

MINUTES

HOUSING AND COMMUNITY OVERVIEW AND SCRUTINY

WEDNESDAY 7 JUNE 2023

Present: (13)

Councillor Barry-Mears (Chair)
Councillor Capozzi (Vice Chair)
Councillor McArevey
Councillor B Link
Councillor C Link
Councillor Cox
Councillor Pringle
Councillor Banks
Councillor Adeleke
Councillor Johnson
Councillor B Williams
Councillor Pesch
Councillor Pound

Officers: (6)

Natasha Beresford Communities	Assistant Director - Housing Operations & Safe
Mark Pinnell	Assistant Director Property (via Teams)
Diane Southam	Assistant Director - Place, Communities and Enterprise
Ryan Glaville	Tenancy Management & Enforcement Manager
Oliver Jackson	Head of Housing Operations
Kayley Johnston	Corporate & Democratic Support Officer (minutes)

Others: (2)

Councillor Weston	Portfolio Holder – People and Transformation
Councillor Dhyani	Portfolio Holder – Housing and Property Services

The meeting began at 7.00 pm

32 **MINUTES**

The minutes from 15th March 2023 were formally approved as an accurate record and signed by the Chair.

33 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Barradell and Councillor Mottershead.

Apologies also received from Darren Welsh.

34 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

35 **PUBLIC PARTICIPATION**

There was no public participation.

36 **CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN**

None

37 **ACTION POINTS**

It was noted that the action to produce a timescale on Herts Cultural Education Partnership is yet to be completed due to staffing capacity.

It was confirmed that all other actions had been completed.

38 **Q4 HOUSING PERFORMANCE REPORT**

NBeresford presented the update, noting that the report provides an overview of KPIs previously agreed by the Committee and noted that there are opportunities to review or provide more detail on any specific KPIs of interest to the Committee. Where there are key statutory areas, there are separate national data sets that are accessible to all residents and members. The report covers key highlights, performance challenges and specific interventions for the data sets identified in the report.

NBeresford took the report as read and welcomed questions from members.

Cllr Johnson commented on item 2.2, noting that £70 had been received in rent arrears and asked if this was the total sum of arrears owed or what had been received so far. NBeresford confirmed that this relates to former tenant arrears during the period and doesn't reflect arrears on the rent debit. There are currently arrangements regarding the £18k of additional debt owed.

Cllr Johnson referred to item 4.6 and the anti-social behaviour policy, asking if there were any timescales for the review and when it will come to the Committee. NBeresford advised that the management of anti-social behaviour is fragmented at the moment and this is an area they are seeking to address through the housing and transformation programme. The anti-social behaviour function is currently delivered by 2 separate teams with the Housing service delivering anti-social behaviour enforcement to landlords and the Community Safety function delivering anti-social

behaviour activity to non-resident DBC properties. The transformation programme will seek to review the approach to delivering anti-social behaviour activity to ensure a sufficient process is being delivered to residents. The policy is currently in draft format and is being reviewed internally by the senior leadership team, which should then transition to the portfolio holder for review over summer, followed by the tenant and leaseholder scrutiny. This should then be presented to the Committee in autumn by the new Head of Safe Communities, who joins DBC in 2 weeks' time.

A councillor referred to item 3.6, noting that it says that the number of repairs completed first time remains a challenge due to the complexity of repairs and asked for this to be explained earlier. MPurnell advised that this relates to contractor performance and finding that issues are more complex than originally stated.

A councillor queried the timeframe between issues being reported and them being fixed. MPurnell explained that this varies depending on the type of repair, stating that an emergency repair will be completed within 4 hours and non-emergency repairs can take up to 4 weeks.

Referring to a question regarding who carries out repairs, MPurnell confirmed that most repairs are completed under Osborne, though Osborne also receive support from additional subcontractors. A councillor noted that Osborne have been awarded the contract with another year, though the report also states that the contract goes up to 2026. MPurnell clarified that the current contract was a 10-year contract awarded in 2014 and goes up to June 2024. The later paper in Part 2 highlights the scale of the re-procurement process and therefore the date being worked to renew the contract is June 2025, though there is an option to extend this through to June 2026, if required.

