



CABINET

2 November 2022

A meeting of the CABINET will be held on Thursday, 10th November, 2022, 6.00 pm
in Town Hall, Market Street, Tamworth

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of Previous Meeting** (Pages 5 - 12)
- 3 Declarations of Interest**
To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.
- 4 Question Time:**
To answer questions from members of the public pursuant to Executive Procedure Rule No. 13
- 5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules** (Pages 13 - 14)
(Report of the Chair of Health & Wellbeing Scrutiny Committee)
- 6 Gungate Regeneration Programme Terms of Reference** (Pages 15 - 22)
(Report of the Portfolio Holder for Skills, Planning, Economy & Waste)
- 7 Regulation Social Housing for the Councils own stock** (Pages 23 - 74)
(Report of the Portfolio Polder for Homelessness Prevention and Social Housing)

8 Grant Support for Tamworth Pride Event (Pages 75 - 76)
(Report of the Portfolio Holder for Environment, Entertainment and Leisure)

9 Exclusion of the Press and Public

To consider excluding the Press and Public from the meeting by passing the following resolution:-

“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and /or 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”

At the time this agenda is published no representations have been received that this part of the meeting should be open to the public.

10 Senior Regeneration Officer Role (Pages 77 - 80)
(Report of the Portfolio Holder for Skills, Planning, Economy & Waste)

11 Recovery & Reset Programme Update (Pages 81 - 158)
(Report of the Leader of the Council)

Yours faithfully



Chief Executive

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

If a member of the public is particularly concerned about being filmed, please contact a member of Democratic Services before selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: J Oates, R Pritchard, M Bailey, T Clements, S Doyle, A Farrell and M Summers.

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**MINUTES OF A MEETING OF THE
CABINET
HELD ON 20th OCTOBER 2022**

PRESENT: Councillor , Councillors R Pritchard (Vice-Chair), T Clements, S Doyle, A Farrell and M Summers

The following officers were present: Andrew Barratt (Chief Executive), Matthew Fletcher (Head of Economic Development and Regeneration) and Tracey Pointon (Legal Admin & Democratic Services Manager)

55 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Bailey & J Oates

Councillor Alex Farrell left the meeting at 18.10 after Exclusion of Press & Public

56 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 29 September 2022 were approved as a record.

(Moved by Councillor A Farrell and seconded by Councillor M Summers)

57 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

58 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1 Under Schedule 4, 13, Mr H Loxton will ask the Leader of the Council Councillor Jeremy Oates the following question:-

What engagement has taken place with residents in relation to the council's annual fireworks display since the event last year?

Councillor J Oates gave the following answer:

There are many routes in which TBC engages directly with local residents and businesses.

Last year's fireworks event saw unprecedented numbers of visitors to the Castle grounds. It was the first major outdoor event the Council had undertaken since the pandemic and visitors returned in their thousands.

As the biggest most popular event the council puts I feel sends out a clear message this event is enjoyed and welcomed by the majority.

We should always reflect and consider why we do anything we do as a council especially if, like outdoor events, we do not have to do anything as its not our duty to do so.

With regards the fireworks and other outdoor events we must review our approach regularly.

The councils position on outdoor events is simple, we put them on for people to enjoy but primarily they are put on to attract people to Tamworth and support the businesses we have here.

Specifically regarding fireworks displays many reviews have been taken over the last 16 years and the event has changed such as the removal of the bonfire. So why do we have a large fireworks display/event. The original reasons still stand – Holding large events reduces the number of domestic displays and therefore reduces the sale of fireworks, the dangers of fireworks, the environmental impact in all forms of pollution (sound, light and the products of combustion)

Holding large events brings people together at a time of year in which many wouldn't get together,

Holding the fireworks event brings people in to Tamworth.

The last event was extremely busy and did result in some complaints mainly concerning parking,

To make people aware, these events take a lot of co-ordination and management and as such, the council establish what is called a SAG (Safety Advisory Group). This group meets prior to the event being held (on a number of occasions) and then again after the event to discuss lessons learned and to make sure it is better next time around. This group is made up of all blue light services, local and County Council Officers, together with the appointed security team representatives and Health and Safety advisors.

Since that time the security for the whole event has been reviewed and a revised event plan is in place which includes:

- Consideration of additional road closures to ensure safe ingress and egress of visitors.
- Additional signage to improve awareness will be in place around the Castle grounds.
- Increased lighting within the Castle grounds
- Additional noise monitoring
- Allowing more space for the Fair to operate its rides

- Tamworth Football Club opening their car park to provide more parking spaces.

The final safety advisory group meeting is being held this week, when all of the concerns raised last year will be discussed and a final decision on whether the event goes ahead is made.

Once this had happened the event details will be publicised through various media channels.

59 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

Report of the Chair of the Corporate Scrutiny Committee to update Cabinet and to make recommendations to it following consideration of matters by the Corporate Scrutiny Committee.

At its meeting on 6th October 2022, the Corporate Scrutiny Committee received:

1. The Gungate Regeneration Programme Terms of Reference report, prior to Cabinet receiving this item at its meeting on 10th November 2022; and
2. A Street Market update

Following its consideration of the above items, the Corporate Scrutiny Committee agreed to make recommendations to Cabinet as set out below.

Recommendations

1. Gungate Regeneration Programme Terms of Reference

The Committee **RESOLVED** to recommend to Cabinet that the Programme Board had a member of the Opposition on it (such member to be agreed by the two leaders of the opposition groups).

(Moved by Councillor D Cook and seconded by Councillor S Peaple)

2. Street Market Update

RESOLVED that the Committee recommend to Cabinet that Cabinet instigate a focussed review of the market strategy as a result of the changes in business conditions.

(Moved by Councillor S Goodall and seconded by Councillor A Cooper)

RESOLVED: That Cabinet

1. Gungate Regeneration Programme Terms of Reference

Thanked the Chairman for the recommendation that will be discussed as part of the report at the 10th November Cabinet meeting.

2. **Street Market Update**

Agreed to look at but would encourage Scrutiny Committee to look and do a deep dive into this as well.

The Recommendation from the Chair of Infrastructure Safety and Growth Committee was discussed at item 6 on the agenda

60 **NET ZERO CARBON - BASELINE REPORTING**

Report of the Leader of the Council to update Cabinet on progress made towards achieving Net Zero Carbon.

The Chair of the Infrastructure Safety & Growth Scrutiny Committee updated Cabinet to make recommendations to it following consideration of matters by the Infrastructure Safety & Growth Scrutiny Committee

At its meeting on 26th September 2022, the Infrastructure Safety & Growth Scrutiny Committee received the Net Zero Carbon – baseline reporting item. This item is due to be considered by Cabinet at its meeting on 20th October 2022.

Following its consideration of the above item, the Infrastructure Safety & Growth Scrutiny Committee endorsed the baseline assessment and agreed to add a timescale to the report's recommendation regarding the preparation of an Action Plan and accordingly the committee made the recommendation to Cabinet as set out below.

Recommendation

Net Zero Carbon – baseline reporting

The Committee RESOLVED it recommend to Cabinet that an Action Plan be prepared by 31 December 2024.

(Moved by Councillor S Goodall and seconded by Councillor S People)

RESOLVED: That Cabinet

1. Endorsed the baseline assessment; and
2. Agreed that an action plan is prepared subject to the timeline suggested by I S &G Scrutiny Committee by 31 December 2024

(Moved by Councillor R Pritchard and seconded by Councillor A Farrell)

The Chair asked to be noted that a letter as been forwarded by the MP regarding the third phase of the public de-carbonisation scheme which the MP will support any bids from Tamworth Borough Council. (Letter attached)

61 COUNCIL HOUSING TENANTS ANNUAL REPORT 2021/2022

Report of the Portfolio Holder for Social Housing and Homelessness Prevention to set out the detail informing the production of the Councils Annual Report for council housing tenants' (2021/22). The report also continues to highlight to Cabinet the Regulatory Social Housing's requirements in relation to the Council's stock retained service, the findings of the Regulator of Social Housing's Consumer Regulation Review 2021/22 and update Cabinet on the development of findings of the independent review of the Council's compliance with the regulatory standards and the social housing white paper, across the range of responsible corporate teams.

RESOLVED: That Cabinet

1. Approved the draft `Council Housing Tenants Annual Report 2021/22` for circulation to all Council's tenants via the Council's website as required by the Regulator for Social Housing, to support effective scrutiny by tenants of their landlord's performance. Appendix A
2. delegated authority to the Portfolio Holder for Social Housing & Homelessness Prevention to make the necessary amendments to the draft Council Housing Tenants Annual Report 2021/22, prior to digital circulation to Council's tenants
3. acknowledged the detail within the report relating to rent arrears performance, which responds to Corporate Scrutiny questions raised for quarter 1, 2022-2023
4. acknowledged findings contained within the Consumer Regulation Review 2021/22. Appendix B; and
5. Noted that a separate report is on the forward plan for 10th Nov 2022 to findings of Tamworth's Consumer Regulation Review self-assessment and proposed improvement plans.

(Moved by Councillor A Farrell and seconded by Councillor R Pritchard)

62 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as

amended).

(Moved by Councillor R Pritchard seconded by Councillor A Farrell)

63 MARMION HOUSE DISPOSAL ROUTES

Resolved: that the recommendations in the report be approved

(Moved by Councillor R Pritchard and seconded by Councillor S Doyle)

64 AMINGTON LOCAL CENTRE UPDATE

Resolved: that the recommendations in the report be approved

(Moved by Councillor S Doyle and seconded by Councillor M Summers)

Leader



Department for
Business, Energy
& Industrial Strategy

Minute Item 60

The Lord Callaghan
Minister for Business, Energy and
Corporate Responsibility

Department for Business,
Energy & Industrial Strategy
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10th October 2022

Dear Colleague,

NEXT PHASE OF FUNDING OF THE PUBLIC SECTOR DECARBONISATION SCHEME

I am writing to inform you that the application window for the next phase of the Public Sector Decarbonisation Scheme (Phase 3B) will open on 12 October 2022. The scheme will provide up to £635 million of funding for decarbonising public sector buildings, and I am therefore writing to ensure that you are aware of this opportunity. This programme complements the Government's 'Help to Heat' offer for households and I am seeking your support in promoting it to public sector bodies in your constituency including schools, emergency services, local authorities and hospitals.

The Public Sector Decarbonisation Scheme supports vital upgrades to our public sector buildings, saving money on energy bills, supporting our pathway to net zero and increasing demand for low carbon heating measures across the country, giving the sector confidence to recruit, train and support green jobs. The Scheme supports the aim of reducing emissions from public sector buildings by 75% by 2037 as set out in the 2021 Net Zero and Heat and Buildings strategies.

Phase 3 of the Public Sector Decarbonisation Scheme will provide up to £1.425 billion of grant funding over the financial years 2022/2023 to 2024/2025. Phase 3 represents a welcome opportunity for us to further advance our national decarbonisation agenda, resulting in greater carbon savings and reduced energy bills for public sector organisations, consequently saving taxpayers' money.

Over £555 million of Phase 3 funding has been awarded to 219 projects through the first Phase 3a application window last year. Details of grant recipients for all phases of the Scheme can be found at the links provided below. The second application window for Phase 3b will award up to £635 million to public sector organisations over the financial years 2023/2024 to 2024/2025.

The Public Sector Decarbonisation Scheme is open to all public sector organisations in England, including central Government Departments. For public services that are

reserved, rather than devolved, funding may be used to make improvements to estates anywhere in the UK.

The updated guidance and application form for Phase 3b were published on 2 August 2022 by our delivery partner, Salix Finance. The application window for Phase 3b will open to applications on 12 October 2022 and will close on 31 October 2022 if a sufficient value of applications has been received for the budget available. Details of the scheme and the application portal can be found at the links below.

I would be grateful if you could help to encourage public sector bodies in your constituency to participate in the Scheme. I would like to thank you in advance for your support.

Ansdell, Gavin (Implementation & Delivery) <Gavin.Ansdell@beis.gov.uk>



Lord Callanan

Links:

Information about the Public Sector Decarbonisation Scheme:

<https://www.gov.uk/government/collections/public-sector-decarbonisation-scheme>

PSDS Phase 3b scheme guidance and application form:

<https://www.salixfinance.co.uk/Phase3bPSDS>

Grant recipients for Phase 1 of the Public Sector Decarbonisation Scheme

<https://www.gov.uk/government/publications/public-sector-decarbonisation-scheme-phase-1-closed-to-applications>

Grant recipients for Phase 2 of the Public Sector Decarbonisation Scheme

<https://www.gov.uk/government/publications/public-sector-decarbonisation-scheme-phase-2-closed-to-applications>

Grant recipients for Phase 3a of the Public Sector Decarbonisation Scheme

<https://www.gov.uk/government/publications/public-sector-decarbonisation-scheme-phase-3>

10 November 2022

Report of the Chair of the Health & Wellbeing Scrutiny Committee**Matters referred to Cabinet in accordance with the Overview and Scrutiny Procedure Rules****Exempt Information**

None.

Executive Summary

The following Committee has referred the following matter to Cabinet:

Scrutiny Committee	Title of Matter referred	Date of Scrutiny meeting
Health & Wellbeing Scrutiny Committee	Safeguarding Children and Adults at Risk of Abuse Report (April to September 2022)	18 th October 2022

Background

To update Cabinet and to make recommendations to it following consideration of matters by the Health & Wellbeing Scrutiny Committee.

At its meeting on 18th October 2022, the Health & Wellbeing Scrutiny Committee received the Safeguarding Children and Adults at Risk of Abuse Report (April to September 2022).

The Report provided an overview of the Safeguarding training provided to all staff and the suicide prevention training which was also available. The scrutiny committee sought clarification on which training was mandatory. It was reported that all staff completed Level 1 Safeguarding training. In terms of the suicide prevention training it was reported that teams were identified and relevant staff were encouraged to attend. The Committee debated whether it would be appropriate for public facing staff roles to be more aware of suicide prevention and training related to this.

Following its consideration of the above item, the Committee agreed to make the recommendation to Cabinet as set out below.

Recommendations

RESOLVED that the Committee recommend to Cabinet that it consider whether all public facing staff should complete suicide prevention / awareness training.

(Moved by Councillor D Maycock and seconded by County Councillor T Jay)

Options Considered

None.

Report Author

Councillor R Claymore
Chair of Health & Wellbeing Scrutiny Committee

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Thursday, 10 November 2022

Report of the Portfolio Holder for Skills, Planning, Economy & Waste

Gungate Regeneration Programme, Terms of Reference

Exempt Information

None

Purpose

To provide Cabinet with a proposed governance structure for the Gungate Regeneration programme, to oversee the development and delivery of emerging projects, within scope of the wider programme.

