectively with our housing stock, with financial openness with our tenants and leaseholders. They also aim to embed practices in line with the new consumer standards as outlined in the social housing regulatory framework.

**OUTCOME OF CONSULTATION AND ENGAGEMENT** (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

Consultation and engagement has been undertaken with members of the Council’s Tenants Panel who will also be involved in the ongoing monitoring of all housing related policies. However, at the time of preparing this report, no comments have been received. With regards to the Asbestos Management Policy, consultation also took place with the Corporate Health and Safety Adviser.

### **LEGAL REQUIREMENTS (including legislation & constitutional powers)**

<b>Is the recommendation a Key Decision (see the criteria stated here)</b>	<b>YES</b>	<b>If Yes, indicate which by which criteria it is a Key Decision</b>	<b>X Significant effect on two or more wards</b> <input type="checkbox"/> <b>Involves £100,000 expenditure/income</b> <input type="checkbox"/> <b>Is otherwise significant for the service budget</b>
		<b>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)</b>	18 December 2024 21 January 2025

There are legislative and regulatory requirements that set the standards that social housing must be maintained to:

The Social Housing Regulation Act 2023 builds upon the existing regulatory framework for housing and introducing revised standards and tenant satisfaction measures which came into force on 1 April 2024. These standards contain specific expectations registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve.

Landlord and Tenant Act 1985: Section 11 of this legislation imposes an obligation on landlords

to carry out basic repairs, covering the structure and exterior of the property and installations for the supply of water, gas and electricity and for sanitation and space heating and heating water. There is also an implied covenant to maintain the property in good order.

The Housing, Health and Safety Rating System (HHSRS) was introduced in 2006 to provide an assessment tool for the 'Minimum Standard for Housing' (Criterion A of the Decent Homes Standard). It is a risk assessment tool designed to identify the risk to occupants in domestic properties.

Announced in 2000, updated in 2006 with a further update pending, the Decent Homes Standard sets expectations for registered providers of social housing to provide tenants with quality accommodation and a cost-effective repairs and maintenance service. According to the standard, for a home to be considered 'decent' it must:

- Meet the current statutory minimum standard for housing
- Be in a reasonable state of repair
- Have reasonably modern facilities and services
- Provide a degree of thermal comfort
- Homes (Fitness for Human Habitation) Act 2018

This amended the Landlord and Tenant Act 1985 with the aim of ensuring that all rented accommodation is fit for human habitation. Whilst it did not create new obligations for landlords, it required them to ensure that their properties, including any common parts of the building are fit for human habitation at the beginning of and throughout the tenancy. Where a landlord fails to do this the tenant has the right to take action in the courts for breach of contract.

The Council operates within the statutory requirements of the 'Right to Repair Scheme', implemented in accordance with Section 96 of the Housing Act 1985 (as amended). This covers certain small, urgent or routine repairs costing up to £250, which are likely to jeopardise the health or safety of the tenant.

There are also specific regulations that relate to certain repair and maintenance aspects and these include (but are not limited to):

- Gas Safety (Installation and Use) Regulations 2018
- British Standard 7671 (Electrical Installations)
- Control of Asbestos Regulations 2012
- Regulatory Reform (Fire Safety) Order 2005
- Water Supply (Water Fittings) Regulations 2018

Defective Premises Act 1972; Section 4 of this Act places a duty on landlords to take reasonable care to ensure that anyone who might be expected to be affected by defects in a property is reasonably safe from injury or damage to their property resulting from defects.  
Right to Repair regulations.

<input type="checkbox"/>	<b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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**FINANCE AND OTHER RESOURCE IMPLICATIONS**

The provision of housing services is mainly self-funding with other separate processes for the General Fund functions. However, the wider effects of regulation, Tenants' Charter and potential changes to Decent Homes Standard as well as Minimum Energy Efficiency Standards are still to be fully understood. Initial funding has been agreed separately to facilitate stock condition monitoring and enhanced estates functions. Further additional costs are inevitable as the demands on the service increase. These will be managed through the 30-year business plan. To this end, an additional £300,000 has been added to the Responsive Repairs Budget following the Quarterly 3 Review for 2024/25. Going forward, a 20% increase in future revenue funding has been included for repairs and maintenance in the 30-year Business Plan.

<b>YES</b>	<b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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Asbestos Management Policy (Housing Stock):  
There are no comments over and above those set out elsewhere in this report.

Housing Asset Management Plan:  
There are no significant comments over and above those set out elsewhere in this report. The actions and activities set out within the Plan will undoubtedly play a role in actively managing a number of key issues that will support the on-going financial sustainability of the HRA in future years.

**USE OF RESOURCES AND VALUE FOR MONEY**

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The Council has an adopted Financial Strategy.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	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.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Council has an adopted Financial Strategy.

**MILESTONES AND DELIVERY**

If Cabinet is minded to adopt these 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**

These Policies are intended to contribute to a compliant standard for maintenance and

management of the stock.

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.

The adoption and implementation of the policies is aimed at minimising the risks of harm and non-compliance.

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.

#### **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 through creating healthier and more resilient communities.

#### **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.

Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)

The Council will follow subsidy control legislation and regulations, where applicable in relation to the content and implementation of these policies.

##### **Area or Ward affected**

All

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

The Council has retained its housing stock, owning and managing over 3,000 dwellings in addition to significant numbers of leasehold flats, garages and community property. The Council has historically attained high tenant satisfaction levels with strong compliance with

decent homes standard.

In response to high profile events which have highlighted aspects of social housing repair and management, The Social Housing (Regulation) Act 2023 was enacted on 1 April 2024. The Act allows the Regulator of Social Housing to take action against social landlords holding such landlords to account with regular inspections. Through the introduction of the new social housing Consumer Standards, the Secretary of State has power to require social landlords to investigate and rectify serious health hazards. These Consumer Standards contain specific expectations registered providers of social housing must comply with and detail the outcomes providers are expected to achieve. Therefore as a social housing landlord, it is important that Tendring District Council is fully equipped to meet the increased demands and the need to establish a proactive consumer regulation regime with active oversight on our performance.

Although the adoption of these policies is not of itself mandatory, there are legal and regulatory standards for performance which these policies aspire to formalise compliance with. The proposed policies appended are therefore intended to augment the Council's policy framework.

#### **PREVIOUS RELEVANT DECISIONS**

The following Policies have been approved by Cabinet:

- Damp and Mould (November 2023)
- Repairs and Maintenance (November 2023)
- Fire Safety (November 2023)
- Gas Safety Policy (December 2024)
- Electrical Safety Policy (December 2024)
- Fencing and Paving Policy (December 2024)
- Empty Council Homes Management Policy (December 2024)

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None

#### **APPENDICES**

**Appendix A – Housing Asset Management Plan**

**Appendix B – Asbestos Management Policy (Housing Stock)**

#### **REPORT CONTACT OFFICER(S)**

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