

## **Minutes of the Housing and Safer Communities Select Committee**

**Wednesday 13<sup>th</sup> September, 2023 at 6.00 pm  
In Committee Room 2  
At the Council House, Dudley**

### **Present:**

Councillor A Davies (Chair)  
Councillors D Bevan, J Cowell, T Creed, I Kettle, P Lee, W Little, J Martin,  
S Ridney and D Stanley

### **Officers:**

K Jones - Director of Housing and Communities, I Cartmell – Interim Strategic Lead for Customers and M Lyons – Interim Lead for Compliance and Building Safety (Directorate of Housing and Communities) and K Malpass - Democratic Services Officer (Directorate of Finance and Legal)

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### **8. Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors S Bothul, P Drake, K Lewis and M Webb.

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### **9. Appointment of Substitute Members**

It was reported that Councillors P Lee, W Little, S Ridney and D Stanley had been appointed as substitute Members for Councillors K Lewis, S Bothul, P Drake and M Webb, respectively, for this meeting of the Committee only.

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10. **Declarations of Interest**

Councillor J Cowell declared a non-pecuniary interest in relation to Agenda Item No. 7 (Corporate Quarterly Performance Report – Housing and Communities Directorate – Quarter 1 (1<sup>st</sup> April – 30<sup>th</sup> June, 2023)), Agenda Item No. 8 (Impact of the 2023/24 Rent Increase for Dudley Metropolitan Borough Council Tenants) and Agenda Item No. 9 (Update on Property Condition and Compliance) as a Council tenant.

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11. **Minutes**

**Resolved**

That the minutes of the meeting held on 20<sup>th</sup> July, 2023, be approved as a correct record and signed.

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12. **Public Forum**

The following three questions were raised by a member of the public who was unable to attend the meeting due to health issues.

- What were the timescales involved in allocating Housing Officers to areas within the Borough.
- Consideration of a review to take place on how Aerial Funding was allocated moving forward. It was considered that quorum numbers for meetings were currently too high which was affecting the voting requirements on how to use funding.
- In referring to the Reinforced Autoclaved Aerated Concrete (RAAC), the member of public, together with Councillor J Cowell queried the number of high and low rise blocks within the Dudley Borough that were affected and where those buildings were located.

The Interim Lead for Compliance and Building Safety acknowledged the risks associated with RAAC following the media coverage and had started carrying out surveys on all stock within the Borough, including void properties to ascertain the level of risk, given the age of Dudley's assets. It was anticipated that, following the completion of the surveys and the collation of data, information would be available in December 2023 in relation to the number of properties affected by RAAC and the financial consequences associated with those properties. Members were advised that surveys previously carried out indicated that RAAC material was not present in high-rise and some medium-rise blocks, however, an understanding of the level of the information contained in the original surveys carried out in 2018/2019 was required.

### **Resolved**

That the Director of Housing and Communities be requested to provide written responses to the Member of the public.

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### 13. **Progress Tracker and Future Business**

In referring to Minute Number 6(3) of the minutes of 20<sup>th</sup> July, 2023 in relation to accessing additional data and intelligence on all housing stock within the Borough and whether there were any bodies or organisations that would be able to provide information on property condition, particularly in owner occupied homes, the Director of Housing and Communities indicated that the Local Authority would need to commission an external organisation to undertake the level of work Members may require, which would impact significantly on Council budgets. Whilst it was considered that a reasonable level of data could be acquired through the census data, it was accepted that the information accessible would not meet Member expectations, however, information could be provided to all Members of the Committee if necessary.

Councillor I Kettle referred to the number of properties moving towards dereliction in the Borough and how challenging it currently was to identify those properties, particularly within the private/owner occupier sector. It was essential that properties in poor condition were identified early to enable minimal repair/maintenance to support the re-letting process, which would in turn improve the housing position in the Borough. Councillor A Davies indicated that figures evidenced a small proportion of social housing within Dudley's housing stock and whilst additional data was essential to ensure the Local Authority achieved its housing obligations, it was accepted that the cost involved in acquiring the information was significant.

In response to a question from Councillor A Davies, the Director of Housing and Communities indicated that specific figures involved in instructing an external organisation to carry out a more detailed analysis of owner occupier housing stock could not be provided as it would depend on the Council's requirements, however, it was expected that the amount would be significant. Funding would not be authorised through the Housing Revenue Account (HRA) as the budget was funded from Council tenant rent and could only be used to fund projects associated with Council owned properties. Information in relation to the private rented sector would be submitted to a future meeting of the Committee.