Recommendations

It is recommended that Cabinet:

1. Approve the terms of reference for the Gungate Regeneration programme.
2. Consider proposals from Corporate Scrutiny Committee, that a member of one the opposition parties become a board member.

Executive Summary

Over the past three years significant work has been undertaken to bring forward development on the Town Centre regeneration site, known as Gungate, comprising land south of Spinning School Lane in Council ownership and land north of Spinning School Lane in multiple ownership. This has included such activity as: a fully consulted, viability focused site masterplan; negotiations and agreements with land owners; applications for funding; a car park demand study; indicative scheme design; strategic relationship development with key external partners.

Through the development of a recent Levelling Up Fund (LUF) Round 2 bid, which was approved by full Council in June 2022 and successful conversations with both the County Council and Homes England, there are now projects and works ready to be brought forward with existing identified finance, whilst the Council waits for news from Government if it has been successful in its bid or not, expected by the end of December. A formally approved governance structure is now critical to ensure the right controls are in place to manage any decision making for the wider programme.

The governance approach to the Gungate regeneration programme is brought to Cabinet for approval through the adoption of a terms of reference, identical in nature to that of the Future High Street Fund (FHSF). These terms of reference will create the agreed governance structure, a Board with a similar function to the FHSF Programme Board, relevant delegated powers of decision making and a framework for financial controls to ensure the programme can progress within its set parameters and detailing the necessary scrutiny arrangements.

Options Considered

Do nothing

This option would mean not putting any governance in place to manage the overall programme. This would represent a severe risk to the Council and to programme delivery as there would be minimal oversight on a regular basis, with no clear structure for decision making and approval of key decisions. Without a specific governance framework, the projects under the programme would unlikely to be brought forward as required to achieve the outcomes of the Council and its partners. It is highly unlikely finances and project risks would be managed correctly.

Corporate Scrutiny

Corporate Scrutiny Committee on Thursday 6th October 2022 reviewed and considered the draft terms of reference and proposed governance for the Gungate Regeneration programme. From this review the following was proposed:

- That a member of one of the opposition parties be represented on the Programme Board and for this to be decided at Cabinet. Which member of the opposition to attend would be agreed by the leader of each opposition party.
- The level of financial control remains the same as the current Future High Street levels

Resource Implications

The TOR provides a framework within which Tamworth Borough Council resources can be allocated efficiently and correctly. Resources relates both to staffing and finances required to facilitate the delivery of the programme. The resources required to deliver each project under the programme, will be different, and as such will be kept under regular review, which is written into the Programme Board TOR - see Appendix 1.

Legal/Risk Implications Background

There are no legal issues arising as a consequence of this report.

The TOR and creation of a governance board will allow the management and mitigation of risk to the authority by setting out a clear governance arrangement with appropriate levels of accountability, scrutiny, and relevant controls in place.

Equalities Implications

There are no envisaged equalities implications arising from this report.

Environment and Sustainability Implications (including climate change)

There are no known environmental and sustainability implications arising from this report.

Background Information

None

Report Authors

Liz McCusker – Regeneration Projects Officer

Matt Fletcher – Head of Economic Development and Regeneration

List of Background Papers

Full Council – Levelling Up Fund round 2 application – 30th June 2022.

Appendices

1 - Gungate Terms of Reference

Appendix 1: Gungate Regeneration Programme - Programme Board and Delivery Teams Terms of Reference.

PROGRAMME BOARD TERMS OF REFERENCE

- 1.0** The Programme Board has a strategic role that includes several responsibilities and accountabilities:
- 1.1** To provide overall strategic direction and guidance, ensuring that wider factors beyond the scope of the project (such as synergies with other council partners' projects/interventions) are taken into account including the engagement of any key council stakeholders not identified by the Programme Delivery Team
 - 1.2** Ensures appropriate programme and project management systems, processes and procedures are implemented
 - 1.3** Is responsible for the overall success of the programme (i.e. delivery of programme and project outputs and outcomes)
 - 1.4** Approves the scope of the overall programme and projects as prepared by the Programme Delivery Team
 - 1.5** Monitors the master programme and overall programme budget following approval from TBC Cabinet and Full Council respectively
 - 1.6** Approves the expenditure of project budgets at key milestones including:
 - 1.6.1** Appointment of consultant team to undertake the project design and planning process
 - 1.6.2** Expenditure of costs associated with purchase of premises required for the completion of the Programme
 - 1.6.3** To commence the tender for enabling new build projects in line with financial guidance
 - 1.6.4** To award contracts, in line with financial guidance, for the works related to enabling, and new build projects; so long as expenditure is within the overall Programme budget. Is responsible for the commitment of internal council personnel resources as required to successfully complete the projects
 - 1.7** Signs off project plans at the completion of key design and tender stages including:
 - 1.7.1** RIBA Stage 2 or ahead of planning application
 - 1.7.2** RIBA Stage 3 or ahead of main contract tender exercise
 - 1.7.3** Ahead of award of the main contract for the works
 - 1.8** Signs off the completion of each project stage (as detailed in item 1.7) and authorises the start of the next stage (milestone gateway approval)

- 1.9** Resolves escalated issues from the Programme Delivery Team (i.e. which cannot be resolved by the Programme Manager)
- 1.10** Sets project change authority levels. It is proposed that the following authority levels apply for this programme of works once the main contract budget is set at the end of RIBA Stage 3;
- 1.10.1** Individual changes up to a cap of £10,000 net cost, but within the overall project budget can be authorised by the Programme Manager/Programme Delivery Team
 - 1.10.2** Individual Changes up to a cap of £250,000 net cost, but within the overall project budget can be authorised by the Programme Delivery Team so long as the change is properly costed by the external cost manager and a record of the change particulars is kept along with its approval at the monthly Programme Delivery Team meeting
 - 1.10.3** Individual Changes over £250,000 net cost but within the overall project budget, and which do not fundamentally change the scope of the programme/outcomes, require the authorisation of the Programme Board prior to the change being incorporated into the programme scope
 - 1.10.4** Any Change which would require expenditure beyond the approved budget would need approval from Council as there is no reserve budget for the Programme beyond the approved budget
 - 1.10.5** Expenditure of contingencies within the overall budget is deemed to be expenditure of the approved budget and therefore will be governed by the same authority levels as detailed in items 1.10.1-1.10.4
- 1.11** Monitors major changes to the project scope and duration, following Cabinet or Full Council approval, which require a revision of the approved planning application or will result in prolongation of the programme completion date beyond that date approved in the master programme at completion of RIBA Stage 2
- 1.12** Approves the key stakeholder and public engagement strategy and programme
- 1.13** Approves the Project End Reports

2. The Programme Board is composed of:

- Chair. Chief Executive Officer
- Executive Director Organisation
- Section 151 Officer
- Executive Director Communities

- Senior Responsible Officer (SRO – Council programme lead)
 - Leader of the Council or allocated lead Councillor (if different from Leader)
 - Appropriate Portfolio Holder(s) - To be agreed dependent upon final projects.
 - Other attendees – To be agreed by the board dependent upon final projects that will be brought forward.
3. The Programme Board meets monthly unless agreed between attendees that the meeting is not required for any reason. The Programme Board will however meet at a minimum of quarterly intervals.
- 3.1 Should an urgent decision be needed which requires input from Programme Board an ad-hoc exceptional circumstances meeting will be arranged between the Programme Manager, Chief Executive, Section 151 Officer, SRO and lead Councillor to table the urgent issue only, the outcome of which will then be raised for full ratification at the following Programme Board meeting.

PROGRAMME DELIVERY TEAM TERMS OF REFERENCE

4. The Programme Delivery Team manages the delivery at the operational level, which includes the following responsibilities:
- 4.1 Develops and maintains relevant programme and project management documentation, including:
- 4.1.1 Programme and project plans (tasks, milestones, and dependencies)
 - 4.1.2 Programme and project budgets and spend profiles / cashflows
 - 4.1.3 Action logs
 - 4.1.4 Instruction forms
 - 4.1.5 Risk logs
 - 4.1.6 Request for change forms
 - 4.1.7 Highlight Reports
 - 4.1.8 Procurement and Fund Monitoring Evaluation Reports
 - 4.1.9 Committee Reports
- 4.2 Manages the delivery of the programme, projects according to the scope, programme and budget agreed by the Board
- 4.3 Manages the expenditure of project budgets in line with approvals detailed at item 1.6 above and approves all other project expenditure within the overall approved budget.
- 4.4 Monitors and controls any change to the scope, budget and time at programme and project level and submits requests for change accordingly to the Programme Board in line with the change authority levels set out in item 1.10

- 4.5 Refers any issues to the Programme Board– an issue is a threat to the project objectives that has happened and cannot be resolved by the Programme Manager
- 4.6 Ensures risks are being tracked and mitigated as effectively as possible
- 4.7 Ensures effective communication between project leads, delivery partners and key stakeholders
- 4.8 Submits Quarterly Programme Progress Reports to the Board
- 4.9 Submits six-monthly progress reports to DLUHC or at any other such interval as required once the LUF reporting requirements become clear

5.0 The Programme Delivery Team is composed of:

- Assistant Director: Growth and Regeneration
- Assistant Director: Finance
- Assistant Director: Assets
- Head of Economic Development and Regeneration
- External Consultant - Programme Manager
- Project Officer
- External Consultant - Project Manager
- External Consultant - Commercial Manager
- External Consultant - Property Advisor
- TBC – Communications
- TBC – Administrative Support

With sub-team members who will be included in all minute’s distribution and invited to meetings as required including:

SCC – Highways

TBC – Legal

TBC - PlanningTBC - Street Scene

TBC – Procurement

The intention of the Programme Delivery Team composition is that the core team members meet on a regular basis to update on the project progress and any key deliverables which require attention, and the sub-team members will provide ad-hoc support as required and will be continually updated on progress to allow them to input with their area of expertise were appropriate.

The Programme Delivery Team meets monthly with agendas set by the Programme Manager and minutes recorded by the elected minute taker. Project specific meetings will take place more frequently as required.

Quarterly updates on programme performance will be taken to Corporate Scrutiny Committee.

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Thursday, 10 November 2022

Report of the Portfolio Holder for Homelessness Prevention and Social Housing

Regulation Social Housing for the Council's own stock

Exempt Information

Non-Confidential

1.0. Purpose

- 1.1. To set out the Regulator Social Housing (RSH) revised approach for consumer regulation across its council housing services
- 1.2. To update Cabinet on the proposals within the Government's Social Housing (Regulation) Bill and the Council's preparedness for it across its council housing services
- 1.3. To update Cabinet on discussions arising from the Homelessness Prevention and Social housing Sub-committee specifically in relation to:
 - The Government's proposed rent cap & HRA business planning requirements
 - Tenant representation on the committee

2.0. Recommendations

2.1. Cabinet is recommended to: -

1. **Acknowledge the detail shared with Homeless Prevention and Social Housing Sub-Committee on 12th October 2022, shown in full at Annex 1.**
2. **Endorse the findings from the external Self-Assessment shown at Annex 2**
3. **Delegate authority to the Council's Monitoring Officer to ensure nominated representatives from the Tenants Consultative Group (Chair &/or Vice Chair) form part of the Council's Homelessness Prevention and Social Housing Sub-Committee in compliance with the Council's constitutional & legal framework; noting the Committee fully supported this at their meeting on the 12th of October 2022**
4. **Approve the self-assessment improvement framework shown at Annex 3; referring it to Corporate Scrutiny for further development on 17th November 2022; delegating the SMART¹ detail to the Portfolio Holder for Homelessness Prevention and Social Housing**
5. **Retrospectively approve the response to [DLuCH](#) on the proposed [rent cap](#) shown at Annex 4 and discussed at the Council's Homelessness Prevention and Social Housing Sub-Committee on 12th October 2022**
6. **Delegate authority to the Portfolio Holder Homeless Prevention and Social Housing to agree the consultation arrangements with Tenants and Leaseholders on the HRA business plan arrangements following the Government's announcement on the rent cap and its associated impact on financial planning.**
7. **Delegate approval to the Head of Paid Service and Chief Executive to approve the resourcing arrangements; noting policy changes of £100k are being built into the**

¹ Specific Measurable Achievable Realistic Timed

Council's budget setting processes (subject to approval) to deliver the improvement plan and

- a. ensure the Council complies with the Regulators decision statement on the submission of new [tenant satisfaction measures](#)

3.0. Executive Summary

Regulatory Changes

- 3.1. Homeless Prevention & Social Housing Sub-Committee have continued to receive updates on the Council's preparedness for significant changes in the regulation of social housing; the latest [presented 121022](#). Starting November 2021, the Committee have discussed emerging changes impacting Council housing - set out in the Charter for Social Housing; Reshaping of Consumer regulation; Draft Social Housing (regulation) bill and most recently the new and required tenant satisfaction measures. The latest presentation is shown in full at **annex one**, feedback has been incorporated in the report.

Recap from 2021/2022 - Continuing Conversation...

Event	Details	Zoom in
Social Housing White Paper	Charter for Social Housing Residents updated 2021-11 date to Cabinet October 2021 - endorsing self-assessment	
Commissioning of Self-Assessment for regulation of council Housing	2021 - Savills only expression of interest and invited to develop specification with members to ensure "one council" response and build corporate capacity	
Housing & Homeless Sub Committee	3/11/21; 02/02/22; 15/06/22 - Presentation Shared. Portfolio Holder to support evaluation (with TCG)	
Self-Assessment & Preparations started	18/11/21 - Commissioning of self-assessment -intend link Closing Date Xmas & Evaluation January 2022. Start February 2022 - Key Corporate Project	
Government launched Reshaping consumer regulation principles. First Published 17/11/21	https://www.gov.uk/government/publications/reshaping-consumer-regulation-our-principles/reshaping-consumer-regulation-our-principles-accessible-version	
Tenant Satisfaction Measures built around themes	New RSH direction 220922- collection from April 2023	

Self-Assessment & Tenants consultative group

- 3.2. An external self-assessment was commissioned early 2022 and took place between February-September 2022. The findings are set out at **Annex two** and followed a series of stakeholders' discussions to test compliance with the 4 consumer standards which are: -

1. Home
2. Tenant Involvement & empowerment
3. Tenancy
4. Neighbourhood & Community

The RSH also has three Economic Standards of which only the Rent Standard is applicable to TBC:

- Governance and Financial Viability Standard
- Rent Standard and
- Value for Money Standard.

Tenants have been at the heart of the production of this review and attended the last Homelessness Prevention and Social Housing Sub-Committee to support the discussions. Given the overriding theme of the proposed regulatory changes are to put **tenants at the heart of decision making** it is recommended their role in that committee is assessed by the Council's Monitoring Officer to ensure

constitutional compliance. Details of the Tenant Consultative group and its role are reflected in the presentation shown at annex one.

