

Public Document Pack

Mid Devon District Council

Homes Policy Development Group

Tuesday, 8 August 2023 at 2.15 pm
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 26 September 2023 at 2.15 pm

Please Note: This meeting will take place at Phoenix House and members of the Public and Press are able to attend via Teams. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

To join the meeting online, [click here](#)

Membership

Cllr C Adcock
Cllr J Cairney
Cllr A Glover
Cllr C Harrower
Cllr F W Letch
Cllr N Letch
Cllr H Tuffin
Cllr S Chenore
Cllr S Robinson

AGENDA

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

1 Election of Vice Chairman

To elect a Vice Chairman of the Policy Development Group for the remainder of the municipal year 2023 – 2024.

(This item was held over from the previous meeting due to there being several absences).

2 Start time of meetings

To agree a start time of meetings for the remainder of the municipal year.

(This item was held over from the previous meeting due to there being several absences).

3 Apologies and Substitute Members

To receive any apologies for absence and notice of appointment of substitutes.

4 Public Question Time

To receive any questions relating to items on the Agenda from members of the public and replies thereto.

5 Declaration of Interests under the Code of Conduct

To record any interests on agenda matters.

6 Minutes (Pages 5 - 10)

To consider whether to approve the minutes as a correct record of the meeting held on 13th June 2023.

7 Chairman's Announcements

To receive any announcements that the Chairman may wish to make.

8 Update to Mid Devon Housing Neighbourhood Management Policy (Pages 11 - 34)

To receive a report from the Corporate Manager for Public Health, Regulation and Housing. Under the Neighbourhood and Community Standard, the Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhood's associated with their homes. This has been developed following an in-depth review of the policy in consultation with tenants and partner organisations.

- 9 **Briefing on Voids Management**
To receive a briefing on Voids Management from the Corporate Manager for Public Health, Regulation and Housing.
- 10 **MDH Service Delivery Update** *(Pages 35 - 50)*
To receive a report from the Corporate Manager for Public Health, Regulation and Housing providing a quarterly update to Members on enforcement and other activity undertaken by Mid Devon Housing and includes a summary of the final Q4 and outturn for 2022/23 in a format previously applied for consistency. The report further presents how the pending changes to the Regulatory Framework for Housing and consumer-led regulation regime impact on service delivery reporting and performance information provided to members and tenants from 2023/24. It includes a recommended update to what future information is provided as a result of these changes.
- 11 **Work Programme for 2023 / 2024** *(Pages 51 - 54)*
To discuss the draft Work Programme for the Homes Policy Development Group.
- 12 **Finance and performance update**
To receive a verbal update from the Corporate Manager for Finance, Property and Climate Change and to receive further training designed to provide greater clarity on the financial responsibilities falling within the remit of this Policy Development Group.
- 13 **Identification of items for the next meeting**
Members are asked to note that the following items are already identified in the work programme for the next meeting:
- Damp and Mould Policy
 - Update on the Refugee Schemes
 - Recharges Policy
 - Tenant Involvement update and Action Plan

Note: This item is limited to 10 minutes. There should be no discussion on the items raised.

Stephen Walford
Chief Executive
Monday, 31 July 2023

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Teams.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Member Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on: slees@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 13 June 2023 at 2.15 pm

Present

Councillors

C Adcock (Chairman)
J Cairney, M Farrell, A Glover, F W Letch, N Letch and
S Robinson

Apologies

Councillors

E Buczkowski and C Connor

Also Present

Councillors

D Broom, J Buczkowski, G Duchesne, B Holdman, J Lock
and D Wulff

Present

Officers

Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Paul Deal (Corporate Manager for Finance), David Parker (Member Services & Policy Research Officer) and Sarah Lees (Member Services Officer)

1 ELECTION OF CHAIRMAN

RESOLVED that Cllr C Adcock be elected Chairman of the Homes Policy Development Group for the municipal year 2023/2024.

2 ELECTION OF VICE CHAIRMAN

Due to the fact that 2 Members of the Policy Development Group had sent apologies for the meeting and 2 were absent it was **AGREED** to defer the election of Vice Chairman until the next meeting.