A councillor noted that DBC had awarded £200k to Osborne to assist with repairs and asked if this was correct. MPurnell confirmed that this is not correct and that the Council have not awarded Osborne anything outside of the contract.

Cllr Dhyani referred to item 2.8, noting that CCTV managed to get 294 incidents reported and asked what kind of anti-social behaviour is being captured. NBeresford explained that the CCTV centre covers over 450 cameras across the borough and are responsible for recording activity linked to the prevention of crime and disorder in relation to the relevant legislative framework. There are specific controls to ensure that the right to privacy is installed and this is considered before any camera is installed. NBeresford advised that incidents are varied and that activity relates to petty theft and crime, burglary and also activities that may be linked to domestic violence and grooming. There are also specific private requests from businesses as well as homeowners to provide specific evidence.

Cllr Dhyani referred to item 4.8 regarding scripted calls and asked if Osborne don't currently record phone calls. MPurnell confirmed that OPSL do record phone calls.

Cllr Pringle commented on the re-procurement process, noting that she was surprised at the timelines and asked if the process should be planned to coincide with the end of the contract. The Chair noted that this item would be covered by a later agenda item.

Cllr Pringle asked if CCTV can be installed in any public space. NBeresford confirmed that it is not limited to DBC HRA land and the community safety and CCTV functionality is a General Fund function and covers all aspects of the borough. Cameras are on HRA and General Fund areas, and mobile cameras can also be installed in areas where the Council has been made aware of specific activity to help inform further action. All land can be covered by CCTV, provided that it meets the requirements of the legal framework, the right to privacy and the prevention of crime. NBeresford advised that a proposal has been submitted for consideration regarding the A41 bypass for CCTV monitoring to aid the prevention and protection of littering.

On item 4.8, a councillor asked how many calls are received and further clarification on 'scripting' was requested. MPurnell stated that DBC receive a monthly report from Osborne regarding the amount of calls received and how many were dealt with. On scripting, MPurnell explained that this relates to the questions that the operators ask residents when they report a repair to help diagnose the issue. Improvements are being made to the scripting to ensure operators can ask more specific questions.

Cllr Pringle asked how long calls to Osborne have been monitored. MPurnell advised that he requested the reports at the end of the financial year with the first received in April 2023. Cllr Pringle asked if there are any other measures to monitor whether Osborne's performance has changed since the new measure has been brought in. MPurnell explained that this does not include customer feedback and only monitors the calls that come in, length of response and how many were unanswered. MPurnell advised that he requested the report to monitor and improve quality as well as set a benchmark with regards to the re-procurement of the contract and provide an understanding of the volume of calls coming in.

Cllr Pringle asked if customer satisfaction surveys are undertaken with tenants. MPurnell confirmed that DBC officers call residents who have had recent repairs and Osborne also report customer satisfaction feedback. It was confirmed that this has always taken place.

Cllr Pringle asked how the most recent feedback compares to previous years and if improvements are being made. NBeresford explained that performance data is held and has evolved over time, noting that they could share specific engagement survey work undertaken with residents, which is typically benchmarked on the Housemark

survey. This focuses on repairs as well as DBC activity and the tenant's satisfaction with their home. NBeresford noted that the surveys will evolve over the next 6-12 months, primarily due to new regulatory requirements around tenant satisfaction measures so engagement processes will be updated to reflect this.

Cllr Capozzi referred to the appendix and asked if there is a potential lack of focus and that contracts should be managed more tightly. Cllr Capozzi advised that the lack of data suggests that more could be presented to give a clearer idea of performance. NBeresford agreed, noting that significant work has taken place organisationally and at a senior leadership level in relation to KPIs and feedback was to strip back KPIs being presented to committees as they were too onerous, so the most important data sets were identified. NBeresford asked members to consider what data is most important for them to receive, noting that more detailed data sets form part of the strategic core group. MPurnell added that behind the presented KPIs are more operational indicators, noting that a strategic meeting takes place with Osborne every quarter where they look at all operational and strategic KPIs.