The summary findings from the self-assessment were presented as a SWOT² analysis shown overleaf. Whilst the external feedback was very positive; and key strengths are in the Council recognising its areas for improvement and having a solid basis on which to build improvements; there are a range of actions required to ensure the Council is compliant across all its consumer, council housing services, should it be inspected from 2023 onwards.

The proposed improvement framework is shown at Annex 3. Corporate Scrutiny have requested that they review this on the 17th of November so that it can be developed into a SMART action plan. Officers fully support this as this will contribute to the evidence that there is strong and committed leadership and governance around its production and delivery. It is therefore recommended that the final development of the improvement plan is delegated to the Portfolio Holder for Homeless Prevention and Social Housing to approve.

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> • Strong & Committed Cabinet / Leadership team • Self Assessment informs legislative preparations • No serious detriment • Nothing we didn't know • Risk based improvement plan • Compliance on tenancy & home standards 	<ul style="list-style-type: none"> • C3/4 rating for Tenant Involvement / Community standards • Service standards inconsistent • TSMs need to link to Councils performance KPI culture • Satisfaction monitoring needs to be across all council housing services - STAR survey 	<ul style="list-style-type: none"> • Strong partners - resilient communities • Compliance on Tenancy & Home standards - key health & safety requirement • Strong commitment to digitalisation • Enthusiastic staff • Housing & Homeless Committee & commitment to link tenants 	<ul style="list-style-type: none"> • Rent cap and ability to invest • Raising income will be unpopular • Representation from tenant hard to reach groups and difficulty engaging • Resource intensive - Policy schedules needs refresh • Readiness for inspection - document library; staff and stakeholder training

Proposed Rent Cap and HRA Business Plan

3.3. Impacting on the self-assessment is the potential for a rent cap being proposed by the Government. The headlines in the table overleaf were shared with the sub-committee and the full response sent in response to the Government's consultation is shown at **Annex four**. A 5% rent cap, together with the additional inflationary & regulatory pressures (such as decarbonisation and building safety) would result in estimated losses of c£42m within the HRA business plan over 30 years: just under £7m over 5 years. This includes additional debt servicing costs at an unlimited and unsustainable level of borrowing to support the capital investment programme and without interventions forecasts a capital funding gap of over 30 years in excess of £200m. Whilst the Council recognises the impact on household affordability it believes a targeted approach to support low-income households would avoid such an impact on its business plan.

The Government have indicated that they will announce their decision on the rent cap by the end of the Calendar year. If the rent cap of 5% is imposed, which appears to be the Government's recommendation, this will require an immediate review of the HRA business plan and consultation with tenants and leaseholders on the ambitions for its management and maintenance options.

It is therefore proposed to delegate authority to the Portfolio Holder Homeless Prevention and Social Housing to agree the consultation arrangements with Tenants and Leaseholders on the HRA business plan arrangements following the Government's announcement on the rent cap and its associated impact on financial planning. In the meantime, the Council will continue to work with the sector to model the impacts and ensure that prudent decisions are built into the medium-term financial planning that remains alive to the potential risks of losses of income.

Rent Cap Consultation - Response due 12/10/22

- ▶ DLUCH questions around 3%;5% or 7% cap
- ▶ HRA Business plan assumed CPI +1%
- ▶ Rent 'Conundrum' - not targeted
- ▶ 50-60% tenants on Housing benefit and not impacted
- ▶ Business planning impacts - rising bad debt; rising construction costs and reductions in planned income
- ▶ Rent Standard requires LAs should have regard for local market conditions
- ▶ Levelling up impact as gap between social and market rents could widen
- ▶ Requirements to be compensated for 4 years rent reductions -1%; Covid pressures; building safety investment and now proposed cap
- ▶ Requirements for support to be targeted through DHP; hardship funding
- ▶ Likely 5% cap from April 2023
- ▶ Context for Self - Assessment & improvement Planning

Impact over 30 years (Compared with Baseline)	Movement in HRA Balance £000	Increase in HRA Debt £000	Combined Impact £000
5% Rent Cap	-£69	£42,195	£42,264
7% Rent Cap	-£53	£32,473	£32,527
3% Rent Cap	-£86	£52,716	£52,802

Impact by 2027/28 (Compared with Baseline)	Movement in HRA Balance £000	Increase in HRA Debt £000	Combined Impact £000
5% Rent Cap	-£6,975	£0	£6,975
7% Rent Cap	-£5,414	£0	£5,414
3% Rent Cap	-£7,222	£1,344	£8,566
Rent Freeze	-£7,240	£3,722	£10,961

	Lost Rent over 5 years £000	Lost Rent over 30 years £000
5% Rent Cap	-£5,426	-£22,489
7% Rent Cap	-£4,220	-£17,491
3% Rent Cap	-£6,632	-£27,487
Rent Freeze	-£8,441	-£34,983

4.0. Resource Implications

- 4.1. The regulation of social housing and the requirements in the proposed legislation and associated standards are significant. This represents a return to a more proactive inspection arrangement and therefore requires a whole council commitment to ensuring it is prepared.
- 4.2. As the Council does not have a single housing team; preferring a **one council approach** to ensure cross collaboration and efficiencies between teams the oversight and delivery of actions in the improvement plan requires programme and project oversight as well as the need to ensure the requisite technical support to deliver step change on key policies and practice to ensure statutory compliance.
- 4.3. A policy change of £100k p.a. for 2 years is being built into the council's budget setting process to resource this work (subject to approval); it is anticipated that under the co-ordination of the Assistant Director Neighbourhoods a Project lead, Tenant & Leaseholder Regulatory Manager and dedicated ICT resources will be required for up to two years. It is recommended that the detail of this is delegated to the Head of Paid Service to review and approve identifying the most cost-effective way to source the support.

4.4. The requirements, identified in the business case are summarised as follows: -

Programme & Project Co-ordination	Tenant & leaseholder Compliance	Dedicated ICT resourcing
<ul style="list-style-type: none"> • Prince style Project management of self assessment improvement plan • Reporting to Cabinet & associated committees on the improvement plan • Risk and resource management • Prioritisation of improvement plan & highlight reports on progress • Co-ordination across all directorates to gather evidence to support improvement plan 	<ul style="list-style-type: none"> • Develop the role of Tenant Consultative group to comply with training and capacity • Capacity building within the TCG to support Homelessness Prevention and Social Housing sub committee as active members • Ensure 22 Tenant Satisfaction measures are produced with tenants • Development of the tenant involvement and empowerment strategy • Tenant profiling and tailored service opportunities • Ensure compliance with the tenant involvement and empowerment standard 	<ul style="list-style-type: none"> • Collation of all 22 Tenant Satisfaction Measures • Submission to the regulator as required of all data • Data validity and creation of KPI data for RSH inspection and review • Live monitoring and alignment with the Councils performance framework

5.0. Legal/Risk Implications Background

5.1. Failure to prepare and ultimately comply with the proposed standards, legislation and directions will result in the following risks: -

Risks	Mitigation
Reputational risk if there is non-compliance	The self-assessment evidences the council preparedness'
Government action if the performance improvement plan is not managed	The improvement plan is informed by a range of committees and will be kept under review via scrutiny and through discussion at H&H subcommittee (of which TCG are represented)
Tenant/Leaseholder dissatisfaction and rise in complaints, if the Council does not deliver housing services to the required standards	Delivery of SMART action plan
Low staff morale and staff retention risk if there aren't sufficient staffing resources available to deliver the proposed standards	Implementation of the proposed resources arrangements

6.0. Equalities Implications

6.1. The development of the tenant and involvement standard requires providers to understand its demographic and tailor services accordingly. The improvement plan identifies specific tasks around this and will therefore contribute to the Council's requirements in this area.

7.0. Environment and Sustainability Implications (including climate change)

7.1. The Home standard covers all related repair and health safety obligations. Integral to this is the Councils commitment to the current Decent Homes Standard whilst at the same time recognising that an enhanced standard is likely to be implemented that will place greater obligations around Building Safety, Energy Efficiency and the drive for Net Zero Carbon. Work is being done to understand the baseline data for energy efficiency across the stock. Some work has commenced that will see a number of hard-to-treat properties being upgraded to meet modern insulation standards, but further work and investment will be needed to upgrade homes and to introduce alternative and renewable heating to homes. It is likely that there will be significant costs to achieving the levels of energy efficient required and whilst there is likely to be some grant funding available the Council will still be required to invest heavily.

8.0. Next Steps

8.1.

Activity	Timescale
Cabinet	10/11/22
Corporate Scrutiny to review improvement plan	17/11/22
Develop & Agree Final SMART improvement Plan with Portfolio Holder	February-March 2023
Subject to resourcing proposals being approved agree arrangements	In readiness for April commencement
Agree Project Initiation Documentation and approach to managing the self-assessment as a corporate programme	March for an April 2023 commencement
Review and prepare for Tenant Satisfaction Measures and data to be collated and/or submitted	November 2022 – April 2023 subject to detailed guidance from RSH

Report Author

Tina Mustafa – Assistant Director Neighbourhoods; ext. 467

Appendices

Annex 1	Presentation Homelessness Prevention and Social Housing Sub-Committee 121022
Annex 2	External Self-Assessment September 2022
Annex 3	Self-Assessment Improvement Framework
Annex 4	Tamworth's response to DLUCh proposed rent cap 121022

Homelessness Prevention and Social Housing Sub-Committee






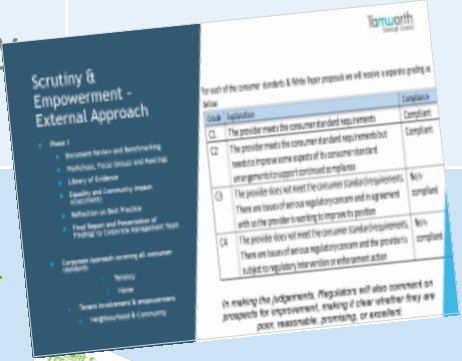

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Council Housing - Social Housing Regulation Bill and preparedness'

Tamworth
Borough Council

Tina Mustafa
Assistant Director
Neighbourhoods
12th October 2022

Recap from 2021/2022 - Continuing Conversation....

Event	Details	Zoom in
Social Housing White Paper	Charter for Social Housing Residents updated 2021 - Update to Cabinet October 2021 - endorsing self-assessment	
Commissioning of Self - Assessment for regulation of council Housing	2021 - Savills only expression of interest and invited to develop specification with members to ensure “one council” response and build corporate capacity	
Housing & Homeless Sub Committee	3/11/21; 02/02/22; 15/06/22 - Presentation Shared. Portfolio Holder to support evaluation (with TCG)	
Self Assessment & Preparations started	18/11/21 - Commissioning of self assessment - intend link Closing Date Xmas & Evaluation February 2022. Start February 2022 - Key Corporate Project	
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Tenant Satisfaction Measures built around themes	New RSH direction 220922 - collection from April 2023	

Summary Position 02/02/22

Event	Details	Zoom in									
<p>Social Housing Regulation Bill</p>	<p>Key changes put tenants at the heart of decision making; drive up standards & create inspection framework</p>										
<p>Rent Cap Consultation</p>	<p>HRA Business plan implications - inevitably will impact preparations for self assessment</p>	<table border="1"> <thead> <tr> <th>Response</th> <th>Number of Responses</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>25% Rent Cap</td> <td>459</td> <td>85.2%</td> </tr> <tr> <td>7% Rent Cap</td> <td>80</td> <td>14.8%</td> </tr> </tbody> </table>	Response	Number of Responses	Percentage	25% Rent Cap	459	85.2%	7% Rent Cap	80	14.8%
Response	Number of Responses	Percentage									
25% Rent Cap	459	85.2%									
7% Rent Cap	80	14.8%									
<p>Self-Assessment Preparedness'</p>	<p>External self-assessment completed between February - August 2022 - SWOT analysis; Improvement Plan</p>										
<p>Tenant Consultative Group & representation</p>	<p>Meet the Chair & Vice Chair - linking tenants to influencing; monitoring and supporting policy development</p>										
<p>Draft Cabinet Recommendations 10/11/22</p>	<p>Getting ready and what's next</p>										

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Social Housing (Regulation) Bill

Social Housing (Regulation) Bill [HL]

Government Bill

Originated in the House of Lords, Session 2022-23

Last updated: 7 October 2022 at 18:24



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- ▶ Removal serious detriment test - shift to proactive consumer regulation
- ▶ Stronger enforcement powers for the Regulator
- ▶ Professional Standardisation - qualified and well trained senior staff
- ▶ Improved property standards - Decency & carbon neutrality

Rent Cap Consultation - Response due 12/10/22

- ▶ DLUCH questions around 3%;5% or 7% cap
- ▶ HRA Business plan assumed CPI +1%
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3% Rent Cap	-£6,632	-£27,487
Rent Freeze	-£8,441	-£34,983

Self-Assessment Preparedness' & Findings

Strengths

- Strong & Committed Cabinet / Leadership team
- Self Assessment informs legislative preparations
- No serious detriment
- Nothing we didn't know
- Risk based improvement plan
- Compliance on tenancy & home standards

Weaknesses

- C3/4 rating for Tenant Involvement / Community standards
- Service standards inconsistent
- TSMs need to link to Councils performance KPI culture
- Satisfaction monitoring needs to be across all council housing services - STAR survey