Councillor P Lee queried the Local Authority's responsibility in replenishing Council stock. Whilst Members expressed their appreciation of the level of work currently being carried out within the Housing and Communities Directorate in terms of Council owned properties, it was essential that consideration be given to the wider stock and explore opportunities to purchase properties to support the increasing demand and needs of residents in the Borough.

In responding, the Interim Lead for Compliance and Building Safety indicated that a programme to acquire properties back into the Council's housing stock had been developed to support housing demand, particularly those customers requiring to purchase properties through the Right To Buy (RTB) scheme. Whilst it was acknowledged that additional assets were required, robust systems were followed to determine properties that required disposal. Members were advised of the benefits of acquiring new build properties and confirmed that twenty-seven new build properties would be available for immediate release in the next three months. Whilst significant investment would be required to bring existing properties in dilapidation back into use, new build properties were covered under the National House Building Council (NHBC) warranty resulting in minimal maintenance during the warranty period. The Council was committed to purchasing good quality housing stock in all areas of the Borough that supplemented the Council's current housing stock to support customer demand.

In responding to a question from Councillor A Davies in relation to the number of RTB properties that had been purchased over the last twelve months, the Interim Lead for Compliance and Building Safety indicated that whilst exact figures could not be provided at the meeting, he confirmed that twenty-six Council properties had been lost during the last six-month period. Properties would continue to be purchased through the Council's RTB scheme; however, various methods were being explored to maximise opportunities to increase housing stock levels within the Borough.

In referring to the Committee's programme of business, Councillor D Stanley questioned the decision to submit a report on Community Safety Partnership including anti-social behaviour to the 13<sup>th</sup> March, 2023 meeting. It was considered that anti-social behaviour was an increasing problem in all areas of the Borough and progress reports should be provided regularly. It was essential that Members were updated on work associated with the Anti-Social Behaviour (ASB) Team, number of cases, action taken, and lessons learned to date to tackle ASB in the Borough. Particular reference was made to tenants being refused a transfer to alternative properties as a result of the level of ASB identified in areas as specific requirements of some tenants were unable to be met. Councillor A Davies acknowledged the comments made and indicated that further discussion would take place at the next agenda setting meeting, with the possibility of bringing the Community Safety Partnership report forward to an earlier programmed meeting.

In responding to a question from Councillor J Martin, the Interim Lead for Compliance and Building Safety indicated that capital receipts arising from RTB sales were used to fund the development of affordable housing, both new build properties and refurbishment of existing stock. Members were advised that the proportion of new build properties purchased using capital receipts was currently slightly lower in comparison to the number of disposals. Various initiatives and the demographic trend of the Borough were being considered to ensure that the core housing needs of customers were preserved, whilst ensuring a reasonable level of housing stock was maintained. The strategy and plans around disposals and purchases was queried and Members were advised that the idea was to generally replace properties in areas where disposals had been identified. The Interim Lead for Compliance and Building Safety referred to the ongoing work associated with the Stock Condition Survey (SCS) programme that Savills, an industry expert, was currently undertaking on all Council housing stock and indicated that an update would be provided to Members at a future meeting of the Committee following the development of the Council's five, ten and thirty year investment plans and priorities.

Councillor J Martin referred to the plans around acquiring properties in more affluent areas of the Borough and what safeguarding processes were in place to protect investment when applying RTB discounts for customers. The Interim Lead for Compliance and Building Safety indicated that whilst RTB schemes did not apply to new build properties, the Right to Acquire scheme did, however, the requirements differed. Core housing needs of families were being considered to support longer tenancies. Ongoing consideration was also being given to ensure the Council did not lose funding on housing eligible for the RTB scheme and updates would be provided to Members at a future meeting.

In responding to a question from Councillor S Ridney, the Interim Lead for Compliance and Building Safety confirmed that the Council had completed twenty-six RTB sales in the last six-month period, however, whilst it was acknowledged that the level of RTB applications were high, only a proportion of those applications received resulted in successful purchases. Members would be provided with accurate statistics of RTB sales for the last five-year period including the type of properties purchased.

In responding to a question from Councillor S Ridney, the Director of Housing and Communities indicated that the RTB scheme would not generally apply to properties that had been specifically developed or adapted for particular customer groups. Regulations and exemptions were considered with each application received, which was one of the reasons why not all RTB applications were successful.