39 TENANCY MANAGEMENT POLICY

NBeresford presented the Tenancy Management Policy on behalf of the Housing and Property Services portfolio holder. The policy is new for the service and was developed following feedback from residents, the Tenant and Leaseholder Committee and members. The policy has undergone extensive engagement internally with officers to ensure it reflects the work they do and will act as a useful tool for tenancy management officers to engage with residents and support queries that come in, and it will also be useful in informing members about the service. The policy has also undergone scrutiny through the Tenant and Leaseholder Committee and the leadership team. It is a legal requirement to undertake the functions in line with the Housing Act, as for all landlords, and the changes to any future policy will come about as a result of any legislative or procedural change.

Cllr Capozzi asked how tenants were previously managed without a policy. RGlanville explained that there were procedural documents that the Council has operated within and that the policy brings these together to signpost both tenants and officers to.

Cllr Capozzi referred to the community impact assessment templates and noted her surprise that not all categories for protected groups would benefit in the same way from having a policy in place. NBeresford explained that the community impact assessment is undertaken with a steering group as well as a staff engagement group with assistance from the legal department and HR officer. NBeresford agreed that this work could be reviewed further.

Cllr Dhyani noted that some areas will be covered for 12 or 18 months and asked what the criteria is for 18 months. RGlanville advised that new tenants get an introductory period of 12 months, though DBC reserves the right to extend this to 18 months if it is felt they are not managing the tenancy as expected, such as nuisance behaviour or non-payment of rent. Cllr Dhyani commented that it is not written as though it is an extension.

Cllr Dhyani noted that secure tenants have a right to buy, though the policy does not give an indication of how long this period is. RGlanville explained that the policy outlines what tenants have the right to do and that a right to buy policy will provide further detail.

Cllr Dhyani commented on the allowance of lodgers and queried if this will allow tenants to sub-let. Cllr Dhyani asked where the clarification is that tenants won't turn this into a business and sub-let further. RGlanville confirmed that tenants gain the right to take lodgers though DBC will perform checks as the landlord to ensure they are not overcrowding the property or sub-letting the entire property. NBeresford added that there is a stringent process in place and taking on a lodger will link to other policies in place at a county and national level, such as the Ukraine Settlement Scheme. Checks would ensure that any sub-letting complies with the obligations of the agreement and does not jeopardise the property.

Cllr Dhyani queried if the policy could allow sub-letting without a financial benefit. NBeresford confirmed that they could provide more detailed wording and agreed that tenants should seek advice before taking on lodgers as it could also preclude them from receiving other benefits.

Cllr Pringle commented on the succession policy and the ability to grant a discretionary tenancy, stating that she would expect any vulnerable tenants would be given this discretion in their favour, even if they were unable to complete the paperwork. Cllr Weston queried if any difficulties have arisen due to a lack of communication on such issues. RGlanville advised that this frequently occurs where an adult child remains in the property and a full holistic assessment will be taken of their circumstances, which will also include external partners and agents to support the individual. In many cases, the individual is then supported to take on their own tenancy elsewhere.

Cllr Pringle responded that it may be important for the individual to remain in the place they have always lived and asked if mental health or disabilities would be taken into consideration. RGlanville confirmed that this would be considered against whether the property would be best suited for a larger family, though keeping the individual in the property would also be considered.

Cllr Pringle asked if an individual was unable to represent their case in writing whether they would be given the appropriate assessment. RGlanville advised that officers are astute in dealing with these situations so they will work with the individual and support them to a successful resolution. NBeresford added that there is a multidisciplinary team framework that provides officers with regular contact with mental health services and sensory disability teams, so more complex cases will likely result in a multidisciplinary team liaison with a range of partners. NBeresford confirmed that the team will look to support the individual holistically, though they also need to consider whether the individual has the capacity to maintain a tenancy, which could result in making a decision that the individual can't remain in the home.

Cllr Pringle asked if a support package would provide an advocate for the individual. NBeresford confirmed that it could and that each case is treated individually. Officers will proactively engage with organisations such as Citizens Advice Bureau, legal advocacy services and other voluntary sector organisations who can also provide support to individuals.