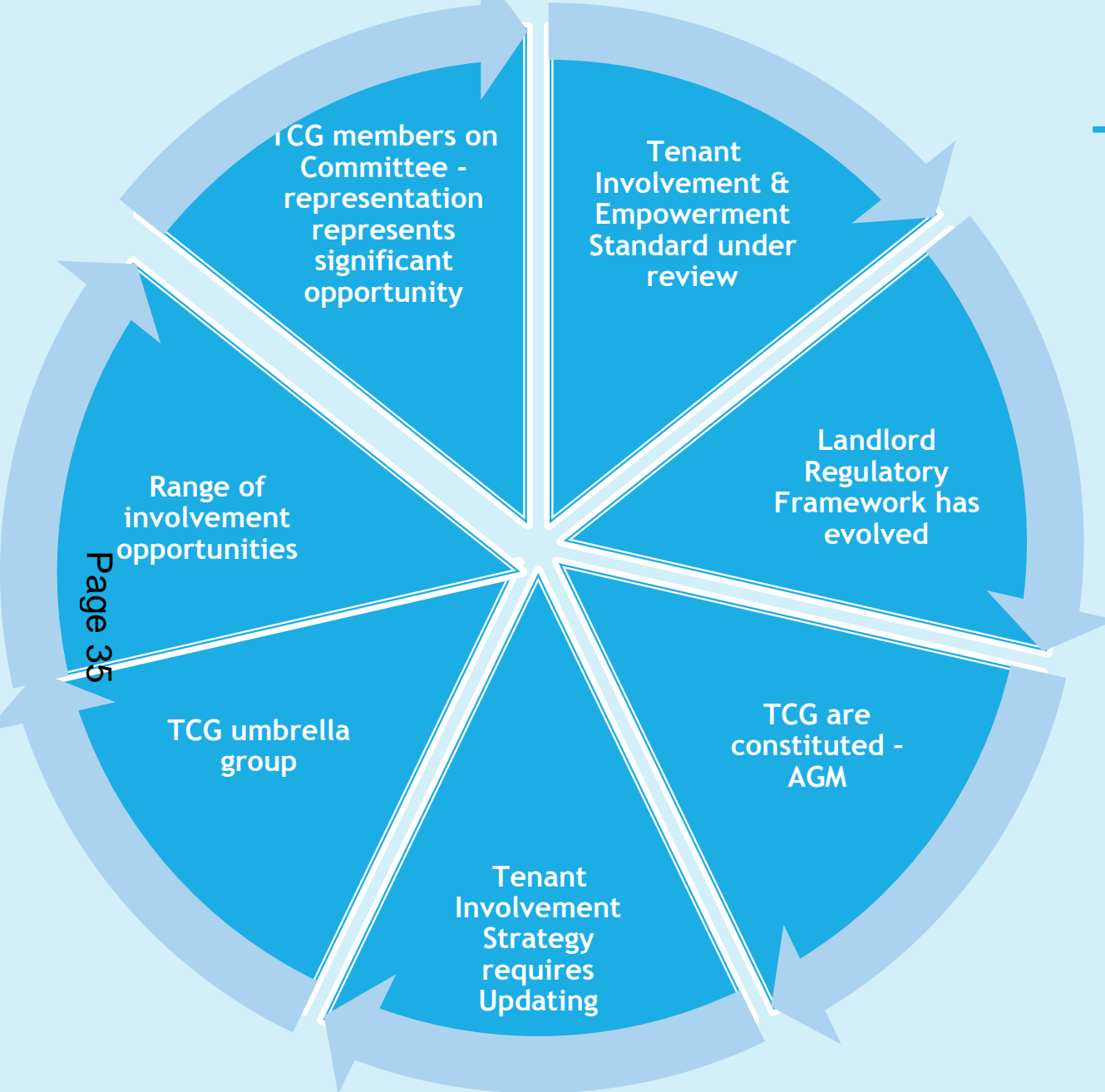
Opportunities

- Strong partners - resilient communities
- Compliance on Tenancy & Home standards - key health & safety requirement
- Strong commitment to digitalisation
- Enthusiastic staff
- **Housing & Homeless Committee & commitment to link tenants**

Threats

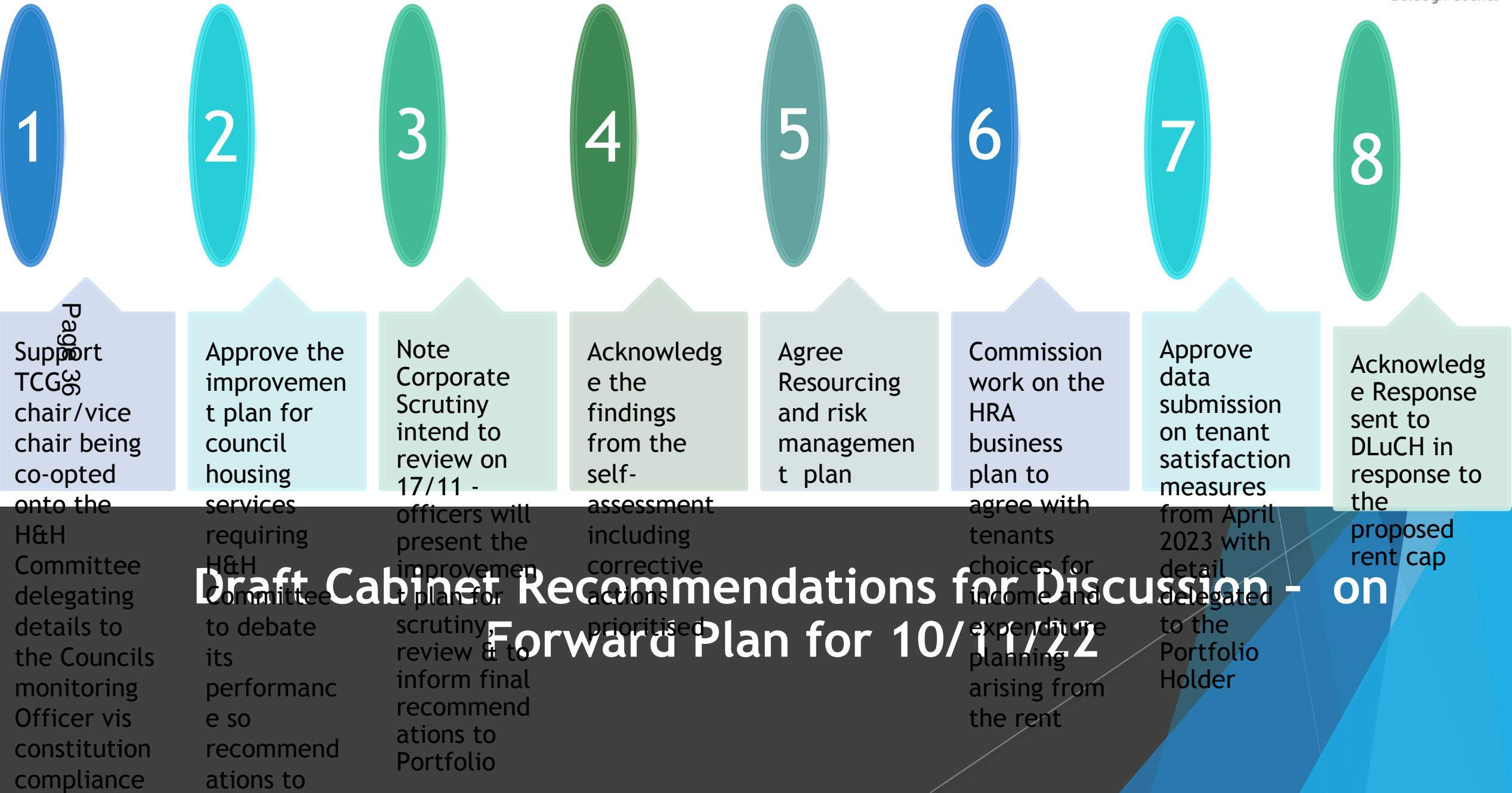
- Rent cap and ability to invest
- Raising income will be unpopular
- Representation from tenant hard to reach groups and difficulty engaging
- Resource intensive - Policy schedules needs refresh
- Readiness for inspection - document library; staff and stakeholder training

Tenant Consultation Group & Tenants Voice



Introducing Chair & Vice Chair

- ❖ Sally Bond and Iris Clements – nominated by TCG over Summer
- ❖ Iris Joined TCG from the start in 2008 and Sally joined in 2017
- ❖ Iris has been TCG Chair since 2015, Sally is the current TCG Vice Chair
- ❖ Iris is a member of TCG, Tenants Voice, Complaints Review Group, Tenant Involvement Group and is consulted on proposals for the Neighbourhood Investment Programme as one of the TCG representatives
- ❖ Sally is a member of TCG, Tenants Voice, Tenant Involvement Group and is an active tenant inspector getting involved in both estate and cleaning inspections
- ❖ Iris is from the Mercian Ward and Sally the Amington Ward



Support TCGC chair/vice chair being co-opted onto the H&H Committee delegating details to the Councils monitoring Officer vis constitution compliance

Approve the improvement plan for council housing services requiring H&H Committee to debate its performance so recommendations to

Note Corporate Scrutiny intend to review on 17/11 - officers will present the improvement plan for scrutiny, review & to inform final recommendations to Portfolio

Acknowledge the findings from the self-assessment including corrective actions prioritised

Agree Resourcing and risk management plan

Commission work on the HRA business plan to agree with tenants choices for income and expenditure arising from the rent

Approve data submission on tenant satisfaction measures from April 2023 with detail delegated to the Portfolio Holder

Acknowledge Response sent to DLUCH in response to the proposed rent cap

Draft Cabinet Recommendations for Discussion - on Forward Plan for 10/11/22

Tenant Satisfaction Measures (TSM) and Consumer Compliance

- ▶ Consultation on the introduction of tenant satisfaction measures - GOV.UK (www.gov.uk) closed 3 March 2022
- ▶ RSH publishes decision statement on introduction of TSMs – latest update 210922
- ▶ The TSMs will apply to all social housing landlords, including local authorities, housing associations and other registered social housing providers.
- ▶ The Regulator requires reporting on 22 TSM's covering 6 themes with a proposed new consumer standard requiring landlords to collect, publish and submit information across all 22 standards from April 2023
- ▶ Resourcing and data implications impacting HRA Business planning

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Tenant satisfaction measures: A summary of our requirements - September 2022 (publishing.service.gov.uk)



About tenant satisfaction measures

The Regulator of Social Housing is creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. In addition to introducing revised consumer standards, this will involve a set of tenant satisfaction measures (TSMs) that social housing landlords must report on. People will be able to use these measures to understand how well landlords are doing.

This document presents the final set of TSMs and a summary of the regulator's requirements for them.

Another document presents a summary of the key areas of feedback we received in the consultation and sets out our decision on the final Tenant Satisfaction Measures Standard and accompanying documents. This is called the [Consultation on the introduction of Tenant satisfaction Measures Decision Statement](#).

Will this apply to me?

The tenant satisfaction measures will cover all kinds of rented social housing in England where the landlord is registered with us (a 'registered provider').

Some, but not all, of the tenant satisfaction measures (see page 6) will also cover shared ownership homes.

Why are these changes happening?

In 2020, the government published [The charter for social housing residents – social housing white paper](#), which sets out ways to improve things for people living in social housing. Some of these are for the Regulator of Social Housing to do. Our document [Reshaping consumer regulation: our principles and approach](#) describes the steps we are taking.

One of those steps is bringing in a set of tenant satisfaction measures. These measures should:

- let tenants see how well their landlord is doing
- give us an idea of which landlords might need to improve things for their tenants.

Scrutiny & Empowerment – External Approach

- ▶ Phase 1
 - ▶ Document Review and Benchmarking
 - ▶ Workshops, Focus Groups and Meetings
 - ▶ Library of Evidence
 - ▶ Equality and Community Impact Assessments
 - ▶ Reflection on Best Practice
 - ▶ Final Report and Presentation of Findings to Corporate Management Team

- ▶ Corporate Approach covering all consumer standards
 1. Tenancy
 2. Home
 3. Tenant Involvement & empowerment
 4. Neighbourhood & Community

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For each of the consumer standards & White Paper proposals we will receive a separate grading as below:

Grade	Explanation	Compliance
C1	The provider meets the consumer standard requirements	Compliant
C2	The provider meets the consumer standard requirements but needs to improve some aspects of its consumer standard arrangements to support continued compliance	Compliant
C3	The provider does not meet the consumer standard requirements. There are issues of serious regulatory concern and in agreement with us the provider is working to improve its position	Non-compliant
C4	The provider does not meet the consumer standard requirements. There are issues of serious regulatory concern and the provider is subject to regulatory intervention or enforcement action	Non-compliant

In making the judgements, Regulators will also comment on prospects for improvement, making it clear whether they are poor, reasonable, promising, or excellent.

Tamworth Borough Council
Self-assessment of compliance with Regulatory Standards
September 2022

1. Introduction

Tamworth Borough Council (TBC) commissioned YD Consultants (YDC) to deliver a self-assessment of compliance with the Regulator of Social Housing's (RSH's) Regulatory Standards including the proposals in *The charter for social housing residents: social housing white paper* (SHWP) published in November 2020. This report sets out our summary findings. Detailed findings are set out at **Appendices One to Five**.

We would like to thank officers, councillors and involved residents who attended meetings and supported our investigations. The meetings enabled us to get an idea of how policies and procedures shared were being delivered and/or received.

In conducting the self-assessment we recognise that TBC continued to deliver services during the unprecedented COVID-19 pandemic which resulted in two years of service interruption from 23 March 2020 to 30 April 2022.

The RSH has four Consumer Standards all of which are applicable to TBC:

- Home Standard
- Tenancy Standard
- Neighbourhood and Community Standard and
- Tenant Involvement and Empowerment Standard.

Full assessments of compliance against the expectations of each of those Standards are attached at **Appendices One to Four**.

The RSH has three Economic Standards of which only the Rent Standard is applicable to TBC:

- Governance and Financial Viability Standard
- Rent Standard and
- Value for Money Standard.

A high-level assessment of compliance against the expectations of the Rent Standard is attached at **Appendix Five**.

In respect of the Governance and Financial Viability Standard and the Value for Standard we have set out a few comments below.

2. Executive Summary

On the Consumer Standards, with respect to all four Standards we have found evidence of compliance, but also some evidence of non-compliance and we have made recommendations to support compliance and improvement for each Standard.

The RSH is developing its approach to regulating the Consumer Standards and it is very likely that the RSH will develop regulating grades for the Consumer Standards, similar to the ones which it operates for the Governance and Financial Viability Standard for private registered providers (PRPs). The RSH rates PRPs from G1 to G4 for Governance and V1 to V4 for Financial Viability. In each case the top two grades are compliant ratings, whilst the bottom two grades are non-compliant ratings.

For the purposes of this report, we have assessed whether TBC would be compliant with each of the current Consumer Standards and have then assigned an overall grade for the Consumer Standards.

We have assumed that the RSH will operate a four-grade system as set out in the table below:

Grade	Explanation	Compliance Status
C1	The provider meets our Consumer Standard requirements	Compliant
C2	The provider meets our Consumer Standard requirements but needs to improve some aspects of its Consumer Standard arrangements to support continued compliance	Compliant
C3	The provider does not meet our Consumer Standard requirements. There are issues of serious regulatory concern and in agreement with us the provider is working to improve its position	Non-compliant
C4	The provider does not meet our Consumer Standard requirements. There are issues of serious regulatory concern and the provider is subject to regulatory intervention or enforcement action	Non-compliant

It should be noted that having aspects of non-compliance with Regulatory Standards does not necessarily mean that the overall grade will be a non-compliant grade, as the RSH will take account of the materiality of any non-compliance.

- On the Tenancy Standard we have concluded that TBC is compliant with the current Standard **(C1)**.

- On the Home Standard and the Neighbourhood and Community Standard, we have concluded that TBC is compliant with the current Standards but needs to improve some aspects of its Consumer Standard arrangements to support continued compliance **(C2)**.
- We have concluded that TBC is non-compliant with the current Tenant Involvement and Empowerment Standard **(C3)**. This standard is cross cutting across other Standards, in that access, customer care, tenant involvement, complaints and equalities apply to all landlord services and the RSH's Consumer Standards.