### **Resolved**

- (1) That the Housing and Safer Communities Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.
- (2) That the Chair and Vice-Chair be requested to review the timings of the Community Safety Partnership report to an earlier programmed meeting.
- (3) That an update be provided to Members of the Committee at a future meeting on information in relation to private rented housing.
- (4) That an update be provided to Members of the Committee at a future meeting on the work associated with the Stock Condition Survey programme that Savills was currently undertaking on all Council housing stock.
- (5) That an update be provided to Members of the Committee at a future meeting on information in relation to the Right to Buy scheme.
- (6) That information be provided to all Members of the Committee on accurate statistics of Right To Buy sales for the last five-year period to including the property types purchased.

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14. **Corporate Quarterly Performance Report – Housing and Communities Directorate – Quarter 1 (1<sup>st</sup> April – 30<sup>th</sup> June, 2023)**

A report of the Chief Executive was submitted on Quarter 1 of the Corporate Quarterly Performance report for the financial year 2023/24 covering the period 1<sup>st</sup> April to 30<sup>th</sup> June, 2023, specifically referring to services within the Housing and Communities Directorate. Further detail relating to directorate service delivery were outlined in the Service Summary Sheets attached as appendices to the report submitted.

The Director of Housing and Communities indicated that the report provided progress against the delivery of the new three-year Council Plan priorities and the Future Council Programme. Key Performance Indicators (KPIs) and targets were used to measure performance and were monitored regularly and reported on a quarterly basis.

Dashboard summaries highlighted four corporate quarterly measures for Housing and Community Services, one with improvements, zero consistent and three with worsening trends.

Areas of concern were being monitored closely within the Directorate of Housing and Communities to identify improvements. Targets below KPIs were reported to management teams at both service and strategic levels to ensure an understanding of the issues and ensure appropriate actions were being taken to address the concerns moving forward.

In referring to PI 2027 – Satisfaction on how anti-social behaviour complaints were handled, it was reported that satisfaction within the service was decreasing due to the lack of contact and time taken to resolve issues. The structure and operating model of the Anti-Social Behaviour Team was currently being reviewed to address the issues raised. Work was underway to further interrogate the survey data to identify the extent of any correlation between outcome and satisfaction, and to review the associated cases to get a better understanding of whether there were operational issues that must be addressed or whether customer perception relied entirely upon achieving desired results.

In terms of PI 1191 – Average re-let time for standard re-let, it was reported that the average re-let times had decreased from 60.23 days in Quarter 4 2022/2023 to 49.26 days in Quarter 1 2023/2024, compared to 61.7 days for the same period last year. However, the re-let time for standard voids continued to vary between property types. Members were assured that all Teams involved in the void process continued to review and refine procedures working together to minimise rent loss and void turnaround times.



In terms of PI 1899 – Rent loss, it was reported that the outturn was 1.97% compared to 1.92% for the same period last year, primarily due to an increase in void properties. Whilst improvement programmes were currently being identified to improve figures, rent loss associated with strategic voids would continue and managed through efficient decision making and project management. The end-to-end review on voids continued to have a positive impact on void turnaround times, which would in time have a profound effect on void rent loss in the future. Current focus within the services was on stock condition, which could potentially see an impact on void loss in the short term as additional checks were undertaken at void stage. A further review of voids requiring an investment decision was currently underway and a recommendation for each property would be made during Quarter 2.

Following the presentation, Members had the opportunity to ask questions, make comments and responses were provided, where necessary, as follows:-

- (a) In referring to PI 2027, satisfaction in which the way anti-social behaviour complaints were handled, Councillor S Ridney indicated that Members were being advised that delays were being experienced due to the lack of resources in the Anti-Social Behaviour (ASB) Team which impacted on the ability to deliver adequate services. In responding, the Director of Housing and Communities referred to the recent restructure of the Housing and Communities Directorate that had been carried out and indicated that a number of staff that had been successful in obtaining a position within the Directorate were from internal applications and had knowledge of the anti-social behaviour policies and procedures. Whilst Members were advised that there were vacancies within the ASB Team, it was considered that it should not be used as an excuse for failure in delivering adequate services.

- (b) In referring to the various sanctions imposed by the Local Authority for different levels of anti-social behaviour, Councillor S Ridney considered eviction to be the last option. Customers often complained to Members about the level of anti-social behaviour experienced from neighbours and whilst eviction was not necessarily the sanction required, Members wanted to be reassured that appropriate action was being taken by Officers. The Director of Housing and Communities explained the robust legal process involved when attempting to evict a tenant and the obligations of the Court system. Stringent requirements were requested to satisfy Court proceedings, which often caused delays and disappointed tenants. It was essential that communication between the Local Authority and Members improved to ensure that all parties were updated on any progress made in relation to anti-social behaviour complaints.