3 START TIME OF MEETINGS

Due to the fact that two Members had sent apologies to the meeting, two were absent and that moving the start time to the evening may affect some Members attending Parish Council meetings later in the day, it was **AGREED** to defer a decision on the start time of future meetings until the following Policy Development Group meeting in August.

4 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from:

- Cllr E Buczkowski who was substituted by Cllr S Robinson.
- Cllr C Connor who was substituted by Cllr Matt Farrell.

5 PUBLIC QUESTION TIME

Paul Elstone asked the following questions in relation to the Leisure VAT refund, it was asked:

What the exact reason was for the Leisure VAT Refund, being repaid; who was refunding, to the Council, the Leisure VAT Refund; what period does the Leisure VAT Refund cover and had the Council actually received the Leisure VAT Refund.

In addition, Paul Elstone asked questions in relation to Zed Pod modular housing units, it was asked:

If the Council would provide a detailed breakdown of the £500,000 additional spend required for the Shapland Place and St Andrews Estate Modular Units referred to in the report.

If an explanation could be provided as to why these modular developments were taking so very long to complete and whether these completion dates were reliable given that not even the groundworks at St Andrews had been started.

If the Council could explain why these Zed Pod modules were seen as good value, when they cost considerably more than a conventional built home, needed more maintenance, had a shorter life expectancy and took longer to build?

If this Committee would fully investigate whether the revised module designs, at Shapland Place, met the Governments Minimum Floor Space Standards and the Building Regulation Overheating risk mitigation requirements.

It was confirmed by the officers in attendance that a written response would be provided and attached to the minutes of the meeting.

6 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT

Cllr A Glover declared a personal interest in that she lived in and rented a Council property.

7 MINUTES

The minutes of the meeting held on 21 March 2023 were **AGREED** as a true and accurate record and signed by the Chairman.

8 CHAIRMAN'S ANNOUNCEMENTS (00:05:00)

The Chairman had no announcements to make.

9 REVENUE AND CAPITAL OUTTURN REPORT (00:20:00)

The Group had before it, and **NOTED**, a report * from the Deputy Chief Executive presenting the Revenue and Capital Outturn figures for the financial year 2022/2023 for both the General Fund (GF) and Housing Revenue Account (HRA).

The contents of the report were outlined and a high level summary provided as follows:

- The outturn position on the General Fund showed a small overspend of £190k. This represented a good achievement given the current economic circumstances. The Housing Revenue Account showed a small underspend of £312k.
- Notable variances included a higher than expected staff pay award and higher levels of staff sickness than expected,
- The cost of living crisis had had a significant impact across the Council's finances.
- Reserves were still in a healthy position and the Housing Revenue Account (HRA) was in a strong position to support future investment in the Council's housing stock.
- The increasing cost of Homelessness provision was being offset by Government grants.
- The HRA variances related to staff vacancies, interests through investments, depreciation being higher than expected and the increase of material costs to maintain the housing stock.

Discussion took place regarding:

- The impact of staff vacancies would could lead to an increased risk of a drop in productivity. The biggest challenge at the moment was in recruiting people to the trades. The hope was to recruit locally wherever possible and ensuring the Council took on apprentices to grow its own workforce.
- A request to show plus's and minus's in separate columns in future.
- The new waste depot and the timescales involved in having it operational.
- The Right to Buy Scheme which was a legal requirement. The Council received a proportion of each sale which was used to invest back into the house building programme. That proportion had increased recently on a temporary basis under new flexibilities recently announced by Government
- The revised Voids Management policy which now used a new measure related to turn around time. When a property became a void it often provided an opportunity to deal with damage caused by the previous tenant, modernise a property or hold it for redevelopment. The new overarching target within the policy that 97% of the Council's stock was occupied at any one time was highlight.
- A request to see data which showed how long a property had been void for. The next item on service delivery and future performance reporting (including voids) was highlighted
- Zed Pod buildings as with all other residential new-build property had to comply with building regulations. These specific building were also highly insulated beyond minimum requirements so retained warmth in the winter whilst being cool in the summer.
- The complexities involved in trying to show how many Tenants, who were in rent arrears, were still waiting to receive benefit claims before paying their rent.

It was requested that the Group receive background information in relation to Voids Management at the next meeting.

Note: * Report previously circulated; copy attached to the signed minutes.