The RSH has stated that they expect compliance with all Consumer Standards now and preparation work to now be underway for compliance with forthcoming revised Consumer Standards from the SHWP, which itself is built around tenant involvement and influence, following the Grenfell Tower fire.

Overall, we have concluded that TBC would receive a non-compliant C3 rating on the current Consumer Standards.

Issues of serious regulatory concern exist but we believe that TBC would be capable of addressing them without the need for regulatory intervention or enforcement action.

For each of the Consumer Standards we have set out actions which will be required as the approach to Consumer Regulation is further developed and finalised following the passing of the Social Housing (Regulation) Bill.

3. Risk

There are a number of risks which TBC should be aware of and seek to manage as it develops its approach in relation to the Consumer Standards.

- a) The scope of our work was limited by needing to operate within the overall budget for this assignment. It is possible that, had we carried out further work, we would have identified further examples of non-compliance with the Consumer Standards.
- b) The action plan developed from the self-assessments represents a very substantial amount of work and it is not clear at this stage that TBC has the resources to deliver the required actions within a reasonable timeframe. Even if resources are available, there is a risk that competing priorities mean that actions are not delivered as planned.

- c) It is likely that the RSH's new approach to Consumer Regulation will be implemented within one or two years' time. At that stage TBC could be the subject of inspection at very short notice.
- d) Should TBC be assessed as non-compliant with the Consumer Standards, TBC would receive a non-compliant Regulatory Notice from the RSH.
- e) The organisation may also be "named and shamed" in line with the recent practice of the Secretary of State for Levelling Up, Housing and Communities tweeting about non-compliant Regulatory Notices and Serious Detriment findings published by the RSH and the Housing Ombudsman respectively.
- f) It should be noted that in many cases the publication of a non-compliant assessment by the RSH has serious consequences for the provider's senior officers. RSH has the power to remove officers.
- g) Non-compliance with Housing Ombudsman requirements on complaints, additionally carries the threat of being removed from the Housing Ombudsman's register of housing providers.

4. Developments in Consumer Regulation

Social Housing Green Paper

It is now over five years since the tragic fire at Grenfell Tower on 14 June 2017 when 72 people lost their lives. In response to the events of that night, in August 2018 the Government published a Green Paper *A new deal for social housing* which set out five core themes:

- Tackling stigma and celebrating thriving communities
- Expanding supply and supporting home ownership
- Effective resolution of complaints
- Empowering residents and strengthening the regulator and
- Ensuring homes are safe and decent.

Social Housing White Paper

In November 2020, the then Ministry of Housing, Communities & Local Government published the SHWP which set out what every social housing resident should be able to expect from their landlord:

1. **To be safe at home.** We will work with industry and landlords to ensure every home is safe and secure
2. **To know how your landlord is performing,** including on repairs, complaints and safety and how it spends its money, so you can hold it account

3. **To have your complaints dealt with promptly and fairly**, with access to a strong Ombudsman who will give you swift and fair redress when needed
4. **To be treated with respect**, backed by a strong consumer regulator and improved consumer standards for tenants
5. **To have your voice heard by your landlord**, for example through regular meetings, scrutiny panels or being on its Board. The Government will provide help, if you want it, to give you the tools to ensure your landlord listens
6. **To have a good quality home and neighbourhood to live in**, with your landlord keeping your home in good repair
7. **To be supported to take your first step to ownership**, so it is a ladder to other opportunities, should your circumstances allow

Towards a revised approach to Consumer Regulation

The RSH has subsequently taken steps towards a revised approach to Consumer Regulation, as well as making clear its expectations that landlords should not wait for the new regulatory regime to be established before starting to deliver on the commitments made by the Government in the SHWP.

In November 2021 the RSH published *Reshaping consumer regulation: our principles and approach* setting out its preliminary ideas which will be further developed in response to feedback from stakeholders, including tenants and landlords, initially focusing on four key areas:

1. Principles and outcomes
2. New consumer standards
3. Its consumer regulation approach and
4. Tenant satisfaction measures (TSMs).

The document identified six themes which the RSH thinks its Consumer Standards should cover:

1. **Safety**: Landlords' safety responsibilities, including safety within the home and in communal areas
2. **Quality**: Quality of the home, communal spaces and services to tenants
3. **Neighbourhood**: Landlords' role, working with other agencies, to contribute to the wellbeing of neighbourhoods in which tenants live
4. **Transparency**: Landlords' role in making information accessible to tenants including roles and responsibilities within landlords, so tenants know who is responsible for matters relating to consumer standards
5. **Engagement and accountability**: Engagement between landlords and tenants, including how complaints are handled. Landlords' accountability to tenants and treating tenants with fairness and respect and
6. **Tenancy**: Requirements on landlords in respect of tenancies, including allocations policies and opportunities for tenants to move.

The document confirmed that the RSH is considering how it might use several tools in its approach to Consumer Regulation:

- **Consumer inspections** – either as part of a planned programme of gathering assurance or where the RSH is responding to information that Standards are not being met
- **Reactive engagement** – responsive follow up on information that indicates a potential breach of the Standards (similar to how the RSH currently operates Consumer Regulation)
- **Desktop reviews** – reviewing information about landlords' performance from the TSMs and a range of other sources and
- **Data returns** – the RSH already collects a wide range of information from Private Registered Providers as part of its economic regulation and is considering the data that it might need for its Consumer Regulation to focus its engagement with providers (see also, TSMs below).

Tenant Satisfaction Measures (TSMs)

In December 2021 the RSH launched a consultation on the introduction of TSMs.

The RSH is proposing to introduce a new consumer standard which would include a requirement for registered providers to collect, publish and submit information about their performance against the TSMs.

The RSH is proposing 22 TSMs covering six themes as set out in the table below. RSH has said it intends to finalise the TSMs in the Autumn 2022, for *collection from April 2023 and publication of 2023-4 results from April 2024*.

The proposed TSMs, under 6 themes, are a mix of 12 tenant perception measures and 10 measures which would be collected through providers' management information, as follows:

1 Overall Satisfaction

- Overall satisfaction

2 Keeping Properties in Good Repair

- Homes that do not meet the Decent Homes Standard
- Repairs completed within target timescale
- Satisfaction with repairs
- Satisfaction with time taken to complete most recent repair

3 Maintaining Building Safety

- Gas safety checks
- Fire safety checks
- Asbestos safety checks
- Water safety checks
- Lift safety checks

- Satisfaction that the home is well maintained and safe to live in

4 Effective Handling of Complaints

- Complaints relative to the size of the landlord
- Complaints responded to within Complaint Handling Code
- Satisfaction with the landlord's approach to handling of complaints
- Tenant knowledge of how to make a complaint

5 Respectful and Helpful Engagement

- Satisfaction that the landlord listens to tenant views and acts upon them
- Satisfaction that the landlord keeps tenants informed about things that matter to them
- Agreement that the landlord treats tenants fairly and with respect

6 Responsible Neighbourhood Management

- Anti-social behaviour cases relative to the size of the landlord
- Satisfaction that the landlord keeps communal areas clean, safe and well maintained
- Satisfaction that the landlord makes a positive contribution to neighbourhoods
- Satisfaction with the landlord's approach to handling of anti-social behaviour

The RSH also published draft detailed requirements in *Tenant Satisfaction Measures: Technical Requirements* and *Tenant Satisfaction Measures: Tenant Survey Requirements*. In order to comply with the TSM Standard, providers would need to comply with those detailed requirements.

Social Housing (Regulation) Bill

In June 2022 the Social Housing Regulation Bill was introduced to Parliament. Key elements of the Bill are that:

1. The RSH will set up an Advisory Panel consisting of representatives of registered providers, secured creditors of registered providers, social housing tenants, local housing authorities, the Greater London Authority, Homes England, the Secretary of State for Levelling Up, Housing and Communities and other people as the RSH thinks fit to appoint
2. The RSH will conduct inspections for which it will have to give just 48 hours' notice to landlords
3. The RSH will have the powers to issue landlords with "performance improvement plan notices" if they fail to meet Consumer Standards (landlords will have to prepare an action plan and share it with the Regulator)
4. The RSH will have the power to carry out emergency works on properties which the landlord will be required to pay for
5. Standards relating to the safety of electrical installations will be extended to the social housing sector

6. Every provider will have to appoint a health and safety lead to monitor compliance, assess the risk of non-compliance and notify the RSH of any risks and failure to comply
7. Housing associations will be subject to an information-sharing process similar to the Freedom of Information Act 2000. Social landlords will have to provide tenants with information about their accommodation, facilities, safety and all services and will have to publish information about executive salaries and management costs
8. The serious detriment test will be removed, paving the way for a more proactive approach to Consumer Regulation
9. The RSH will be able to ask social landlords to collect and publish information relating to their compliance performance and
10. The Housing Ombudsman will have the power to issue a complaints code of practice and to order a member landlord to review its policies on specific issues.

The Bill is currently at the Committee stage in the House of Lords.

5. Methodology, our advice and approach to future inspection

In conducting our work, we considered compliance with the existing Consumer Standards, as well as work which will be required as the future approach to Consumer Regulation is confirmed.

As noted above, the scope of our work was limited by needing to work within the overall budget for the assignment. Our work on the Economic Standards was also based only on a high-level review of compliance.

The work undertaken by YDC consisted of an initial desktop document review and meetings with TBC councillors, senior management, officers and involved tenants.

In our approach to assessment, we interviewed managers and triangulated the information we gleaned from those interviews with front line staff, and/or residents (from TCG), and/or desktop review (including performance, satisfaction and outcomes data).

In most cases we took staff or documents at their word and had no reason not to. It is our advice that a more linked-up set of documents, with evidenced outcomes, accompanied by more staff and resident awareness will be required for the full and more detailed Regulatory Inspection.

We shared an initial draft of our assessments with officers and where appropriate we have reflected feedback in the revised assessments at Appendices 1 to 5, following further interviews.

It is our advice that staff need further support on preparation for inspection, in identifying and preparing relevant documents and in their approach to focusses interviews linked to the content of the standard being discussed. We would be happy to provide further support to TBC on these points.

6. Findings: Compliance Assessment – Consumer Standards

a) Home Standard (Appendix 1)

On the Home Standard, we have assessed compliance with the various aspects of the Standard as Compliant or Partially Compliant, with no aspects assessed as Non-Compliant.

Whilst the balance of assessment is slightly more towards Partially Compliant than Compliant, overall, we would grade compliance with the Home Standard as **C2 (The provider meets our Consumer Standard requirements but needs to improve some aspects of its Consumer Standard arrangements to support continued compliance)**.

The most urgent pieces of work to ensure compliance with the Home Standard is to develop a plan for completion of insulation works to comply with the current Decent Home Standard and to refresh the Asset Management Strategy. In the slightly longer term, TBC needs to prepare for the introduction of Tenant Satisfaction Measures relevant to the current Home Standard by the RSH and to quantify the costs of compliance on likely carbon zero targets in housing.

b) Tenancy Standard (Appendix 2)

On the Tenancy Standard, we have assessed compliance with the various aspects of the Standard as Compliant or Partially Compliant, with no aspects assessed as Non-Compliant.

As we have assessed only one aspect of the Standard as Partially Compliant rather than Compliant, overall, we would grade compliance with the Tenancy Standard as **C1 (The provider meets our Consumer Standard requirements)**.

c) Neighbourhood and Community Standard (Appendix 3)

On the Neighbourhood and Community Standard, we have generally assessed compliance with the various aspects of the Standard as Compliant or Partially Compliant, with one aspect assessed as Non-Compliant.

Whilst the balance of assessment is slightly more towards Partially Compliant than Compliant, and despite one aspect of the Standard being assessed as Non-

Compliant, overall, we would grade compliance with the Neighbourhood and Community Standard as **C2 (The provider meets our Consumer Standard requirements but needs to improve some aspects of its Consumer Standard arrangements to support continued compliance).**

The most urgent work to ensure continued compliance with the Neighbourhood and Community Standard is to address the Non-Compliant assessment on the requirement that “Registered providers shall consult with tenants in developing a published policy for maintaining and improving the neighbourhoods associated with their homes”. TBC also needs to agree a service standard for ground maintenance and Housing Maintenance Operatives.

TBC also needs to prepare for the introduction of Tenant Satisfaction Measures relevant to the current Neighbourhood and Community Standard by the RSH.

d) Tenant Involvement and Empowerment Standard (Appendix 4)

On the Tenant Involvement and Empowerment Standard, we have assessed compliance with the various aspects of the Standard as Compliant, Partially Compliant or Non-Compliant.

As we have assessed TBC as Non-Compliant with approximately half of the requirements of the Standard, overall we would grade compliance with the Tenant Involvement and Empowerment Standard as **C3 (The provider does not meet our Consumer Standard requirements. There are issues of serious regulatory concern and in agreement with us the provider is working to improve its position).**

The most urgent work to return to compliance with the Tenant Involvement and Empowerment Standard is to refresh the involvement strategy to pick up the missing elements of the Regulatory Standards; to clarify the role of local offers and service standards; expand engagement to more residents and a wider demographic of residents, including through developing digital engagement; engage residents earlier in policy development; refresh the complaints policy, especially on the definition of complaints and to meet the Housing Ombudsman’s 2022 Complaint Handling Code; complete a new STAR survey and develop work on resident insight, and finally, to develop an action plan within landlord services for promotion of TBC’s aims on equality, diversity and inclusion.

TBC also needs to prepare for the introduction of Tenant Satisfaction Measures relevant to the current Tenant Involvement and Empowerment Standard by the RSH.

7. Compliance Assessment – Rent Standard (Appendix 5)

Attached at **Appendix Five** is work conducted on the Rent Standard. We concluded that “Based on the limited scope of work conducted and the findings set out above

there is nothing to suggest that TBC would not be assessed by the RSH as compliant with the Rent Standard. From a governance perspective, TBC should update its rent setting policy document” on each occasion when the methodology to collect rents is changed by the RSH.

8. Other Economic Standards

As noted above the Governance and Financial Viability Standard is not applicable to TBC and in many aspects, it would be difficult for TBC to demonstrate compliance with the Standard as it is an organisation-wide Standard, rather than one which relates solely to landlord services.

However, from a governance perspective, missing reporting assurance on compliance and performance needs to be considered by the Council, the Corporate Leadership Team and the new Homelessness and Social Housing Sub Committee. Whilst a short report goes to residents in the annual report to tenants, there are gaps in assurance reporting to responsible officers, the Corporate Management Team and Council Members.

The Cabinet and CEO were positive their current review of Performance Management Systems can be updated to incorporate reporting recommended in this report on performance, assurance and satisfaction.