It was acknowledged that tenants needed to be educated on tenancy conditions and responsibilities involved in taking on a tenancy, together with the consequences of breaching those conditions. The lack of enforcement continued to be an issue and it was considered that imposing sanctions for breaches would encourage tenants to maintain property conditions. Robust measures were being considered as part of the new Neighbourhood Model to tackle breaches of tenancy, together with improved collaborative work with Members to explain the reasoning behind imposed sanctions to reduce Members querying officer decisions.

- (c) Councillor J Cowell queried whether performance indicator figures could be separated between the work associated with Housing Officers and the specialist ASB Team to provide Members with a more accurate figure of performance levels for each section. The Interim Strategic Lead for Customers indicated that as part of the new approach to targeting anti-social behaviour, it was envisaged that Housing Officers would identify and deal with the low-level anti-social behaviour incidents early and agree appropriate measures to satisfy all parties, whereas the specialist ASB Team would focus on the more severe complex ASB complaints received from tenants. However, collaborative work with both teams was essential to ensure anti-social behaviour issues were dealt with accordingly, which would see performance indicator figures improving moving forward. It was essential that Housing Officers were visible in communities to ensure customer expectations were met, together with improved communication with customers and Members. Leaflets would be circulated to tenants and Members highlighting key details of Housing Officers which would include photographs once the project had been completed.
- (d) Councillor J Martin referred to the current staffing structure, operating model and performance levels across the Housing and Communities Directorate, together with strategies to fill any vacancies. Current pressures of the Housing and Communities Directorate were referred to and the associated challenges as a result of the lack of resources in services that were currently struggling. In referring to the remit of the Select Committee, it was suggested that Members could, if deemed appropriate, submit recommendations to the Cabinet Member for Housing and Safer Communities to consider providing support to areas where performance levels were reported low. The benefits of having optimal staff levels and the right level of skills were referred to, particularly, Housing Officers, which would improve customer relationships, tenant behaviours, and reduce the number of anti-social behaviour complaints moving forward.

The Director of Housing and Communities indicated that adequate resources were available within the Directorate, however, may not necessarily be in the right service or role, which had created challenges. Regular restructures and reviews had recognised these anomalies and action had been taken where appropriate to transfer roles to utilise resources more effectively. A requirement of the new Social Housing Regulation Act was for Managers in the Housing Services to possess an appropriate level of housing management qualification to fulfil the requirements of the Act.

- (e) In responding to a question from Councillor J Martin, the Interim Strategic Lead for Customers indicated that a number of key factors including the profile of areas recorded from historical intelligence were considered when allocating Housing Officers to areas. Housing Assistants had also been allocated to support the housing functions of the role. In responding to a question from Councillor A Davies, the Director of Housing and Communities confirmed that there were currently thirty-six Housing Officers and eight Housing Assistants appointed compared to twenty-nine Housing Officers and five Housing Assistants previously employed.
- (f) Councillor D Stanley referred to PI 1899, percentage of rent loss and expressed concern in relation to the amount of money being lost on void properties, particularly when the demand for properties was increasing. It was considered that officers should take accountability for the failure and consider initiatives to bring figures to a more realistic level.
- (g) Members referred to the £108,580.04 loss attributed to 95 properties currently awaiting an investment decision and queried the reasoning behind the delays. In responding, the Interim Lead for Compliance and Building Safety indicated that the properties awaiting investment decisions were assets that had been identified as not being financially viable or did not fit into the current demographic requirements of the Council's housing portfolio.
- (h) Councillor D Stanley expressed concern with the level of void properties currently identified within the Borough and the cost involved in repairing/upgrading those properties to bring them back to a decent standard. It was essential that regular property condition inspections were carried out on all housing stock, which would reduce the costs involved when a property became void.

It was noted that properties in that category remained void in the event of an urgent reactivation of a property being requested. Delays had been experienced due to the significant number of properties identified, however, Members were assured that decisions would be made in the very near future. It was reported that the disposal of assets created significant financial benefits for the Council which would allow many properties to be added back into the Council's housing portfolio. Multiple factors were considered when making investment decisions, however, processes were currently being reviewed and improved figures would be observed moving forward.

