

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Housing Review Board held at Online via the zoom app on 16 September 2021**

#### **Attendance list at end of document**

The meeting started at 10.00 am and ended at 1.00 pm

#### **1 Public speaking**

There were no matters raised by the public.

#### **2 Appointment of Vice Chair**

The new Chair of the Housing Review Board, Councillor Sarah Chamberlain introduced herself and thanked the previous Chair, Councillor Tony McCollum for all his hard work with the Board during the past two years.

Nominations for Vice Chair were received for co-opted tenant member Peter Sullivan.

**RECOMMENDED:** that the recommendation that tenant representative Peter Sullivan be appointed Vice Chair of the Board for the ensuing year be passed for approval.

#### **3 Minutes of the previous meeting**

The minutes of the Housing Review Board meeting held on 29 April 2021 were recommended for approval.

#### **4 Declarations of interest**

Declarations of interest.  
Cat Summers, Personal, housing tenant.

Declarations of interest.  
Cindy Collier, Personal, housing tenant.

Declarations of interest.  
Councillor Ian Hall, Personal, Devon County Council councillor, his mum was a council tenant and a user of HomeSafeguard, and he may be involved in a future men's shed project at Millwey Rise estate, Axminster.

Declarations of interest.  
Councillor Sarah Chamberlain, Personal, employee of Exeter City Council.

Declarations of interest.  
Peter Sullivan, Personal, housing tenant.

9. Housing Strategy 2020-2024.  
Councillor Geoff Pook, Personal, has a number of private sector rentals.

#### **5 Matters of urgency**

Councillor Ian Hall requested information and assurances that there were adequate safeguards in place for the HomeSafeguard overnight service. The Strategic Lead – Housing, Health and Environment advised members that a report had been taken to Cabinet earlier this month outlining a short term agreement with a specialist calling handling provider as an emergency measure to ensure that the service was maintained overnight to ensure business continuity for customers.

The Vice Chair expressed disappointment that tenants had not been made aware of these changes to the service. He was assured that this emergency temporary measure could be communicated to tenants and the Cabinet report would be circulated to Board members.

## 6 **Confidential/exempt item(s)**

There were no confidential/exempt items.

## 7 **Housing Review Board forward plan**

The Acting Housing Service Lead presented the forward plan and advised members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either herself or the Democratic Services Officer.

During the meeting the following items were added to the forward plan which was endorsed by the Board:

- A presentation from the Housing Services Manager and tenants regarding the Council's response to the social housing White Paper.
- Procurement updates.
- To consider the current and potential use of garage sites, particularly in respect of possible development sites.
- Progression of the Fairshare project as an important contributor to the agenda.

## 8 **Housing Strategy 2020-2024**

The Strategic Lead – Housing, Health and Environment presented the revised Housing Strategy following consultation, for member approval and asked the Board to recommend that Cabinet approve and adopt the strategy. The Housing Strategy reflected and responded to broader council policy as set out in both the Housing Service Plan and the developing Council Plan. It presented an overview of the Housing Service's planned strategic approach to effectively meet continuing and emerging housing challenges over the next four years. The high level themes covered:

- Providing homes.
- Improving homes.
- Improving communities.
- Improving services.

It picked up on the Council ambition of increasing the supply of new social and affordable homes.

**RECOMMENDED:** that the Housing Review Board recommendation that Cabinet adopts the Housing Strategy is passed for approval.

## 9 **Updated Housing Policies**

The Acting Housing Service Lead's report informed the Board of a number of housing policies that had been reviewed by the relevant housing manager to ensure that they continue to reflect current good practice and legislation.

Following a question about mutual exchanges it was clarified that the properties were 'sold as seen' and did not qualify for repair works unless it was emergency repairs or related to compliance, for the first six months following exchange.

**RECOMMENDED:** that the Housing Review Board recommendation to Cabinet that the policies are formally adopted by the Council is passed for approval.