10 MID DEVON HOUSING SERVICE DELIVERY REPORT (00:50:00)

The Group had before it, and **NOTED**, a report * from the Corporate Manager for Public Health, Regulation and Housing providing a quarterly update to Members on enforcement and other activity undertaken by Mid Devon Housing and provides a summary of the final Q4 and outturn for 2022/2023.

The contents of the report were outlined with particular reference to the following:

- Mid Devon Housing was entering into a new a consumer led regulatory regime with 22 key performance indicators relating to tenant satisfaction and which needed to be reported on. These measures included a combination of hard information and perception surveys.
- Only a small proportion of tenancies reached the formal eviction phase. Ward Members were invited to attend eviction panels and could act as an advocate for a tenant should they wish.

Note: * Report previously circulated; copy attached to the signed minutes

11 MID DEVON HOUSING ANTI-SOCIAL BEHAVIOUR POLICY UPDATE (01:04:00)

The Group had before it a report * from the Corporate Manager for Public Health, Regulation and Housing. Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhood's associated with their homes. Registered suppliers are required to publish a policy on how they work with relevant partners to prevent and tackle Anti-Social Behaviour (ASB).

The contents of the report were outlined and the following highlighted:

- This was a refreshed policy which set out how MDH worked with partners.
- Representatives from this Policy Development Group had joined with the Community PDG working group on ASB in 2022, and the housing team had worked hard with this group together with consulting tenants and key partners in updating the policy.
- There were challenging issues around, drug trafficking, county lines and the targeting of vulnerable individuals.
- There had been revised guidance from the Housing Ombudsman and a new Tenant Satisfaction Measure for TSM defining what ASB is and how it should be measure taken account in the updated report. An example being how a neighbourhood boundary dispute is no longer classified as ASB.

Discussion took place with regard to:

- The Housing officers and previous working group were thanked for the work they had undertaken to produce such a detailed and important piece of work.
- Currently there were enough powers and tools to enable officers to deal with anti-social behaviour on Council housing estates but this ability relied heavily on being able to liaise closely with other agencies such as the Police.

- There would always be some anti-social behaviour and it was important to remember that there were complex issues involved.

RECOMMENDED to the Cabinet that the updated Anti-Social Behaviour Policy, Statement, Procedures and Equality Impact Assessment contained in Annexes A,B,C & D respectively be adopted.

(Proposed by Cllr F Letch and seconded by Cllr S Robinson)

Reason for the decision

The Council is required, under Section 12 of the Anti-social Behaviour Act 2003, to prepare a policy and procedure on ASB and to publish the following documents:

- Statement of policy on ASB;
- Statement of procedure on ASB;
- Summary statement of current policy and procedures on ASB

Note: * Report previously circulated; copy attached to the signed minutes.

12 **MID DEVON HOUSING COMPLAINTS HANDLING ANNUAL REPORT 2022-2023**
(00:01:17)

The Group had before it, and **NOTED**, a report * from the Corporate Manager for Public Health, Regulation and Housing presenting the Mid Devon Housing Complaints Handling Annual Report for 2022-2023.

The following was highlighted within the report:

- A whole new approach to the handling of complaints came about as a result of the Grenfell disaster. The Corporate Manager welcomed the greater transparency now needed which necessitated a lot of detailed reporting under the Housing Ombudsman Complaints Handling Code setting out how the Council needed to fulfil key criteria and comply with key tenant satisfaction measures.
- It was difficult to compare current complaint data with previous data as the whole regime had changed.
- Currently the Council upheld about a third of its complaints with only a very small number of those being referred to the Ombudsman. Lessons to be learnt were properly captured and acted upon under the Code as set out in the relevant Annex.

Discussion took place with regard to:

- The increased administrative burden upon staff and the effect upon their morale.
- There was some correlation between the numbers of repairs and complaints.
- The aggressive practices of some claims companies in relation to disrepair claims arising from complaints
- All the regulatory changes placing greater burden on private landlords and potentially having a negative impact on the availability of private sector housing leading to social housing pressures

- The neighbourhood walkabouts with Ward Members were greatly appreciated and offered a good opportunity to get to know the area. They also provided an opportunity to identify problems sooner than might otherwise have been the case.