Whilst the Interim Lead for Compliance and Building Safety acknowledged the comments raised, he indicated that not all properties in poor condition were due to tenant neglect. The Local Authority were required to fulfil the requirements of the Decent Homes Standard and invest appropriately in properties prior to allowing them to be placed back on the housing market. The Local Authority was committed to delivering and maintaining homes that were appropriate to customer need, however, whilst robust property condition assessments were carried out to determine the condition and future financial viability of properties, not all assets reached the standard required by the regulations and subsequently included in the disposal programme.

- (i) Councillor D Stanley referred to the lack of information included in the report in relation to capital lost as a result of rent arrears, particularly from tenants that had been evicted. The Director of Housing and Communities reported that performance indicators on rent arrears were performing better than expected with figures reported significantly lower in comparison to other West Midlands Local Authorities and Housing Association stock. Reviews were carried out frequently to monitor the way in which rent was collected and improvement were made where necessary.
- (j) In responding to a question from Councillor J Cowell in relation to the increased void turnaround times for bungalows, the Interim Lead for Compliance and Building Safety indicated that whilst bungalows were a popular property type, it was expected that void turnaround times for that type of property to be swift. He undertook to raise the issue with the supply chain that currently delivered the void programme and provide a written response to all Members of the Committee.

- (k) Councillor J Cowell referred to the Government's initiative in standardising modern methods of construction in order to remove barriers to innovation and encourage the wider use of modern building material, equipment and techniques and queried whether the requirements included new build properties. Challenges were experienced when new build properties were transferred to the Local Authority's housing stock when replacement materials were required as many materials initially used were supplier or housing development specific. The Interim Lead for Compliance and Building Safety confirmed that opportunities were being explored to standardise materials and equipment used across the housing stock, as it was important that sustainable materials were used moving forward.
- (l) In response to a question from Councillor J Cowell, the Interim Strategic Lead for Customers confirmed that three fixed Community Hubs would be provided and located in the main office of the Dudley Federation of Tenants and Residents Association (DFTRA), in the neighbourhood office in Chapel Street at the Highfields Estate. In communities where tenants were unable to attend any of the fixed Community Hubs, it was intended that surgeries would be held in public buildings at various locations within the Borough.
- (m) Councillor J Cowell expressed concerns in relation to the lack of tenants appointed to the Tenant Housing Board. The inclusion and empowerment of tenants to ensure appropriate feedback from tenant groups were provided to the Local Authority was essential. The Interim Strategic Lead for Customers acknowledged the concerns raised and informed Members of the interview process recently carried out and confirmed that two tenant roles had now been appointed to the Tenant Housing Board. It was important that the Membership of tenant groups consisted of both tenants and residents to understand the concerns across all communities within the Borough. Whilst acknowledging the comments raised, Councillor J Cowell referred to the Tenant Involvement and Empowerment Standards and raised concern that those Standards were currently not being complied with. In acknowledging the concern raised, the Director of Housing and Communities indicated that the new Customer Involvement Strategy was currently being developed and would include the involvement of various customer groups to ensure the objectives of the Strategy were met.

## Resolved

- (1) That the Quarter 1 Corporate Quarterly Performance report covering the period 1<sup>st</sup> April to 30<sup>th</sup> June, 2023, be noted.
- (2) That the Interim Lead for Compliance and Building Safety be requested to provide a written response to all Member of the Committee on the details associated with the timescales around void bungalow turnaround times.
- (2) That “Know Your Community Housing Officer” information, including pictures and contact details for each of the six areas be submitted to all Members of the Council.

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### 15. **Impact of the 2023/24 Rent Increase for Dudley Metropolitan Borough Council Tenants**

A report of the Director Housing and Communities was submitted to provide Members with an overview on the 2023/2024 rent increase for Dudley Metropolitan Borough Council (MBC) homes and the impact of the increase on tenants and Dudley MBC budgets.

The Director of Housing and Communities referred to the requirements of the Government’s Policy Statement on Rents for Social Housing 2022, and following appropriate consultation, the Government capped rent increases for 2023/24 at a maximum of 7% and on 27<sup>th</sup> February, 2023, Dudley Council approved a rent increase of 7% for 2023/2, equating to an additional £6m of income to the Housing Revenue Account (HRA). Substantial consideration of the level of rent increase was carried out through the budget setting process, recognising the financial impact on all tenants and what would be considered affordable, particularly in the current cost of living crisis.

Whilst it was recognised that a high percentage of customers received full or partial support to cover their rent, low-income households not entitled to claim financial support were mostly affected by the rent increase and provision had been put in place to signpost customers to available organisations for additional advice and assistance.