## 10 **Housing Management System upgrade**

The Housing Systems Manager explained to the Board that the Housing Service was currently investigating options to upgrade its housing management system, Capita's Open Housing, to its latest version branded as "One Housing". He explained that it was a relatively significant upgrade, with a number of key benefits, which were outlined in section 8 of the report. It was noted that due to the scale of the upgrade and that the upgrade was unique to the Capita site it had not been possible to previously budget for the upgrade. However, a further report would be brought back to the next meeting of the Housing Review Board with a more detailed costed proposal.

The Acting Housing Service Lead informed the Board that Capita Open Housing was becoming outdated and until the trial sessions had been undertaken she could not comment on how user friendly and intuitive the new system would be. It was hoped that following the upgrade the system would substantially help with monitoring case loads, asset management, compliance, stock condition, complaints management and other key functions of the housing service.

The Vice Chair commented that he was pleased to see that there would be more involvement for tenants and requested a tenant portal be activated.

The Housing Review Board noted the current investigation of software upgrade options for the Council's Housing Management IT system and the potential for a budget request once the outcome of demonstrations and the financial implications of the final recommendation were known.

## 11 **Property & Asset; expanding the Compliance & Cyclical Servicing arm of the Property & Asset Team**

The Property and Asset Manager's report requested that the HRB accept the recommendation for an increase in budget for additional posts in the Housing Property and Asset team for the delivery of compliance and cyclical services work streams, to ensure that the housing stock remained safe, compliant and that tenants could feel safe in their homes. There was a focus on the big five areas of compliance/cyclical servicing:

- Asbestos management
- Gas servicing

- Electrical testing
- Fire management
- Legionella

The responsibility for the management and delivery of all these work streams fell within the Property & Asset Team, but there was limited specific dedicated resource/team to deliver compliance and cyclical servicing. A decision was taken earlier in the year to provide an additional delivery arm within the Property & Asset Team to focus on compliance and cyclical servicing, the team having four direct delivery strands:

- Reactive repairs and voids.
- Planned works, climate change and stock condition survey.
- Compliance and cyclical servicing.
- Call centre, customer improvement and relationship management.

The current make-up of the team was below industry standard and that required to deliver all the work streams. Compared to the industry standard EDDC's compliance team was 70% understaffed. Following a review it was believed that four additional officers were required and the report highlighted where the responsibilities would fit within the team. At present there were no funds in the budget to facilitate the enlargement of the compliance and cyclical servicing arm of the Property and Assets team and the report set out the anticipated financial implications of this.

The Strategic Lead – Housing, Health and Environment in response to a question on recruitment advised the Board that the Council would be undertaking a pay review across the organisation as it had been recognised in some areas it was now paying below the market rate and therefore recruitment and retention of staff was suffering. Once the pay review had been undertaken he expected that the Council would find it easier to recruit. It was essential to recruit the right skill sets and competence.

Concern was expressed that the Council would struggle to recruit and retain staff with the correct skill sets to these essential roles. The Strategic Lead – Housing, Health and Environment reassured the Board that once the need for the new posts had been agreed budget funding would come from the Housing Revenue Account. Market supplements could be considered, if required, following advice from Human Resources. If severe recruitment issues were experienced, a report would be brought back to the HRB.

**RECOMMENDED:** that the Housing Review Board recommends to Cabinet and Council that approval be sought for additional budget to resource new posts for the delivery of compliance and cyclical service work streams to ensure that the Council's housing stock remains safe and compliant so that tenants can feel safe in their homes.

## 12 **Procurement of the Gas Servicing/Services Contract**

The Property and Asset Manager updated the Board on the current position with the gas servicing contract, the progress with its re-procurement and the proposed route to complete the re-procurement process to enable seamless delivery of the service following expiry of the existing/implementation of the new contract. The current contract with Liberty Group was due to expire on 31 March 2022.

The report set out procurement options and suggested that Advantage South West framework be utilised to procure the 3 star gas servicing contract as a single service, accepting that small elements might be sub-contracted.

**RECOMMENDED:** that the Housing Review Board recommend to Cabinet that delegated authority is granted to the Strategic Lead for Housing, Health & Environment in conjunction with the Housing Service Lead and the Strategic Lead for Governance & Licencing and the Strategic Lead for Finance to agree to proceed with the relevant stages of the procurement process and agree to granting the contract to the contractor identified in the process to deliver the 3 Star Gas Servicing Contract.