Note: * Report previously circulated; copy attached to the signed minutes.

13 PRESENTATION ON THE HOMES FOR UKRAINE SCHEME (01:42:00)

The Group received an update, by way of presentation, on the Homes for Ukraine Scheme. This included the following information:

- Background to the scheme
- Scheme details
- Local Authority Statutory Role
- Short / medium / long term requirements
- Wraparound support
- Specific MDDC support and initiatives
- Using the voluntary sector
- The number involved both overall and current
- The Local Authority Housing Fund
- Homelessness Prevention Grant
- Managing local risks
- The future and looking ahead.

Discussion took place regarding:

- The team were to be congratulated for providing this support on top of all their other work.
- Operating the scheme had enabled the Council to pilot some initiatives which looking ahead may work more broadly.
- The willingness of the UK people to open their doors was key to the success of the scheme.
- The support needed and given to the refugee community generally.
- If people were given the opportunity to work there were benefits not only to them but also the local and wider communities.

14 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (02:35:00)

In addition to the items already notified in the work programme, the following was requested to be on the agenda for the next meeting:

- Background information in relation to Void Management
- A work programme for the Group for 23/24

(The meeting ended at 4.46 pm)

CHAIRMAN



Report for: Homes Policy Development Group

Date of Meeting:	8 th August 2023
Subject:	UPDATE TO MID DEVON HOUSING (MDH) NEIGHBOURHOOD MANAGEMENT POLICY
Cabinet Member:	Cllr Simon Clist Cabinet Member for Housing and Property
Responsible Officer:	Simon Newcombe - Corporate Manager for Public Health, Regulation and Housing
Exempt:	None
Wards Affected:	All
Enclosures:	Annex A – Neighbourhood Management Policy Annex B – Neighbourhood Management Equality Impact Assessment

Section 1 – Summary and Recommendation

Under the Neighbourhood and Community Standard, the Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhood's associated with their homes. This has been developed following an in-depth review of the policy in consultation with tenants and partner organisations.

Recommendation:

That the PDG recommends that Cabinet adopt the updated Neighbourhood Management Policy and Equality Impact Assessment contained in Annexes A and B respectively.

Section 2 – Report

1 Introduction and historic performance

- 1.1 Under the Neighbourhood and Community Standard, the Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out how, in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.
- 1.2 The Social Housing (Regulation) Act 2023 has received Royal Assent. This will impact the regulatory framework for social housing and introduces a new proactive, consumer-led regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 1.3 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how well their landlord is performing giving tenants a stronger voice. Of the seven chapters within the White Paper, several are particularly relevant to the aims of this policy:
 - To be safe in your home (Chapter 1)
 - To know how your landlord is performing (Chapter 2)
 - To have your complaints dealt with promptly and fairly (Chapter 3)
 - To have a good quality home and neighbourhood to live in (Chapter 6)
- 1.4 As part of the new consumer regulation regime, from April 2023, the RSH has already introduced a series of 22 new, mandatory Tenant Satisfaction Measures (TSMs) through the creation of a new TSM consumer standard. This has enabled a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys, for example setting out tenants views on our performance on responsible neighbourhood management.
- 1.5 The TSM measures directly relevant to neighbourhood management include:
 - TP10: Satisfaction that the landlord keeps communal areas clean and well maintained
 - TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods
- 1.6 A pilot TSM survey was completed by MDH in late 2022 ahead of the TSMs being formally adopted and the results for TP10 and 11 are set out below. These results provide some context on historic performance under the previous policy and are a benchmark for future consideration.

- TP10: Satisfaction that the landlord keeps communal areas clean and well maintained – 53%
- TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods – 47%

