

# LANDLORD SERVICES ADVISORY BOARD

23 February 2023

## NOTES

Present:

Cllr Paul Rivers (Chair)

Cllr Jacquie Keen

Cllr John Robini

Chris Austin, Lucas Field Residents Group

Danielle Sleightholme, Waverley Tenants

Panel (Co-Optee)

Officers in attendance:

Annie Righton, Andrew Smith, Annalisa Howson, Jeanette Englefield, Fiona

Cameron, Amy Walton, David Brown, Drew Roberts and Leila Manzoor

### 1 Apologies for absence

Apologies were received from Councillor Michaela Wicks, Robert Stratford from the Tenants Panel and Vice Chair Terry Daubney.

### 2 Notes of the previous meeting

The Chair informed the Board that the notes of the meeting held on the 26<sup>th</sup> of January 2023 were found to be inaccurate and these would be amended and circulated outside of the meeting.

Annalisa Howson (Housing Service Improvement Manager) went on to discuss the Matters Arising paper that had been circulated to Members by email prior to the meeting. This is a supplementary paper that responds to a number of issues raised in the previous meeting including careline costs, solar panels and senior living scheme additional information.

Councillor Keen enquired about the careline costs. Annalisa Howson informed her that the careline charge start from £19.70 per month but this due to increase with 2023/24 Budget in April 2023.

The Chair notified the Board that the 4% rent increase was passed through Council on the 21<sup>st</sup> of February 2023. He requested for the speech made by the Portfolio Holder for Finance, Mark Merryweather to be attached to the notes of this meeting.

Attached below is the speech made by the Portfolio for Housing, Mark Merryweather at the Full Council meeting held on the 21<sup>st</sup> of February 2023 RE: HRA Business Plan - Revenue Budget and Capital Programme 2023/24:

“The HRA is self-financing which means that it is our Council house tenants alone who most directly experience the financial costs and benefits of the decisions that we take. We work to a long-range business plan that extends out by a rolling 30-year horizon but this year’s review cycle has been extraordinary on at least 4 counts:

- First, the impacts of Covid have been transitioning into impacts of the cost-of-living / inflation crunch which is affecting not only our tenants but also our own ability to provide our Landlord services;
- Second, the government has provided us with a limited opportunity to increase rents by up to 7% ostensibly to mitigate for the cost inflation we experience.
- Third, the pressing need to plan for the improvement of our housing stock to meet our energy performance and efficiency goals which are at least in line with those that are being set nationally by central government, and
- Fourth, we have started to plan for the repayment of the 2012 mortgage by 2040/41 which will release a very significant net permanent improvement in the annual HRA operating account.

So it was in December 2022 that we agreed to change the mortgage debt strategy so as to rephase our net debt principal repayments to free up rent income now to fund housing maintenance and the energy efficiency programme.

Excluding both activity growth and cost savings, we expect that inflation will increase our costs by around £1.4m in 2023/24 – including legacy impacts from 2022/23 - but that, after allowing for compensating interest and receipts, the net impact will be contained to about £1.0m. This approximates to the 4% rent increase that is proposed in the recommendation which is also consistent, we believe, with the good intentions behind the Government’s rent cap which is “to protect tenants from the rising cost of living”.

We are well aware that not using this window to increase rents further could be perceived as a missed opportunity, as an increase above 4% could for example have a positive impact by reducing the business plan’s borrowing requirement. Every additional 1% in rent above 4% equates to about £300k which, compounded over the 30 year business plan horizon could generate £14.8m of additional income, and could reduce the capital borrowing requirement by £4.9m. It should go without saying that these longer term benefits do seem to be contrary at least in spirit to the more immediate need to “support the most vulnerable households in the face of cost-of-living pressures”.

Having said that, there are still other factors to consider also, including that:

- Even if we don’t ask our tenants to finance an accelerated reduction of debt now, their rents will still have to service it in due course;
- This is a volatile and uncertain time, and there can be no assurance that inflation will fall as seems to be generally assumed at least for now, nor how the rent cap will evolve;
- It does seem unfair, if not regressive, that the rents we charge our tenants could be raised by a rate that is much higher than the percentage we can raise Council Tax on all of the homes in the Borough up to and including band H, and
- Interestingly the government’s own rent formula has increased at CPI+1% for 2023/24 but does not take into account the rent increase cap. This does risk some disparity between our current tenants and new ones as their rent falls below the formula.