### 13 **Housing Revenue Account and Housing Capital finance report**

The accountant's report provided the Housing Review Board with current draft financial outturn figures for the housing revenue account and housing capital program for the 2020/21 financial year. The report also considered the implications of any forthcoming regulatory changes.

Producing a Housing Revenue Account had been a statutory requirement for Councils who managed and owned their housing stock for some time, and therefore a key document for the Board to influence.

The previous finance report to the HRB explained regulatory changes to Right to Buy and how Right to Buy receipts could be used. It noted the phased reduction placed upon the proportion of acquisitions made within the year from the 2022/23 financial year onward. The limits imposed would be:

- From 2022/23 – maximum 50% of supply to be acquisitions.
- From 2023/24 – maximum 40% of supply to be acquisitions.
- From 2024/25 onwards – maximum of 30% of supply to be acquisitions.

The limits within the right to buy agreement sent by MHCLG only applied after 20 properties. The Council could only therefore make 20 acquisitions before being required to spend any receipts on development.

The Housing Revenue Account surplus was in a healthy position. Income levels for dwellings remained consistent and on budget, whereas garage rents, mostly impacted by voids, continued to underperform.

**RECOMMENDED:** that the Housing Review Board recommendation to Cabinet that the Housing Revenue Account and Housing Capital Finance report is passed for approval.

### 14 **Integrated Asset Management Contract**

The Property and Asset Manager's report provided the HRB with an update on the delivery of the Integrated Asset Management Contract for quarter 1 of 2021/22 and sought approval of the high level governance of the contract. This was to ensure that all amendments/variations/changes required to the contract were managed in the most efficient compliant manner as possible to ensure the daily operational delivery of the Integrated Asset Management Contract (IAMC) was maintained.

The IAMC delivered by Ian Williams entered its third year on 1 April 2021. Many challenges had been encountered during the first two years, the main ones being:

- Developing a professional working relationship between EDDC and Ian Williams.
- Implementing a new contract delivery model, Price Per Property (PPP) and Price Per Void (PPV).
- The impact on delivery of the service of the Covid-19 pandemic.
- The impact on delivery of the service of Brexit.

It was noted that the level of performance in the delivery of reactive repairs was falling and this needed to be addressed. Compliance meetings were held monthly between both parties and this was going well. No access continued to be an issue in the delivery of compliance/cyclical servicing work. Quarter 1 had seen a drop in complaints made directly against Ian Williams. Although as a service, Property and Assets complaints were still at a higher than hoped level, work was being done to reduce this trend through learning across both parties.

The Covid-19 pandemic had significantly reduced demand for the Handyman Service and despite restrictions being lifted demand remained low.

The report explained that the IAMC was designed and set up in such a way to allow additional work streams to be added and to amend the manner in which it was delivered, as the Contract evolved it was likely that numerous changes would be required, it was therefore necessary that there should be a mechanism in place to allow such changes to be made with minimal disruption to the daily operation. The Governance of the Contract was:

- Any/all changes that effect or require a change to the Terms and Conditions of the Formal Contract to be tabled to/approved by the Core Group and then tabled to the Housing Review Board for final acceptance/sign off.
- Any/all changes that were solely operational and required no change to the Terms and Conditions of the Formal Contract to be tabled to/approved by the Core Group and then signed off by the EDDC Strategic Lead/Service Lead for Housing and a Director of Ian Williams.

The report recommended that the Housing Review Board accept the levels of Governance for the IAMC Contract and this was noted by the Board.

The Chair of the Board thanked the Property and Asset Manager for his report.

The Vice Chair reported that from a tenant's point of view the IAMC had been challenging. Tenants had struggled to have a meeting with the Ian Williams repairs team for the past 18 months. It was hoped that as Covid restrictions were no longer in place it would be possible to recommence tenant review team meetings. There was a need to ensure continuous improvement and to manage expectations.