2 The updated Neighbourhood Management Policy

- 2.1 The Housing Ombudsman has issued guidance to all housing providers that some everyday noise complaints should not be treated as ASB as this was unfair to the complainant and the complained about. It sets out that relevant noise complaints should be handled under the Neighbourhood Management function.
- 2.2 MDH have taken on board this Housing Ombudsman guidance and have removed specific noise complaints in relation to discounting domestic noise complaints (e.g. children, washing machine noise etc.) from the ASB Policy and included them within this update of the Neighbourhood Management Policy.
- 2.3 Overall, in order to meet the aims of this policy, the policy objectives are:
 - We conduct regular neighbourhood inspections of communal areas and ensure that they are well maintained, tidy and free from graffiti
 - We will work in partnership with the Police and other services to help keep our estates free from anti-social behaviour (ASB), harassment and hate crime
 - We will conduct fire risk assessments in blocks of flats to identify and address fire risks
 - We will ensure communal areas are well maintained
 - Grounds maintenance work is carried out to the required standard
 - Residents are aware of their responsibilities, both in relation to their property and neighbourhood
 - We will consult with our tenants to identify improvements and work together to address local priorities
 - We will identify areas that need improvements and undertake measures to resolve them
 - We will promote tenant involvement opportunities, activities and events to help develop and support vibrant communities

3 Key changes to Policy

- 3.1 The revised Neighbourhood Management Policy details the actions that will be taken in relation to neighbour disputes and everyday living noise complaints that are not classed as ASB. The time frames for these are the same as any other complaint or enquiry raised by a tenant.

- 3.2 The revision of the existing policy also includes further definition of responsibilities to ensure that all stakeholders are clear about accountabilities.
- 3.3 There are no other materially relevant changes to the policy.
- 3.4 The MDH ASB policy has already been revised to account for the change set out in 3.1 above and was adopted at Cabinet on 4 July 2023.

4 Consultation and follow-up

- 4.1 The draft policy was sent to the following partner charity organisations for comment between 9th May and 16th June 2023:
- Citizens Advice (Torridge, North, Mid and West Devon)
 - Navigate (Somerset/Devon community social isolation and financial hardship)
 - CHAT (Churches Housing Action Team Mid Devon)
- 4.2 Tenants were invited to comment on the draft policy between 9th May and 16th June 2023.
- 4.3 No comments or concerns were received from either tenants or partners.
- 4.4 Despite a lack of response to consultation, it is important that tenants are fully aware of the updated policy. To this end, should the policy be adopted, MDH will proactively signpost the policy on our webpages/Facebook pages and in the next tenant newsletter. Where relevant, particularly in relation to queries, service requests or complaints we will also ensure specific tenants or other stakeholders are also aware of the updated policy as required.

5 Recommendation

- 5.1 The following recommendation is made:
1. That the PDG recommends that Cabinet adopt the updated Neighbourhood Management Policy and Equality Impact Assessment contained in Annexes A and B respectively.

Financial Implications

There are budgets in the Housing Revenue Account to support effective neighbourhood management. This includes budgets for repairs and maintenance, improvements, the management of anti-social behaviour and adequate staffing to ensure that our statutory and regulatory obligations are met. This resourcing is kept under regular review to ensure MDH continue to meet its statutory obligations as a minimum.

Legal Implications

The Council has a duty of care and statutory obligations relating to health and safety; in addition, the Neighbourhood & Community Standard within the regulatory framework for social housing (enforced by the Regulator for Social Housing), requires registered providers (RPs) such as the Council, to keep the neighbourhood and communal areas associated with the homes that they own clean and safe. It also contains a specific requirement that RPs have a policy for maintaining and improving the neighbourhoods associated with their homes.

Risk Assessment

Failure to have an adequate neighbourhood management policy in place would put the Council in breach of the regulatory framework. Failure to have adequate management arrangements and resource in place to deliver the policy objectives could result in the Council failing to meet its statutory and contractual obligations.

The RSH also have specific new powers (as set out in paragraph 1.0 above) to take formal action against RPs that are failing to meet standards. Those judged to be performing poorly will be expected to put things right quickly.

Some aspects of neighbourhood management including the management of communal areas have a direct relationship with effective building safety and fire risk in particular. Therefore, inadequate policy, management or resource regarding neighbourhood management could put our tenants, their visitors or wider communities at risk of serious harm.

Impact on Climate Change

None directly relevant to this report or policy.

Equalities Impact Assessment

Mid Devon Housing collects data on the diversity of tenants and endeavours to tailor services to meet the needs of all tenants. Our housing estates must be accessible to those with disabilities and we have in place a regular schedule of inspections to ensure that all defects are identified and rectified as soon as possible. Information provided by MDH is available in alternative formats, upon request, in order to ensure that all those living on our estates understand the rights and responsibilities of the Council as a landlord, and tenants and other residents, individually. Older tenants may find it difficult to maintain their gardens and the Neighbourhood team will endeavour to signpost those affected to voluntary organisations which may be able to provide help and will manage issues accordingly.