With so many often competing factors, the rent increase to be recommended has been subject to a deal of discussion within the administration and at the LSAB, in O&S and privately among members. The range of increase most focussed on has been between our original legacy default - 3%, and 5%. This proposal, at 4%, is believed to be, on balance, fair and reasonable considering all of the factors, but we will still be listening to any contributions that may follow next before the vote.”

### **3 Declarations of interest**

No Declarations of Interest were received.

### **4 Questions from Members of the Public**

None received.

### **5 Questions from Members**

None received.

### **6 Progress report on approach to Damp and Mould**

Matt Alexander (Interrim Housing Operations Manager) provided some background as well as an update on the progress of the Damp and Mould Working Group. He explained that the Working Group consisted of operational and asset stakeholders and sought to review the ways damp and mould were dealt with by Waverley Council. The Group was developed in response to the Housing Ombudsman Spotlight report in October 2021 and an increase in cases and inspections of damp and mould in 2021-22.

The Damp and Mould Working Group identified a number of key issues in their review, including; data, communications, resources, process and wider issues.

Matt Alexander (Interrim Housing Operations Manager) informed the Board that a number of measures have been adopted to deal with the issues raised. These include:

- i. The appointment of a dedicated officer to validate historic cases that had been found
- ii. The Council will be running a live damp and mould register for tenants who have been visited by an inspector and deemed as mid to high risk. This would use a HH SRS rating system and follow up visits would be put in place at 6 and 12 months by inspectors
- iii. Upcoming stock and condition surveys would be starting from April-May which would allow officers to track stock and equipment installed
- iv. There would be more accessible information about damp and mould on the website and the tenants magazine
- v. Technical teams would be upskilled through training as well as training for non-technical officers such as housing officers and customer services.
- vi. Working with customer service to identify and triage calls relating to damp and mould.
- vii. The damp and mould register will be managed by a dedicated officer. Properties will only come off the register when damp and mould has been fully eradicated with follow up visits.

Matt Alexander (Interrim Housing Operations Manager) referenced a further announcement from the Government regarding Awaab's Law, an addition to the upcoming Social Housing (Regulation Bill) that will pose strict time limits on housing associations and landlords to both investigate and fix damp and mould related problems.

Councillor Keen stated that officers must consider whether the fabric of certain buildings can be the cause of mould; she suggested this may be deeper than

surface level. The Chair thanks Councillor Keen for her comments and these have been noted by officers. The Chair asked officers what the first port of call should be for tenants who notice a sign of potential damp or mould after several days of rainfall. Matt Alexander stated that customer services are to be notified immediately for any such signs. Advice would then be provided. He stated that there is a booklet that had been produced to guide officers on levels of threat.

Councillor Robini queried whether the Council had the resources to deal with this economically and in terms of manpower. Andrew Smith (Executive Head of Housing) responded by informing the Board that officers are being deployed effectively and this is an ongoing process of reviewing staffing and filling gaps.

Andrew Smith (Executive Head of Housing) discussed the Supplementary paper that had been circulated regarding damp and mould in wider housing context. He noted that 2 of the 3 largest social housing associations in Waverley (Clarion and Southern Housing Group) had recent findings of severe maladministration made against them by the Housing Ombudsman Service for varying problems related to cold, damp, mould and leaks. He informed the Board that both associations had been in contact with Waverley Borough Council. He also discussed the ways that the Council's private sector housing teams were taking action, as detailed in the report.

Councillor Robini questioned what the procedure is to report damp and mould on behalf of housing association tenants and how this will be followed up. Andrew Smith noted that tenants must be urged to take this up through the complaints process with their landlord. He stated that Members have considerable clout, and the Member can be put in touch with Senior officers within the housing association to assist the process. If the issue remains unresolved then a private sector housing environment health officer could be sent.

Dennis Bramble (Tenant's Panel) raised a point about guttering being a potential cause for damp and mould. He enquired about the Council's position for inspecting gutters in social housing. In response, Matt Alexander stated that the stock condition surveys will identify which properties would need a yearly, twice yearly or quarterly cyclical programme to monitor guttering. He informed the Board that there is currently a cyclical programme in place for senior living tenants.

Danielle Sleighton (Tenant's Panel Co-Optee) suggested that more informed literature should be available for tenants to know what to look out for and the scientific reasons behind taking precautions to prevent damp and mould. She also suggested that the online report form for residents with damp and mould should include the option to add pictures. Lastly, she raised the point about Ockford Park estate new build homes having damp and mould. She commented that there may be a design flaw in the new builds which needs to be addressed. All comments were taken on board by officers.