## 15 **The Building Safety Act presentation**

The Property and Asset Manager and the Compliance and Cyclical Servicing Manager gave the Board a presentation on the Building Safety Act and the impact on housing.

Following the Grenfell Tower fire on 14 June 2017 in which 72 people died and more than 70 were injured the Prime Minister announced that a public inquiry would be set up. This began on 14 September 2014 and the findings from the first report were released in October 2019. A second phase to investigate the broader causes began on 14 June 2020.

As a result of the fire and subsequent testing of aluminium composite material cladding from similar buildings across the country the Government commissioned an independent review of the building regulations and fire safety on 28 July 2017. Its purpose was to make recommendations that would ensure a sufficiently robust regulatory system for the

future and that residents felt that the buildings they lived in were safe and remained so. The review concluded that the whole system needed major reform and that residents' safety needed to be a greater priority through the entire life cycle of a building. The Government accepted the recommendations and published the draft Building Safety Bill in July 2020, due to come into force in late 2021. The Bill brought forward a more stringent regulatory regime focused on fire and structural safety, which defined roles and responsibilities and a new dedicated Building Safety Regulator which was part of the Health and Safety Executive.

The recommendations for the Bill were:

- Stringent regime for the fire safety in higher risk buildings.
- Regime to monitor performance of the building from design stage to occupation.
- Cross cutting legislation and reform of building regulations and guidance.
- New Homes Ombudsman.
- Easier access to the Housing Ombudsman.
- A more transparent testing regime.
- Increasing tenants' voice.

Everyone within the Council had a responsibility for reporting any fire concerns, including the HRB. Within housing, the duty holder was the Chief Executive. The accountable person would be the Strategic Lead or Service Lead. The Building Safety Manager was appointed by the accountable person and approved by the building safety regulator to deliver the day to day functions on behalf of the accountable person. Residents of buildings in scope of the new regime would be given duties to cooperate with the Building Safety Manager and developing a resident engagement strategy would be a required part of a building's safety case.

It was noted that at present EDDC did not currently have any in-scope buildings, however it was believed that further buildings, possibly sheltered blocks of flats would become in scope at a later date. The two options to fulfil the role of the Building Safety Manager was to appoint to the role or to discharge this duty to the senior management team within housing.

The Government asked for the Health and Safety Executive to establish a new building safety regulator to oversee the safe design, construction and occupation of high risk buildings so that residents were safe and felt safe. It would be independent and give expert advice to local regulators, landlords and building owners, the construction and design industry, and to residents. For new developments and major refurbishments there would be three gateways; pre-planning stage, pre-construction stage and pre-occupation stage.

The key points of the Building Safety Act for the future were:

- A stricter regime on building and refurbishment of buildings.
- Golden thread of information needed at all stages of the buildings.
- Fire door inspections.
- Stricter regime on fire safety inspections.
- Ensuring resident engagement.

On behalf of the Board the Chair thanked the Property and Asset Manager and the Compliance and Cyclical Servicing Manager for their presentation and commented that every agenda item would be covered by the Building Safety Act, and that compliance was key to all.

**Attendance List**

**Board members present:**

Peter Sullivan, Tenant (Vice-Chair)  
Cat Summers, Tenant  
Councillor Ian Hall  
Councillor Helen Parr  
Cindy Collier, Tenant  
Councillor Geoff Pook  
Councillor Brenda Taylor  
Councillor Sarah Chamberlain (Chair)

**Councillors also present (for some or all the meeting)**

M Armstrong  
D Ledger  
T McCollum  
P Millar  
E Rylance  
E Wragg

**Officers in attendance:**

Debbie Meakin, Democratic Services Officer  
Alethea Thompson, Democratic Services Officer  
Graham Baker, Senior Technical Officer Asset Management  
Sue Bewes, Housing Services Manager  
Michelle Davidson, Property and Asset Management  
Jo Garfoot, Acting Housing Service Lead  
John Golding, Strategic Lead Housing, Health and Environment  
Rebecca Heal, Solicitor  
Andi Loosemore, Rental Manager  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

**Councillor apologies:**

Christine Morrison, Tenant

Chairman .....

Date: .....