As at the end of Quarter 1, rent arrears amounted to £2.2m, down on the previous year by 0.90%, however, the number of accounts in arrears was up on the same time last year by 2.72%, indicating that there were more accounts in arrears but not necessarily larger debts. The average debt owed to Dudley in comparison to Local Authorities in the Region was recorded as one of the lowest. Accurate figures were provided in paragraph 9 of the report submitted. Support was provided to tenants to assist in maintaining tenancies and reduce rent arrears.

Although there had been an increase in the number of customers with rent arrears, the level of arrears currently remained low and manageable and had not resulted in any increase in customers at risk of losing their home due to non-payment of rent.

Whilst the impact of the rent increase on tenants was considered, Members were advised that the benefits of increased rental income to the HRA to fund essential works to improve property conditions and efficiency outweighed the impact of the 2023/24 rent increase to customers. However, the impact would be closely monitored to allow for early identification of and respond to any increasing concerns around affordability and tenancy sustainment.

Following the presentation, Members had the opportunity to ask questions, make comments and responses were provided, where necessary, as follows:-

- (a) In responding to a question from Councillor P Lee, the Director of Housing and Communities indicated that the average rent for the different property types across the Brough varied. Whilst accurate figures could not be provided at the meeting, a written response would be provided to Members of the Committee, however, Members were assured that the cost of rent was in line with local housing allowance rates.



- (b) Councillor P Lee expressed concern with the level of rent arrears accumulated and queried at what stage did the Local Authority intervene and offer support to tenants struggling to pay rent. The Interim Strategic Lead for Customers indicated that Officers were proactive in addressing issues relating to rent arrears. At the start of a tenancy, appropriate guidance and advice was provided to tenants to ascertain whether tenants would potentially struggle to pay their rent due to various issues, particularly due to the cost-of-living crisis. A measure currently adopted by officers at all levels was “think rent”, which encouraged officers to check tenant rent accounts prior to attending programmed home visits and provide advice on potential financial assistance to tenants struggling to pay their rent.
- (c) Councillor P Lee queried whether there was a system that could be adopted where the Local Authority was notified immediately when tenant rent accounts fell into arrears. The Interim Strategic Lead for Customers acknowledged the comment made and indicated that various initiatives were being explored to maximise opportunities to improve the level of arrears moving forward, whilst still considering the demographic profile of the Council’s customers. Members were advised that following a benchmarking exercise, the average rent owned by Dudley’s tenants was one of the lowest in the region. The Director of Housing and Communities indicated that whilst Members perceived the level of rent arrears to be excessive, the average rent arrears for tenants, which was calculated by the level of arrears divided by the number of rent accounts that were currently in arrears, equated to £108.16. Members were advised that the Council’s Income Team carried out an affordability check on all tenants with a rent account in deficit to ascertain whether a percentage of rent could be paid and set up affordable payment plans, rather than a customer deciding to cancel a direct debit simply because they were unable to pay the rent.
- (d) Councillor J Cowell expressed concern by the lack of support previously provided to tenants from the Income Team and the confusion between work associated with the team and that of the Council Tax Team. Customers that experienced difficulty in paying rent, usually had similar difficulties in paying Council Tax and it was considered that a more structured collaborative approach be adopted between the two teams when contacting customers to provide advice and support in relation to negotiating appropriate payment plans.

- (e) In referring to the 40% of tenants in receipt of Universal Credit (UC) payments, Councillor J Cowell indicated that not all tenants received full contributions towards their rent for various reasons.
- (f) Councillor S Ridney referred to the rent loss associated with supported housing and queried whether the Local Authority was eligible to claim any funding back due to the significant delays experienced from organisations employed to improve sheltered housing across the Borough. The Director of Housing and Communities confirmed that the Local Authority was unable to claim funding back on assets identified for decanting, however, should a breach be identified during an agreed refurbishment programme which caused significant delays and costs incurred as a result, appropriate legal advice and action would be taken.
- (g) In responding to questions from Councillors S Ridney and J Martin, the Director of Housing and Communities indicated that the arrears accumulated were from a range of tenants, whether in receipt of UC, housing benefit and those not eligible for any housing support. UC was generally paid directly to customers who were responsible for paying the housing costs, however, payments were not always received. The Local Authority was able to arrange for housing costs to be paid directly, however, a number of obligations would need to be fulfilled. More complicated cases of rent arrears were dealt with by the Complex Case Team to ensure tenants received the necessary support. Regular monitoring was essential to ensure customers felt supported by the Local Authority, especially during periods where tenant circumstances may have changed, and temporary financial payment plans were required.
- (h) In responding to a question from Councillor J Martin, the Director of Housing and Communities indicated that accurate figures of customers that were currently charged the underoccupancy rate would be circulated to all Members of the Committee.
- (i) In responding a question from Councillor D Stanley, the Director of Housing and Communities indicated that a written response would be provided to all Members of the Committee on the figure that had been “written off” as unrecoverable debt during the 2022/2023 financial year.