## **7 Senior Living December 2022 Consultation Findings**

Amy Walton (Housing Graduate Management Trainee) and David Brown (Senior Living & Careline Costs Manager) presented the Senior Living Consultation Findings (December 2022).

Councillor Keen queried the Wi-Fi upgrade referenced on page 25, item.11. David Brown explained that they will not be progressing with the proposed Wi-Fi upgrade. It was to be rolled out to all tenants in the senior living scheme, however there were a number of complexities with tenants having existing contracts in place. A letter had been sent out by officers to explain that Wi-Fi will continue to be provided in communal areas but tenants are responsible for their own Wi-Fi in respective homes.

## **8 Summary of Regulator of Social Housing Tenant / Member Briefing**

Annalisa Howson (Housing Service Improvement Manager) provided a summary of the presentation made by the Regulator for Social Housing by Kate Dodsworth (Director of Consumer Regulation). She explained that following the Grenfell tragedy of 2010, the Charter for social housing residents has now been reflected in the Social Housing (Regulation) Bill, which is due to be implemented in Spring. The Bill will place more responsibilities and time frames on dealing with damp and mould. There will be an increase in consumer standards, focusing more on safety, transparency and energy efficiency. Previously there was a high threshold for the regulator to get involved with social landlords, this Bill will give them more enforcement power by removing the serious detriment test. The Housing Ombudsman Service will work closely with the Regulator going forward. There will be an implementation plan with 6 key schemes; there will be consultations in the coming months after the Bill is passed to ensure these are met. Annalisa Howson went on to discuss the new tests for consumer regulation and framework success and the aims that the Council must achieve.

Chris Austin (Tenant's Panel) enquired about whether the tenant can have direct contact with the Regulator. Annalisa Howson urged that issues and complaints must first be brought to the Council as the landlord and then to the Ombudsman as the next port of call if unsatisfactory response. In extreme and unresolved cases the tenant can contact the Regulator directly, details of this would be found on the website.

The Chair enquired about the difference between the Ombudsman and the Regulator for Social Housing. Annalisa Howson responded and informed the Board that the Ombudsman deals with individual complaints whereas the Regulator for Social Housing deals with more systemic and organisational failures.

## **9 Decision to award Fire Remediation and Door Replacement Programme contract**

The Chair noted that as the Co-Portfolio for Housing he would formally be making the decision on whether to endorse the signing of the Fire Remediation and Fire Door Installation contract with Ian Williams Limited after this meeting. He advised that the Board discuss the Contract here prior to him making the final decision in the following meeting.

Drew Roberts (Fire safety compliance officer) provided some background on the Contract with Ian Williams. The contract covers installation, maintenance and repairs, which would fill a gap in the market as the current contractors do not cover fire door repairs.

Drew Roberts provided clarification on the meaning of JCT, upon the Chair's request. He stated that JCT refers to 'Joint Contracts Tribunal', an organisation which produces skeleton contracts for the Council to customise and add their own terms to. The Chair further enquired whether tenants can add spy holes to these fire doors. In response, Drew Roberts explained that any structural changes to the door would interfere with its integrity and would have to be replaced.

Councillor Keen raised concerns about whether Ian Williams had the workforce capacity available to deal with this. Drew Roberts responded and stated that the contractor confirmed that they had capacity and resources to cover the workload. This work is a distinctly separate contract to the responsive repairs and voids contract.

In response to Dennis Bramble's query, Drew Roberts explained that the full tender process with 3 bidders and Waverley's usual procurement exercises had been carried out. Dennis Bramble stated that his previous Council in Kent would always go for the lowest priced tender which did not always stand up on quality. He further queried how the quality of certain contractors is assessed. Drew Roberts stated that Ian Williams were not the cheapest contract and they were chosen based on quality. Quality of the tender is assessed by asking for confirmation of workforce capacity, credentials and training in place as well as the availability of tenant liaisons to work with tenants to deal with issues and complaints.

## **10 Review Work programme**

Annalisa Howson explained that the following items will be brought to the next meeting:

- Update on the Tenant Satisfaction Measures Project
- Presentation from the Responsive Repairs and Voids Contractor
- Q3 Performance Report and Service Plans
- Hugh Wagstaff update on the Housing Asset Management Strategy

Annalisa Howson notified the Board that the meeting in April will not be able to take place due to it falling a week prior to the election. As a result the agenda items have been moved to the meetings to be held in March and May.

## **11 Executive Head of Housing Services Update**

Andrew Smith updated the Board on the latest staffing changes and thanks Board Members for their continued efforts and participation.