The Leader of the Council is a Council tenant, with extensive experience in his role. The Leader, Cabinet and CEO are all committed to join up Council services.

It will be crucial for this joined up approach to work together to deliver the action plan from this report and appendices, given that actions are spread across Departments and Committees.

The Council has a strong focus on digital services and sees this as an opportunity for cost savings. Digital services on resident engagement, for which there are many tools available are not present yet or planned at TBC. Such a move would assist in hearing from the wider resident voice on landlord services.

The Council are broadly aware of the changes planned in the SHWP on decarbonisation and safety, which will be included in a new Decent Homes Standard, funding for this is yet to be determined.

The Council will need to resolve the Complaints Policy conflict between the Housing Ombudsman and Local Government Ombudsman approaches and if unable to do so, may need to have a separate Landlord Services Complaints Policy.

In terms of the Value for Money Standard, the 2020/21 annual report to tenants does set out ways in which value for money is achieved, however it does not enable tenants and other stakeholders to assess whether value for money is actually being

achieved. As TBC develops its performance reporting arrangements, consideration might be given to including the RSH's expectations around reporting value for money, where appropriate.

9. Next steps

An action plan (**Appendix Six**) has been developed from the self-assessment. Actions are graded Red, Amber and Green to reflect their relative significance and are categorised as:

- Corrective actions on compliance (urgent)
- Other suggestions for improvement (advisory), and
- SHWP related actions (to be planned)

The next steps in developing the action plan are to identify leads, resources, milestones and delivery deadlines for each task.

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5th September 2022

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Standard: Home Standard			
Element	Action	Target date	Owner
1.1 (a)			
Corrective actions on compliance	<p>Develop a plan and a target date for completion of insulation/roof works to comply with current DHS standards.</p> <p>Agree reporting on DHS compliance, to enable assurance checks by the Council of legal and regulatory compliance.</p> <p>Agree reporting on Health and Safety compliance to an appropriate Council Committee and to the Council Executive Team.</p> <p>Ensure the reporting on safety compliance includes not just the assessments completed but also the completion of all works. Ensure all four types of fire risk assessments are reported separately, to ensure more urgent works and investment or delays can be teased out quickly and easily by the senior team and the Council.</p> <p>Most improvement works are completed within seven to eight months, within a 12-month allowable window. Whilst this appears disruptive to residents, residents did not raise any concerns on this matter. We do feel that the timescales might be cut down as this represents major disruption to the household, though some lead-in works do include a full 2D image of component replacement – e.g., a kitchen and a plan for the works, which is very positive.</p> <p>Quantify the costs of likely compliance on likely carbon zero targets in housing, from what is currently expected, to enable the Council to make future funding provision to enable legal and regulatory compliance.</p> <p>Refresh the Asset Management Strategy and agree reporting on delivery to an appropriate Council Committee and to the Council Executive Team.</p> <p>Engage residents in Asset Management Plans and Investment works.</p>		
Social Housing White Paper	<p>Share with an appropriate Council Committee and residents, the Council’s current and future expectations on DHS/Asset Management/Housing Investment/Net Zero planning, to increase their capacity to understand and engage on these matters.</p> <p>TBC should prepare for the introduction of the Tenant Satisfaction Measures (TSMs) which the RSH has consulted on. Draft TSMs relevant to the Home Standard (to be confirmed by RSH in the Autumn 2022) are:</p> <ul style="list-style-type: none"> • Homes that do not meet the Decent Homes Standard • Repairs completed within target timescale • Satisfaction with repairs • Satisfaction with time taken to complete most recent repair • Gas safety checks • Fire safety checks • Asbestos safety checks 		

	<ul style="list-style-type: none"> Water safety checks Lift safety checks Satisfaction that the home is well maintained and safe to live in <p>Prepare to share with Members and residents, the final KPI data when agreed by RSH in Autumn 2022.</p>		
1.1 (b)			
Social Housing White Paper	HRA investment Plan, Business Plans and AMS to be refreshed once stock condition survey completed and shared with residents		
1.1 (c)			
Corrective actions on compliance	Current standards are to be found within in the repairs policy. Write up a standard for repairs and voids in a standard which can be measured by residents and Members		
Social Housing White Paper	Specific and enhanced standards for residents are currently not included as based on HRA expenditure envelope, so a higher investment is likely to be required		
1.2 (a)			
Corrective actions on compliance	<p>Right first-time (RFT) indicators for repairs completion are monitored in contractor performance – a requirement for compliance under the Home Standard. Develop RFT reporting and compliance to enable sharing with residents, (website/newsletters) to enhance resident information and satisfaction (duplication, reduced waste and value for money for TBC and its residents).</p> <p>Develop a gardening standard of service for communal areas (to meet the Neighbourhood and Community Standard).</p> <p>Develop a repairs standard, which includes resident responsibilities and enable residents to monitor measurable delivery.</p> <p>Capture the changes suggested and made as a result of TCG and website engagement from residents in the Repairs Policy, to gather the evidence of listening and acting on changes proposed from residents (when possible).</p> <p>Agree how involved residents will be involved in monitoring the new service standards.</p>		
Social Housing White Paper	<p>Share the contractor performance repairs satisfaction levels, already monitored by TBC with residents.</p> <p>Agree responsibilities and the name of a H&S lead officer and share this with residents.</p> <p>Engage the TCG and other residents in their information needs on safety and on quality of forward repairs and improvement programmes. Develop a forward plan for delivery of resident recommendations.</p>		

	Develop a plan to collect the 22 draft KPIs currently proposed by the Regulator of Social Housing, across all departments of the Council, sharing these with the Council, the Executive Leadership Team and residents.		
Other suggestions for improvement	<p>The TCG feel they are waiting for information to come back to them to agree the final Repairs Policy, having discussed ideas towards the end of 2021. Minutes of the meeting do not reflect the changes suggested by residents. Additional feedback was sought through Rent Statement and on the Council’s website, with few comments received by the 25 March 2022 deadline. Some clarity is required to synergise the view of residents into the final Repairs Policy, and to decide next steps to achieve this.</p> <p>Gardening services are available to elderly and vulnerable people living in TBC homes, with their own private garden. We heard comments from officers and tenants that this list may require renewal in terms of criteria and the support given to those where relatives may be able to complete this work.</p> <p>Review the leases used for future Right to Buy or shared ownership homes, to ensure leaseholders pay a share of safety works. Officers tell us this needs intervention by a legal department.</p>		
1.2 (b)			
Corrective actions on compliance	<p>Complete insulation programme to ensure all homes meet DHS. IF TBC is unable to be achieved within a reasonable short time period, consider informing the RSH and asking for an extension</p> <p>Consider reporting on damp and mould, in line with recent reports from the Housing Ombudsman</p>		
Social Housing White Paper	Agree a process for the new “Access to information” intentions of the social housing white paper and agree what will be shared on the TBC website		
2.2.1			
Corrective actions on compliance	<p>Develop a target for SAP ratings for all property types/ages. Measure and report on these to a Council Committee and residents</p> <p>As previously mentioned:</p> <ul style="list-style-type: none"> the AMS requires a refresh. The revised AMS should be accompanied by a plan to embed the strategy, including systems, policies and procedures to follow Develop a plan for current DHS compliance Set a repair service standard which can monitored by engaged residents. Include both landlord expectations of residents as well as how residents’ views will be taken into account into the creation of the service standard when the new policy is agreed. Publish this and enable involved and other residents to monitor if the standard is met as required by the Tenant Involvement and Empowerment standard. There are no major disposals of council homes planned or completed. 		

	<p>Within the tenant involvement and AMS procedures, attention should be drawn to residents in decant policies or regeneration policies/procedures on the requirement of the Tenant Involvement and Empowerment Standard for consultation and sharing the consultation with the landlord committee, prior to final decisions being taken to dispose of homes</p>		
Other suggestions for improvement	<p>5-year forecasting may not be enough to forward think the investment for government targets on compliance for Net Zero.</p> <p>Some TCG residents would like to spot check completed void standards occasionally, to ensure the standards of voids are completed. Whilst TBC have confirmed that safety arrangements are not possible for the original void home to be visited by the TCG, they would like to see a selection of completed voids and to see pictures of the empty homes when vacated to get an idea of the extent of works completed. There is no requirement for this sort of engagement with residents, but a discussion might be worth having to bottom out this request from the TCG</p> <p>Tenants would like to see a better standard of decoration to empty homes let as they do not feel £25 pays for much per room through the decoration allowance</p> <p>Consider the wish list on repairs engagement in section 2.2.1 above which the TCG would be interested in engaging on, in repairs and investment in their homes</p>		
2.2.2			
Corrective actions on compliance	<p>Procure an OT for disabled adaption assessments.</p> <p>Agree a budget to catch up on major disabled adaptations, when the temporary OT service has been procured</p> <p>Report on adaptations completed and outstanding, within repairs KPI reporting</p>		

Standard: Neighbourhood and Community Standard			
Element	Action	Target date	Owner
1.1			
Corrective actions on compliance	<p>Develop standards of Environmental Services with involved residents on grass and shrub cutting/garden/tree/play area/street scene/cleansing/graffiti/bin collections within council housing estates maintenance, to enhance the basic specification known to the team, but not to residents</p> <p>Develop standards of service with involved residents in caretaking/the waste management function, to evidence regularity of services and VFM. Share Waste KPIs with residents. This is accepted by Officers who will prioritise this work in 2022/23.</p>		

	<p>Collate evidence of improvements completed by the Housing Maintenance Officers to share with residents on a “you said, we did” platform</p> <p>Understand and evidence how Council residents benefit from the Community Grant Fund</p>		
Other suggestions for improvement	<p>Consider how residents with shared bin chutes could recycle, to meet resident demands</p> <p>Share the list of activities planned by the former caretaking services, to enable residents to know when the work is planned to enhance their communal area, or that their communal area is on the list for action</p> <p>Consider whether the review of the list/criteria for resident own gardens is due for a refresh.</p> <p>Maintain evidence of social value from the Housing Maintenance Officers to the evidence base to demonstrate resident driven outcomes</p> <p>Maintain of council housing Hate Crime records, separately from the Councils total information, to enable other related tenancy and housing management solutions</p> <p>Consider if the two stages of the sifting of applications for the Neighbourhood investment budget of £250 pa could be streamlined to achieve VFM</p> <p>Ensure good record keeping from TCG and other consultation with residents, to evidence changes made as a result of resident requests/TCG recommendations</p>		
Social Housing White Paper	<p>TBC should prepare for the introduction of the Tenant Satisfaction Measures (TSMs) which the RSH has consulted on. TSMs relevant to the Neighbourhood and Community Standard are:</p> <ul style="list-style-type: none"> • Anti-social behaviour cases relative to the size of the landlord • Satisfaction that the landlord keeps communal areas clean, safe and well maintained • Satisfaction that the landlord makes a positive contribution to neighbourhoods • Satisfaction with the landlord’s approach to handling of anti-social behaviour, specifically for housing residents <p>TBC will need to decide (as with repairs and other housing services), how “access to information” for residents on documents of interest to residents (for assurance or otherwise) can be made available, under new requirements yet to be introduced. Residents may be able to help TBC to define their interest in documents</p>		
1.2			
	<p>Consider the benefits of more strategic working with housing associations within the Neighbourhoods team and or within the Homelessness and Social Housing Sub-Committee of the Council.</p>		

Corrective actions on compliance	<p>Consider how social value works from contracts can be evidenced to demonstrate the requirements from this Standard</p> <p>Data from TAC is currently gathered based on referrals from: general public, tenancy sustainability team and homeless team. Consider the benefits of evidencing compliance by collecting data on services and outcomes delivered to Council housing residents. Residents may not be clear how this work supports rent and debt advice for council residents.</p> <p>The TCG are not fully aware of the role of the community safety team and the ASB teams within neighbourhoods, this might help to raise their capacity to engage. Officers suggested that this can be included in Community Cohesion priorities.</p> <p>TBC might consider an Impact Assessment for their work on social value</p>		
Social Housing White Paper	Respect indicators are underdeveloped at TBC. TBC should consider KPI reporting based on residents view on how KPIs might reflect respect.		
1.3			
Corrective actions on compliance	<p>Clarify boundaries through the development of a service standard on ASB and nuisance which is managed by more than one team in the council</p> <p>Include all teams' work relevant to ASB in the ASB standard for social housing residents</p> <p>Obtain assurance on the delivery of the local offer on ASB</p> <p>There is a ASB tenure neutral panel and tenants have been interviewed as part of the accreditation. Consider the merit of the actions suggested to gather council residents' input into the ASB accreditation, to evidence resident influence on the service</p> <p>Deliver the Accreditation Action Plan and update Policies with CSP</p>		
Other suggestions for improvement	Involve residents in the planned review of the role of community wardens		
Social Housing White Paper	Consider how transparency in safety matters for residents and easy access to information can reduce risks of the new naming and shaming planned by government (also applies to repairs and all other Housing Services)		
2.1			
Corrective actions on compliance	TBC to consider how it will meet the requirement for a standard and a policy to ensure compliance in this section.		
2.2 (a)			
Corrective actions on compliance	Gather data as evidence of acting on the council resident voices/outcomes from the tenant inspections (recently recommenced with residents after Covid)		
Social Housing White Paper	Publish roles of names officers (applies to all standards)		
2.3.2			
	Collate outcomes from tenant voices and involvement in ASB, to evidence the work being completed which may show gaps in services as well as compliance		

Corrective actions on compliance	Collate Council tenant legal actions which have been successful through direct prosecution and three evictions Residents are aware of the new Service Improvement Groups planned on ASB and keen to engage on this. They are keen to engage on the information they will be able to hear as this was previously restricted due to Data Protection and led to some frustration		
Other suggestions for improvement	Reflect on the wish list from the TCG above to see if their ideas can be considered for improvement		
Social Housing White Paper	Triage at the first point of contact could be improved as tenants reported getting inconsistent advice from customer service. Access to information and roles of officers, including transparent and openness are key foundations for SHWP.		