## **Resolved**

- (1) That the content of the report submitted to the meeting and comments made by Members, be noted.
  - (2) That the Director of Housing and Communities be requested to provide Members of the Committee with information on the average cost of various property types across the Borough.
  - (3) That the Director of Housing and Communities be requested to circulate to all Members of the Committee accurate figures of customers that were currently charged the underoccupancy rate.
  - (3) That the Director of Housing and Communities be requested to circulate to all Members of the Committee the accurate figure that was “written off” as unrecoverable debt during the 2022/2023 financial year.
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### **16. Update on Property Condition and Compliance**

A report of the Director Housing and Communities was submitted on Property Condition and Regulatory Compliance in Council owned homes.

In presenting the report, the Interim Lead for Compliance and Building Safety referred to issues with data quality and performance reporting that were identified relating to property checks and efficiency data in 2022, which had resulted in the Service’s self-referral to the Regulator of Social Housing (RoSH) on 10<sup>th</sup> March, 2023 to determine any breaches of RoSH Regulatory Standards. Following the results on 27<sup>th</sup> April, 2023 a recovery programme had been developed to fulfil the Local Authority’s obligations to bring all elements of the housing stock back into compliance with progress reported to the RoSH through monthly meetings.

Following communication from the Secretary of State in November, 2022 following the introduction of Awaab’s Law, the Local Authority outlined its intention to undertake a Stock Condition Survey (SCS) of 100% of homes in the Borough to verify information on damp and mould and highlight any potential future issues in assets with an average age of 60 years. The Local Authority had commissioned Savills, an industry expert, to undertake the SCS, through the Places for People Procurement Hub “Strategic Assets Management Services Framework”, which would provide significant information on every home in the Borough to enable the Council to review its five, ten and fifteen year investment priorities.

The SCS programme had been broken into three separate programmes, each consisting of circa 7,000 properties, which allowed Savills to manage the access process and allow resources to respond to any immediate Housing Health and Safety Rating System (HHSTS) or Decent Homes works that may be required. The no access properties would be addressed as the three phases progressed. The Local Authority had recently progressed to phase two of the programme and tenants had responded well in terms of access. Members were advised that following the completion of the first phase of the programme, it had been identified that the current position on Decent Homes was approximately 90.7% compliant and it was anticipated that Decent Homes compliance would be in the region of 80% following the completion of the SCS exercise. The potential volume of works and associated costs involved to recover the decent homes position would be observed in Quarter 4 of the performance report and updates following the Electrical Installation Condition Report would be provided to a future meeting of the Committee.

The recovery programme for the Building Safety and Compliance (BS&C) project had been split into two distinct streams and had moved at pace since it commenced in March 2023, which had included the establishment of a dedicated recovery team to deliver and oversee all strategic, operational and governance arrangements associated with the recovery of the Decent Homes and BS&C position across Asset Management and Housing Maintenance. The work to recover from a non-compliant position continued to deliver positive results and robust framework and governance arrangements had been put in place to validate the current recovery phase and to ensure that the Local Authority had effective arrangements and measures in place to prevent the risk of any future breaches of the RoSH Regulatory Standards.

Whilst the programme management and future arrangements were being embedded, the BS&C Team were working with the Housing Management and Communications Team to ensure that open and up-to-date communications with Members, customers, tenant groups and the Housing Board were maintained.

Following the presentation, Members had the opportunity to ask questions, make comments and responses were provided, where necessary, as follows:-