Cllr Pringle commented that some adult children may have given up their own home or job to act as a parent's carer at end of life and asked what their position would be if they had nowhere else to go. NBeresford advised that if someone has given up a principle home to act as a carer then a determination would need to be made as to whether this was essential. The team will liaise with the Housing Needs team to assess the case and make a determination. If an individual gives up their own tenancy to move in with someone else, NBeresford noted that they need to engage with their housing officer to receive advice on the most appropriate way forward. It was stated that tenants should contact the service for any advice.

Cllr Weston asked what the qualifying period was to buy a home and what types of property are referred to. Cllr Weston also asked if the bedroom tax is still in place. RGlanville confirmed that the qualifying period is once a tenant becomes a secure tenant. Once a tenant is a secure tenant after 12 or 18 months, the tenant must remain a secure tenant for 5 years before they can put in a right to buy application. There are certain properties where there is no right to buy, such as properties designated as housing for older people. On bedroom tax, NBeresford confirmed that this is still applicable and that the Housing Needs team and Tenancy Management Officer will look at whether the tenant can afford the accommodation.

Cllr Capozzi noted that if a new tenant to DBC is an existing tenant with another council then they will go straight to secure tenant status and asked why this is. RGlanville advised that the tenant in this situation will have effectively passed their probationary period and that this is brought to the new property. Cllr Capozzi asked what would happen in the event that the tenant had left the previous property due to anti-social behaviour and whether it would be harder for DBC to take action versus

someone still within their introductory period. NBeresford stated that this is considered in line with the Allocations Policy and there are disqualification aspects of the policy, such as anti-social behaviour, rent arrears or legal action being taken against the tenant, and a number of checks will be carried out on the tenant.

Cllr Weston asked how many council tenants there are currently in place at present. NBeresford confirmed that there are currently around 3,600 households on the housing register, including home seekers, who are new to receiving an allocation of social housing in the borough, homeless households and existing tenants. There is an allocation criteria that allows DBC to ensure there is a fair process of allocating homes, which involves a 60% allocation to transferring tenants and home seekers. NBeresford confirmed that there is a report on households by type and size of accommodation they are seeking at present, noting that there is growing demand for family-sized homes and accessible accommodation.

Cllr Weston asked if allocation is also referred to the point system, noting that she did not understand the system. NBeresford noted that new members will receive scheduled sessions and that a session on housing allocation will take place later in the year, noting that they could look to bring this forward if possible. NBeresford added that they could stand up a specific session with the team to provide a briefing on this.

Cllr Weston asked where the allocations legal framework comes from. NBeresford confirmed that this comes through central government and is the Housing Act 1996, Part 6, and that there is separately the Housing Act 1996, Part 7, which relates to homelessness. The Crime and Disorder Act, Housing Act 1978, 1994 and 2004 also have to be considered, as well as other legal frameworks. The Housing Allocations Policy is regularly reviewed due to new case law or bills going through parliament. The current policy was introduced last summer following engagement with residents and members and is reviewed on an ongoing basis. NBeresford advised that local authorities will handle allocations differently, including traditional waiting lists or choice-based lettings.

ACTION: NB - To check community impact assessment and benefit for all protected groups.

ACTION: NB - To check wording regarding introductory tenancy agreement and offer of 6-month extension.

ACTION: NB - To review wording in policy regarding sub-letting.

ACTION: NB - To provide more detailed report on household type and accommodation currently being sought.

ACTION: NB - To look at bringing forward housing allocation session for new members.

40 **FORWARD PLAN**

It was noted that community items will be brought to the Committee and that this will first be discussed with the portfolio holder. Proposals for these items will be brought to the next meeting for agreement.

41 **EXCLUSION OF THE PUBLIC**

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to: the financial and business affairs of the Council and third party companies/organisations.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3.

42 **TOTAL ASSET MANAGEMENT CONTRACT RE-PROCUREMENT
UPDATE PART 2**

Full details can be found in the part 2 minutes

The Meeting ended at 9.15 pm