Standard: Tenancy Standard			
Element	Action	Target date	Owner
1.1.1			
Corrective actions on compliance	For compliance with the Tenant Involvement and Empowerment Standard for policy review, consult TCG or residents at the start of policy review, enabling them to share their views on services and improvement required, prior to policies being written and returned to them Record the changes made to policies as a result of resident involvement.		
Social Housing White Paper	Capture TCG comments for the Council's approach to transfers within Council homes in the next edition of the policy.		
1.1.1 (a)			
Corrective actions on compliance	Consider the layout of Corporate Service Plans across the housing portfolio to ensure they are SMART, outcome focussed, have milestones and evidence periodic measurement for assurance of delivery		
Other suggestions for improvement	Assets team to Involve recent tenants of new build homes into the design of other TBC new build schemes		
1.1.1 (b)			
Other suggestions for improvement	Play back survey results to the team engaged in doing the work which is surveyed, as part of existing review systems Clarify with TCG whether and how homes can be occupied prior to completion of all void works		
1.1.1 (c)			
Other suggestions for improvement	Ensure the Allocations Operational Procedure guide is always reviewed at the same time as the Allocations Policy. The current procedure is due for review on 2023/24		
1.1.2			
Other suggestions for improvement	Be proactive in promoting mutual exchanges as a route to move home		

1.2.1			
Corrective actions on compliance	Ensure resident engagement in new Tenancy Management policy and any future changes as a result required to the tenancy agreement (fixed to lifetime homes)		
2.1.1			
Other suggestions for improvement	Consider opportunities to work more strategically with other social housing providers operating in Tamworth		
2.1.2			
Other suggestions for improvement	Work with TCG to gather their ideas and evidence on how to review and promote the incentive scheme for downsizing		
2.1.3			
Other suggestions for improvement	<p>Address the underlying causes of property dampness in Sunset Close, Lichfield Street</p> <p>Consider the energy bills/costs to residents by fitting fixed dehumidifiers</p> <p>Whilst the above resident experiences are one off and very different, in a small group of TCG members, it might be helpful for the TCG to engage in more detail in the survey results from new lettings and to add their own ideas to improve the process</p> <p>Engage involved residents in improvement of transfer and allocations procedures</p>		
2.1.4			
Other suggestions for improvement	<p>Consider enabling technology for translation on the website for those whose first language is not English. If this is not possible, ensure key local institutions have been briefed on how to support residents who wish to apply for housing, or tenants who wish to find out about the services they can access.</p> <p>Refresh mutual exchange procedures 2015, even if they are simply renewed, with input from residents</p>		
2.1.5			
Other suggestions for improvement	<p>Agree a lettings standard beyond the offer of property condition with residents</p> <p>Investigate delays in void performance</p>		
2.1.6			
Other suggestions for improvement	Copies should be retained if inspected as this would be a document request.		
2.1.10			
Corrective actions on compliance	There has been no tenant involvement in the design or promotion of the mutual exchange process, which is overdue for refreshment		
2.1.11			
Corrective actions on compliance	Clarify the mixed message on access to Marmion House (Tenant Involvement and Empowerment standard)		

Other suggestions for improvement	The Council's digital strategy and customer service offer will offer review opportunities to tailor services.		
2.2.1			
Corrective actions on compliance	Update policies so they are in date – for example the Tenancy Management Policy which is currently being updated (at EMT stage) to add a forfeiture clause, following the 2021/22 update		
Other suggestions for improvement	Share the full schedule of policies and review dates with the appropriate council committee		
2.2.9			
Corrective actions on compliance	Update Decant Policy 2013		

Standard: Tenant Involvement and Empowerment Standard			
Element	Action	Target date	Owner
1.1 (a)			
Corrective actions on compliance	Consider potential to isolate tenant satisfaction data on tuts, grumbles, comments and suggestions to enhance landlord services and service planning		
Social Housing White Paper	Information on policies, service standards and performance will need to be more explicit for residents to access once the proposals in the SHWP are translated into legislation and revised Regulatory Standards Find and focus on residents who are not on line in Council homes and ensure they can access service information on safety and service standards		
1.1 (b)			
Corrective actions on compliance	Change policy and procedures to comply with the latest advice from the HOS by October 2022, as required by the HOS service Change reporting on line to capture annual reports on complaints handling and lessons learnt, in addition to the newsletter Share lessons learnt from housing complaints with an appropriate committee of Elected Members.		
Other suggestions for improvement	TBC to publish actions to be taken in the next 12 months to improve complaints handling and outcomes as a result of the self-assessment which will now be required annually from 2022 Use data and reports into research findings from the Housing Ombudsman website to pick up lessons learnt from other landlords		
Social Housing White Paper	Consider the Councils strategic response to any negative findings by the Housing Ombudsman against TBC, in response to the new naming and shaming which the government has started to develop from the SHWP		
1.2.(a)			
	Collate evidence of outcomes from resident influence on all policies (and all customer involvement activities) where residents have made a positive change to services, satisfaction and performance		

Corrective actions on compliance	<p>Consider how residents who are not part of TIG/TCG can influence policy</p> <p>Share improvements made as a result of feedback on the 10% survey of calls</p> <p>Improve/recruit more diversity of engaged residents</p> <p>Reach out for new diverse residents to join up and engage, both digitally and in meetings/surveys etc.</p> <p>Ensure minutes of all residents' meetings capture the evidence and outcomes of resident consultation</p> <p>Consider how residents can be involved in shaping strategic priorities with councillors</p>		
Other suggestions for improvement	<p>Involve residents at the outset and at the end of policy review, to explain changes made</p> <p>Share wider service user comments, including transactional survey and other survey data, with TCG to enable them to understand and consider the wider voice of residents when they agree final draft policies</p> <p>Record influence and outcomes as a result of young person scheme meetings, Seniors United and the bi-monthly sheltered meetings</p>		
Social Housing White Paper	<p>Clarify access to service offer to engage on policy</p> <p>Consider use of on-line websites used by many landlords to engage digitally with residents</p>		
1.2 (b)			
Corrective actions on compliance	<p>TBC to develop service standards with residents, including enabling monitoring/measurement of these standards, by residents</p> <p>Capture how service standards will be defined, developed and monitored in the Involvement Strategy</p>		
Social Housing White Paper	TBC to develop service standards for the new standards which can be anticipated from the SHWP		
1.2 (c)			
Corrective actions on compliance	<p>Enable wider resident influence and suggestions for improvement on landlord performance and all engagement activities</p> <p>Collate and publish resident influence from TCG and other resident involvement on satisfaction and performance. Action plans can be helpful to motivate residents to continue to volunteer</p> <p>Consider how residents who are not part of TCG can influence performance</p>		
Other suggestions for improvement	<p>Consider the advantages and offer for new people to engage in a non-daytime meeting manner through digital engagement platforms</p> <p>Consider how "clean and green" involved residents from other landlords focus on local communal area standards</p>		
	TBC should prepare for the introduction of the Draft Tenant Satisfaction Measures (TSMs) which the RSH has consulted on and will be firmed up in Autumn 2022.		

Social Housing White Paper	TSMs relevant to the Tenant Involvement and Empowerment Standard are: <ul style="list-style-type: none"> • Overall satisfaction • Complaints relative to the size of the landlord • Complaints responded to within Complaint Handling Code • Satisfaction with the landlord's approach to handling of complaints • Tenant knowledge of how to make a complaint • Satisfaction that the landlord listens to tenant views and acts upon them • Satisfaction that the landlord keeps tenants informed about things that matter to them • Agreement that the landlord treats tenants fairly and with respect 		
1.2 (d)			
Corrective actions on compliance	TBC to include reference to the Right to Manage in the new involvement strategy		
1.2 (e)			
Corrective actions on compliance	Ensure the new repairs policy or the involvement policy includes this regulatory requirement when refreshed Consider how task and finish scrutiny with recent service users might add value to performance and satisfaction scrutiny of repairs and contractor performance		
1.2 (f)			
Corrective actions on compliance	Consider how to develop local offers within new service standards – see below. The Local Offer information 2010 and prior to the most recent in 2015-18 does not demonstrate current compliance. As with all evidence, consider its relevance due to the date of the documents, when you submit information for assessment		
1.3 (a)			
Corrective actions on compliance	Collate the impact assessments completed on equalities across all landlord services		
Social Housing White Paper	Consider how TBC can demonstrate it sets and meets a standard of fairness and respect for council tenants		
1.3 (b)			
Corrective actions on compliance	Develop an annual action plan to improve diversity and address any inequalities found for council tenants		
Social Housing White Paper	Develop a fair access to services and respect standard for landlord services		
2.1.1 (b)			
Corrective actions on compliance	Develop service standards, including local offers for all services to Council tenants Publish performance reports and make it possible for residents to reviewing performance and satisfaction data to suggest ideas for service improvement		

Social Housing White Paper	Enable measurement of the delivery of service standards by Members at an appropriate committee and residents		
2.1.1 (e)			
Other suggestions for improvement	When the new repair policy is agreed, update the “keeping tenants informed” document and incorporate this part of the regulatory standard into the new policy. Consider how new performance indicators from the RSH can be incorporated into the Repairs Policy and the “keeping tenants informed document”		
2.1.1 (f)			
Social Housing White Paper	With the new Right to Access information coming in with SHWP, it may be appropriate to review information on the website to ensure it is all current and clearly meeting diverse resident priorities		
2.1.1 (g)			
Corrective actions on compliance	Refresh tenant handbook for general needs tenants or replace with service standards		
2.1.1 (h)			
Corrective actions on compliance	Review the overall approach to engagement to hear from the wider customer base, without losing the skills and commitment of the existing involved residents, which are valued by everyone involved Review digital and survey based resident engagement and resident assurance Measure and publish success and outcomes from involvement activities		
2.1.2 (a)			
Corrective actions on compliance	Amend definition of a complaint to reflect the Housing Ombudsman’s definition – we understand from officers that this has been completed		
2.1.2 (b)			
Corrective actions on compliance	Ensure an update to the complaints policy in line with new HOS Complaint Handling Code Within the update, include how the council will accept complaints from advocates		
2.2.1 (a)			
Corrective actions on compliance	Include the RTM in the new involvement strategy		
2.2.1 (c)			
Corrective actions on compliance	TBC should conduct a new STAR survey and reconsider the intervals between surveys TBC should publish performance data at least quarterly on their website, with commentary on actions being taken to address underperformance. This publication should also suggest where residents can send their ideas for improved services or service satisfaction TBC should publish their benchmarking partners and compare results openly with the performance of partners		

Corrective actions on compliance	TBC may wish to look to other providers and good practice for their annual report content TBC may wish to consult TCG and more widely on the preferred content of this year's annual report The annual report should be a look back at service delivery promises in the previous year, including details on what went well and any corrective action on performance that might be being taken, it should also include service promises for the next year		
Social Housing White Paper	TBC should agree their approach to publish satisfaction and performance data annually in line with SHWP expectations		
2.2.1 (d)			
Corrective actions on compliance	Resurrect the training programme for involved residents and consider how it can be widely offered on-line to all residents, as well as the TCG.		
Other suggestions for improvement	Consider documenting the approach and support which will be provided, and any boundaries for support by TBC, for new TARAs		
2.2.2			
Corrective actions on compliance	Review the service standards across all services to enable measurement/testing of assurance of delivery		
Social Housing White Paper	When service standards are reviewed, include those within our assessment which are not specifically mentioned in the current service standards and those which we can anticipate from the SHWP		
2.2.3			
Corrective actions on compliance	Review the involvement strategy and ensure it includes all elements of TBC's approach to regulatory compliance on tenant involvement and empowerment, as well as the SHWP expectations now made a little clearer by the recent publication of the clauses of the Social Housing Regulation Bill		
2.2.4			
Corrective actions on compliance	Review the strategy for involvement (including resident scrutiny and their involvement in governance) three yearly		
2.3.1			
Corrective actions on compliance	TBC to consider how they can demonstrate compliance with this regulatory requirement		

Standard: Rent Standard			
Element	Action	Target date	Owner
N/A			
Other suggestions for improvement	Update Rent Setting Policy document		

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Response Template: Social Housing Rents Consultation

If you are responding to this consultation by email or letter, it would assist us greatly if you could use the following template for your response.

What is your name?	Mr Stefan Garner
Are you replying as an individual or organisation?	Organisation
What is the name of your organisation (if applicable)?	Tamworth Borough Council
What is your position in the organisation (if applicable)?	Executive Director Finance & s151 Officer
What is your address, including postcode?	Marmion House, Lichfield Street, Tamworth B79 7BZ
What is your email address?	Stefan-Garner@Tamworth.gov.uk
What is your contact telephone number?	01827 709709
Date of completion	11/10/22

Consultation questions

Question 1: Do you agree that the maximum social housing rent increase from 1 April 2023 to 31 March 2024 should be subject to a specific ceiling in addition to the existing CPI+1% limit? To what extent would Registered Providers be likely to increase rents in that year if the government did not impose a specific ceiling?

No

Comment:

- The housing sector is reporting widespread concerns to the proposed rent cap. Inside Housing reported a potential loss of £1.3bn from Social Housing budgets next year if the governments preferred 5% rent cap is imposed.
- Tracey Harrison, CE, at Northern Housing Consortium warns that there will be a detrimental impact to tenants if there is an imposed cap, as this will materially impact on key services that housing providers provide. This inevitably impacts on Councils who manage their own stock as they bear the brunt of changes to social policy.

- Research by the National Housing Federation, published at the end of last month, revealed how new homes, repair and maintenance costs are rising above inflation. Annual construction costs are rising between 16.8% for repairs and maintenance and 12.3% for new builds. Tamworth Borough Council estimates its costs at above 20%. Therefore, a further cap will compound this impact, meaning less money to invest against higher costs of investing.
- A rent cap is not required as the Rent Standard requires housing providers to set rents in accordance with government policy. The rent standard provides for practical and flexible measures to ensure rents remain affordable. The Governments policy statement on rents requires consideration local market conditions, so to impose a rent cap would be contradictory to the regulators assumptions around this.
- In Tamworth Brough Council's case, it would assume a full CPI (10.1% as at July 2022 / 9.9% as at August 2022) + 1% = 11.1%/10.9% rent increase respectively. The proposed rent cap prevents us from having full regard to the local market context and significantly detracts the HRA business plan.
- Tamworth will be adversely affected through the cumulative impacts of a) likelihood of rising bad debt (District Council Network are forecasting bad debt will increase by a minimum of +10%); b) increases in repairs and maintenance costs and c) reduction in income through the proposed cap – all of which will challenge the Councils ability to deliver housing services.
- Tamworth Borough Council feels that the disproportionate impact on its HRA business planning ambitions is not justified by the overall reduction in rent payments to tenants. Specifically, on the basis that those in the lowest incomes on housing benefit will not see the impact of the increase as 55-60% of Tamworth council tenants are on housing benefit.
- Whilst the numbers fluctuate between approximately 55-60% of Tamworth Borough Council tenants that are on housing benefit/universal credit, a rent cap would not impact this group anyway, which suggests this is an attempt by the Treasury to reduce the housing benefit bill rather than provide targeted support for its customers.
- The rent cap provides a 'rent conundrum' as clearly housing providers want to balance tenant affordability for its direct payers with fulfilling its landlord obligations and ability to invest.
 - Customers paying c£100pw – CPI (10.1% July 2022) +1% = £111/£112pw on average as opposed to 5% cap = c£105pw – customer would still see an increase, but just not as much.
- The provision of good quality housing services is key to improving lives and life chances to all (and part of the levelling up agenda), including supporting not only the HRA but also in providing additional housing and tackling

homelessness. Reducing the level of income to the HRA will seriously impact on business plans and will mean less funding for new homes provision. There is a point around the impact on the private rented sector, which see rents far in excess of council rents and the proposal that resources should be focussed on supporting those in need rather than a blanket rent cap for already lower council housing rents.