- (a) In referring to an issue raised by a constituent, Councillor D Stanley expressed concern at the lack of communication between gas contractors and tenants, particularly when arranged appointments were cancelled at the last minute. The Interim Lead for Compliance and Building Safety acknowledged the concern raised and requested that further details be provided to him, and action would be taken accordingly. Significant work had taken place between the gas contractor and the Local Authority recently to improve performance, however, the lack of engineers remained an issue. Steps had been taken to redeploy resources within the Council to ensure that emergency cases were attended, as well as considering recruitment opportunities to respond to out of hours and weekend incidents rather than relying on contractors to carry out the required work as well as focusing on the needs of vulnerable customers to ensure the right level of support was provided.
- (b) In responding to a question from Councillor J Cowell, the Interim Lead for Compliance and Building Safety indicated that frequent reviews were carried out to ensure customers needs were met and appropriate measures put in place to ensure that required inspections were carried out. Collaborative working with various housing services was essential moving forward to combine visits, identify work and carry out work in a timely manner which would improve efficiencies moving forward. Customers refusing access to properties would no longer be accepted and appropriate legal action would be taken to gain access to those properties. The BS&C project would incorporate all elements of materials and utilities to ensure the condition of all assets in the Borough were known.
- (c) Having clarified that the SCS programme would be funded from the HRA, Councillor J Martin queried the impact the £3.25m had on the planned repair/refurbishment programme. The Interim Lead for Compliance and Building Safety indicated that funding ringfenced for the SCS and property condition surveys would have been taken from the HRA, however, carried out over a longer period of time. The outcome of the programme would inform the short, medium and long term investment needs of homes within the Borough. The programme of investment had been paused whilst work to ensure properties were made safe for tenants was carried out which would provide financial efficiencies moving forward.

- (d) Councillor J Martin indicated that the £3.25m budget identified for the SCS project seemed high in comparison to previous funding allocated for property surveys and queried where the additional funding had been found. The Interim Lead for Compliance and Building Safety indicated that additional funding had been pulled from the 2024/25 investment and Energy Performance Certificate (EPC) programmes as each SCS generated an EPC for the property, which would, over a period a time, improve efficiencies and budgetary situations. The Director of Housing and Communities confirmed that the SCS programme would provide information to allow the Local Authority to develop an investment programme targeted towards property requirements and needs. Decisions had been made to pullback on non-essential projects in the short-term and prioritise HRA budgets on investing in existing stock in the Borough.
- (e) In commenting positively on the SCS project, benefits and improvements moving forward, Councillor J Martin queried whether any feedback had been provided from the Housing Board and Dudley Federation of Tenants and Residents Association (DFTRA) on the work associated with the SCS. The Director of Housing and Communities confirmed that the level of feedback received had been disappointing and welcomed feedback from Members. Following the self-referral to the RoSH, it was expected that the number of concerns and queries raised by tenants would increase and as a result, increased staff levels and resources were allocated to contact centres, however, the number of enquiries reported were low. Frequent joint meetings with the Housing Board and DFTRA continued to be arranged to ascertain tenant views. Following an invitation from the Chair, Mr M Smith, a representative of DFTRA, commented positively on the collaborative arrangements between the Local Authority and DFTRA and whilst complaints had been received from tenants, they had been actioned accordingly by the Service.

- (f) In responding to a question from Councillor T Creed, Members were advised that five posts were allocated for Building Inspectors focused on the housing stock condition with four currently in post, however, those four employees had been redeployed to support the work carried out by Savills. Members considered, however, that had an adequate level of staff been employed previously to carry out property condition surveys, the decision to commission Savills would not have been necessary. The Interim Lead for Compliance and Building Safety indicated that Savills currently employed around fifty-two staff focused on carrying out the SCS on Dudley's assets and considered that increasing staff levels within the Local Authority would not have been an effective use of Council budgets. It was essential that, in the short term, focus was made to ensuring the housing stock was made sustainable and in good condition to prevent inefficiencies moving forward. It was anticipated that, following the SCS project, a 10% SCS programme would be carried out year-on-year on properties to monitor condition and keep data up to date to ensure repair/maintenance work was carried out on the basis on need.
- (g) Councillor T Creed queried whether the decision to commission Savills was considered good value for money. The Interim Lead for Compliance and Building Safety indicated that tendering exercises were carried out which identified that the cost for Savills services was considered market average. Commissioning Savills was considered a good investment decision as the organisation currently provided services to approximately 60% of social housing and understood appropriate housing requirements. The viability model developed included 21,106 assets to be assessed which would establish clear future investment programmes moving forward.
- (h) In responding to a question from Councillor A Davies, the Interim Lead for Compliance and Building Safety explained the criteria used when identifying the order in which the SCS programme was carried out within the Borough, with properties having no record of condition surveys being carried out as a priority.

## **Resolved**

- (1) That the content of the report submitted to the meeting and comments made by Members, be noted.

- (2) That Councillor D Stanley be requested to provide information associated to the complaint received by a constituent relating to the cancellation of a gas safety inspection at short notice to the Interim Lead for Compliance and Building Safety for appropriate consideration and action.
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17. **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 8.20pm

CHAIR