- Tamworth has already incurred expense by seeking to model the impact in relation to the proposed rent capping. The following tables highlight the key findings

Early impacts show the following combined impact on Tamworth Borough Council's HRA Business Plan over the next 30 years – is in excess of £42m based on a 5% cap, shown in the table below

Impact over 30 years (Compared with Baseline)	Movement		
	in HRA Balance £000	Increase in HRA Debt £000	Combined Impact £000
5% Rent Cap	-£69	£42,195	£42,264
7% Rent Cap	-£53	£32,473	£32,527
3% Rent Cap	-£86	£52,716	£52,802

The table below illustrates the financial impact on the Council's HRA balance and debt levels if a rent cap is introduced over the next 5 years. This shows the HRA impact would be over £6.9m based on a 5% rent cap.

Impact by 2027/28 (Compared with Baseline)	Movement		
	in HRA Balance £000	Increase in HRA Debt £000	Combined Impact £000
5% Rent Cap	-£6,975	£0	£6,975
7% Rent Cap	-£5,414	£0	£5,414
3% Rent Cap	-£7,222	£1,344	£8,566
Rent Freeze	-£7,240	£3,722	£10,961

(* all the above scenarios assume the rents are constrained in 23/24 and continue to allow for full rent increases in line with current policy in 24/25, followed by CPI increases thereafter).

The further table below illustrates the financial impact on the Council's cumulative rent loss over 5 and 30 years. This shows that based on 5% rent cap rent losses would be almost £5.5m over 5 years with over c£22m over 30years

	Lost Rent over 5 years £000	Lost Rent over 30 years £000
5% Rent Cap	-£5,426	-£22,489
7% Rent Cap	-£4,220	-£17,491
3% Rent Cap	-£6,632	-£27,487
Rent Freeze	-£8,441	-£34,983

(* the lost rent is the difference in net rent (after voids), compared with the baseline position).

- The direct consequence of managing this impact would put the HRA business planning ambitions at risk, including
 - £46.5m planned capital investment over its medium term (5yrs)
 - £188m planned capital investment over 30 years
 - £5m planned capital is unfunded and relies on borrowing to support zero carbon projects, total £7.5m over 5 years
 - Rent freeze would move HRA into a deficit in 2027/208 which is unlawful (as detailed in the financial table above) and require intervention

All of this capital investment is now at risk as the impact of a 5% cap would see HRA debt increase by c£42m over 30 years. Subject to policy considerations and tenant choice the high-level risks over the **medium term** (5 years) are: -

- Acquisitions and New building ambitions will not be funded – resulting in c50 less homes
- £750k Garage Investment – Future Garage project would have no onward spend unless efficiencies are found elsewhere
- £2.5m in Neighbourhood Investment (£500k pa) would be removed
- c1500 Kitchens & Bathrooms replacements programmed for the next 5 years would have to be revisited and the programme reduced &/or specification amended which may not meet decent home standards as 'modern facilities' current 15/20-year life cycles may have to be increased
- Future Compliance work around the Regulators requirements on net zero; decent homes plus and fire safety may not be fundable. For example, match funding on the decarbonisation funding cannot be signed off without confidence that match funding and borrowing potential is available
- Income will have to increase – meaning full cost recovery across all service charges
- Management Costs and expenditure will have to reduce, limiting HRA cross subsidy to wider place-based initiatives

- If social rents are capped below 10.1% which appears very likely, then the gap between social rents and market rents will further widen and so even more likely that social rents will be lower than LHA levels. Further the gap between social and market rents in Tamworth is around 40% and therefore undermines the levelling up agenda and could impact homelessness.
- As Tamworth seeks to update its HRA baseline position; sensitivity analysis and scenario planning involving onward compliance under the Social Housing (Regulation) bill for retrofitting, additional compliance costs, EPC work will not be funded without significant income/expenditure reassessment elsewhere. This is likely to impact the Council's viability and compliance with Government's legislation going forward.
- Following self-financing in 2012 under Council Housing Finance Reform; Tamworth paid c.£45m which represented the Net present value of the net rent income over the next 30 years – this assumed annual rent increases and not the government rent reductions and/or proposed rent cap since.
- A settlement valuation was produced for Tamworth using a Price Waterhouse Coopers (PWC) model - based on assumed levels of income and expenditure over 30 years, using up-rated allowances. The aggregated assessed annual surpluses were then discounted back to the introduction date using a discount factor of 6.5%. In other words, the settlement valuation was deemed to be supportable over the life of the 30-year business plan with interest rates of 6.5%, which was demonstrated as sustainable by showing that debt could be fully repaid within the 30 years. This is undermined by continued Government intervention impacting rent levels being charged.

However, since then:

- We had 4 years of rent reductions of -1 % during the austerity years from 2016, for which the HRA wasn't compensated.
- We've had Covid pressures including:
 - Over £1m in direct additional costs - responding to cleaning / disinfecting prior to & after each repair work
 - Increased costs arising from the inflationary cost pressures lost Covid - 10% pa increase in contract costs
 - No grant for HRA due to Covid but general fund did
- Increased Right to Buy sales following the government intervention – again reducing income / meaning the Council has had to find funds to build new housing to replace those lost through sales.
- The requirements from the building safety act – fire doors, sprinkler systems retro fit etc.

- As well as facing increased costs and reduced rent income arising from the current economic situation.
- Now rent cap at 3, 5 or 7 % which will further reduce the sustainability of the HRA.

Tamworth recommends the following questions are answered by Government &/or taken in consideration at it makes its decision around the latest rent cap.

- If the rent cap is imposed then similar to GF compensatory allowances we would expect the Government to support local councils.
- Should a national or local rent cap go ahead, we would suggest DLUHC make a debt repayment to PWLB for each Council, to compensate the HRA for the lost income. The PWC modelling from 2012 could be used to calculate the impact, this would seem a fair and equitable approach. Otherwise, we face HRA becoming unsustainable i.e., significant & detrimental impact on HRA Business Plan; reducing the Councils ability to meet its Capital & planned investment needs to sustain decent homes standards, building safety act requirements as well as prohibits investment in stock / carbon zero targets (including EPC 'C' requirements) /decency homes plus standards.
- The conversation is a difficult one given the current cost pressures but what could help is for DLUHC to communicate that a rent increase in-line with CPI plus 1% is in-line with the rent standard; with the recognition that for 55%-60% of people who receive housing benefit they shouldn't see an impact of such and for the remaining 40%-45%, targeted support will be given to those where it is needed most through a substantial increase in the discretionary housing payment budgets (which have reduced in recent years). Plus, local interventions round tenancy sustainability, financial inclusion (which the Council have heavily invested in and have significant support teams in place) and hardship funding allocations. This would direct resources to those who need it and not put the future viability and needed housing interventions around house building, net zero, decent homes and the regulatory agenda at significant risk.
- Another point would be for the restrictions around the formula rent cap to be lifted to allow convergence where rents are lower than the formula rent, as well as lifting the restrictions on right to buy receipts spending (including use of Home England funding, Section 106 funding etc.) to allow spending on areas most needed like decarbonisation and decent homes works.
- Equally important is that the Government confirm asap the position so that this can be built into the budget and rent setting processes. Tamworth attended the recent round table sessions hosted by DLUHC and it was suggested an announcement wouldn't be confirmed until December 2022. This is too late and will result in more assumptions being built into the process which is confusing for tenants.

Question 2: Do you agree with imposing a ceiling of 5%, or are there alternative percentages that would be preferable, such as a 3% or 7% ceiling? Do you have any comments or evidence about the potential impact of different options, including of the 3%, 5% and 7% options as assessed in our Impact Assessment (Annex D)?

No

Comment:

- Answered in full above

Question 3: Do you agree that the ceiling should only apply to social housing rent increases from 1 April 2023 to 31 March 2024, or do you think it should apply for two years (i.e., up to 31 March 2025)?

No

Comment:

- This is impossible to model without knowing the proposed caps/restrictions for the two years. Tamworth Borough Council's baseline CPI for 2024/25 assumed CPI back to 6.5% so 5%cap or 3%cap would have relative impacts; whereas 7% no impact. It requires sensitivity analysis but a two-year freeze at 5 % would mean a further estimated HRA rent loss of c£20m – rising HRA debt levels to between £60-£70m.
- Provides greater uncertainty if national caps are ongoing and is detrimental to the HRA business plan, with an additional impact of c£20m on the HRA business plan if applied over two years.
- Currently Tamworth Borough Council's performance shows c99% of tenancies are sustained in the first year; disproportionate charging could impact this and put greater pressures on its homeless services as providers struggle to remain viable and there is a potential for indirect impacts on homelessness.
- Tenant choice and consultation is undermined locally by imposing a national cap when this should be part of the local decision making on rent choices. DLUCh know that Tamworth (as with all councils) budget consultation as already commenced in line with LA budget setting cycles. Why would a two-year decision be taken, when the rent cap is late for 2023/2024 and yet early for 2024/2025.

Question 4: Do you agree that the proposed ceiling should not apply to the maximum initial rent that may be charged when Social Rent and Affordable Rent properties are first let and subsequently re-let?

No

Comment:

- Formula rent increases at maximum policy level – rent cap applies to those existing tenants with new rent charges as at 1st April – any **new tenants** after 1st April 2023 that would be at the rent formula level which CPI+1% (which would be at the higher CPI rate). Tamworth Borough Council agrees and does not support any capping to the formula rent, as capping the formula rent would seriously undermine its HRA business plan even beyond the rent cap impacts.
- Differential charges of either social/affordable rent levies (and different rent increases through CPI) could lead to community tensions if rent charges were different between neighbours – simply because the tenancy is newer. There are already case examples where we have affordable and social rents.
- Affordable rent levels – these should be based on a market re-valuation so Tamworth Borough Council does not know how it would apply a rent cap as this is driven by a market assessment regulated under the rent standard. Applying a cap seriously undermines and intervenes in this assessment of local market conditions.
- There could be legal challenges around the equitability of this – if it is not perceived to be fair resulting in judicial review and other litigious actions.

Question 5: We are not proposing to make exceptions for particular categories of rented social housing. Do you think any such exceptions should apply and what are your arguments/evidence for this?

YES

Comment:

- Local exemptions should apply for supported /specialist /sheltered housing where there is already an enhanced housing management charge and rents should be seen to be equitable, although stress testing would be required around this.
- Wider affordability impact needs to be reviewed in terms of hardship and targeted support rather than 1 size fits all approach. E.g., at some of Tamworth's sheltered housing scheme service charges are fixed based on pre-

dicted costs and have increased by £10 on average per week. Whilst a reduction in rent might offset this, the issue is more around the wider impact of utility costs and fuel poverty.

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Thursday, 10 November 2022

Report of the Portfolio Holder for Environment, Entertainment and Leisure

Grant Support for Tamworth Pride Event

Exempt Information

None

Purpose

The purpose of this report is to recommend an ongoing annual grant of £5,000 toward the Tamworth Pride Event.

Recommendations

It is recommended that:

1. Cabinet approves the release of £5k annually from the contingency budget to be used as a grant donation towards Tamworth Pride for a period of three years.
2. Cabinet gives authority to the Theatre, Artistic and Events Manager to release the grant annually to the Tamworth Pride Committee, upon conditions detailed below.

Executive Summary

This report aims to outline why an annual grant toward Tamworth Pride is beneficial to the Council and community long term.

Tamworth Pride's vision is "To celebrate and promote inclusivity, equality and diversity between the LGBTQ+ community and its allies."

"Tamworth Pride has been in existence for many years in the local community. In 2021 the group came together officially for friendship and to offer support. They are a well-balanced group of individuals who all have the same goals; to eliminate prejudice, to be able to celebrate who they truly are, create safe spaces for those that may need them and most of all show that Tamworth is an inclusive place to live." *Tamworth Pride Website*

The above details the vision and mission of Tamworth Pride and is a group and event that encompasses what Tamworth is about – inclusion, support and celebration. In 2021 Tamworth Pride organised their own event in Wiggington Park, attracting high numbers to what turned out to be a fun-filled, family-friendly inclusive day of activities, entertainment and companionship amongst the attendees'. It is an annual event that should be supported by TBC to display a sense of solidarity and support, and which will sit alongside other outdoor events as a major annual attraction. A grant of £5,000 will help maintain the momentum last year's event began and help ease the burden of expenditure for the group.

Options Considered

To not support the event in some way would highlight Tamworth as a town that does not support what Tamworth Pride stands for – inclusion, celebration and support.

Resource Implications

The £5k grant donation is to be funded from the Council contingency budget for a period of three years.

After 3 years, it is recommended the grant is re-assessed in terms of value for money to TBC and Pride, and the wider benefits on the community. If results are still found to be beneficial, an award for a further 3 years upon the same above conditions is awarded.

The grant will be paid on acceptance of the booking to enable best use of the funding (this is likely to be 6months prior to the event)

A date for the Castle Grounds will be booked out for this event, during July. It is anticipated that the popularity of the event will overshadow any booking for the same date by an external event.

There would be staffing commitments from Arts & Events and Streetscene, to service the event in terms of administration and cleaning up, after the event. As always accountability for items such as cleaning, toilet provision, and H&S, will be included in the terms and conditions of booking, as it is with any other external event.

Legal/Risk Implications Background

Awarding an ongoing grant commits TBC to an expense, and risk, should a fall in event standards occur. It is recommended a grant is committed annually for 3 years, subject to:

1. a written de-brief from the Pride Committee, after the event.
2. submission of plans for the following year.

Equalities Implications

The Council has its own Diversity and Equality Scheme (2020-24) and gives the public commitment 'to ensure all council strategies, policies and procedures consider the impact on our diverse community/ workforce to ensure maximum inclusion'. In supporting this event with a financial commitment, TBC is displaying its solidarity with the vision and message of not only Tamworth Pride but all groups and minorities that face a specific day-to-day struggle.

Background Information

TBC has a history of presenting large scale, inclusive outdoor events that offer a chance for a wide range of community groups to come together, whilst attracting visitors from further afield. Outdoor events such as Fireworks, St Georges, and We Love Tamworth have become part of the wider Midlands social calendar. Feedback for all events is positive and we are recognised as a local authority that always delivers new and interesting community-based events.

Report Author

Adey Ramsel - Theatre, Artistic and Events Manager
Sarah McGrandle – Assistant Director Operations and Leisure

List of Background Papers

Diversity and Equality Scheme (2020-24)

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