The full Equalities Impact Assessment is attached to this report in Annex B.

Relationship to Corporate Plan

A stated aim of the Council is to deliver sustainable communities.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 25 Jul 2023

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 25 Jul 2023

Chief Officer: Simon Newcombe

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 21 July 2023

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 31 July 2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Carole Oliphant, Policy Officer or Simon Newcombe Corporate Manager for Public Health, Regulation and Housing

Email: coliphant@middevon.gov.uk / snewcombe@middevon.gov.uk

Telephone: 01884 255255

Background papers:

Current Mid Devon Housing Neighbourhood Management Policy:

<https://www.middevon.gov.uk/media/85031/neighbourhood-management-policy-v3-september-2018.pdf>

The Charter for Social Housing Residents – Social Housing White Paper:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/936098/The_charter_for_social_housing_residents_-_social_housing_white_paper.pdf



NEIGHBOURHOOD MANAGEMENT POLICY

MAY 2023

1 Introduction

- 1.1 Mid Devon Housing (MDH) is part of Mid Devon District Council (the Council). It is responsible for the Council's housing stock including the maintenance, management and letting of its properties and estates.
- 1.2 This policy sets out MDH's approach to managing our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.
- 1.3 MDH will work in partnership with our tenants and other stakeholders and public bodies where it is effective to do so.
- 1.4 This is an update to the Neighbourhood Management Policy V3 which was adopted in 2018.

2 Legal Framework and Context

- 2.1 Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.
- 2.2 The Social Housing (Regulation) Act 2023 has received Royal Assent. This will impact the regulatory framework for social housing and introduces a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 2.3 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how well their landlord is performing, giving tenants a stronger voice. Of the seven chapters within the Act, several are particularly relevant to the aims of this policy:
 - To be safe in your home (Chapter 1)
 - To know how your landlord is performing (Chapter 2)
 - To have your complaints dealt with promptly and fairly (Chapter 3)
 - To have a good quality home and neighbourhood to live in (Chapter 6)

2.4 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys; setting out tenants views on our performance which will include responsible neighbourhood management.

2.5 The TSM measures under responsible neighbourhood management include:

- TP10: Satisfaction that the landlord keeps communal areas clean and well maintained
- TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods
- TP12: Satisfaction with the landlord's approach to handling anti-social behaviour
- NM01: Anti-social behaviour cases relative to the size of the landlord

3 Policy Aims and Objectives

Aims

3.1 Within the legal framework and context set out in Section 2, this policy aims to ensure that tenants have quiet enjoyment of their homes, which are in a safe, clean and secure environment, and that they can take pride in.

Objectives

3.2 Overall, in order to meet the aims of this policy, the policy objectives are:

- We conduct regular neighbourhood inspections of communal areas and ensure that they are well maintained, tidy and free from graffiti
- We will work in partnership with the Police and other services to help keep our estates free from anti-social behaviour (ASB), harassment and hate crime
- We will conduct fire risk assessments in blocks of flats to identify and address fire risks
- We will ensure communal areas are well maintained
- Grounds maintenance work is carried out to the required standard
- Residents are aware of their responsibilities, both in relation to their property and neighbourhood
- We will consult with our tenants to identify improvements and work together to address local priorities

- We will identify areas that need improvements and undertake measures to resolve them
- We will promote tenant involvement opportunities, activities and events to help develop and support vibrant communities

4 Permissions

- 4.1 Tenants must seek permission if they wish to install hanging structures such as hanging baskets or bird feeders in communal areas, especially those in blocks of flats. These must be positioned in such a way as to avoid damage to the structure of the building and so not to cause a nuisance or annoyance to others. An example would be hanging baskets when watered causing a slip hazard or the possibility of people walking beneath them getting wet.

5 Keys

- 5.1 Additional keys for main entry doors in blocks of flats will not be provided to tenants; although replacement keys may be available in appropriate circumstances. If replacement keys are required, any costs relating to this will be recharged to the tenant. At your request we can provide a key safe on the exterior of the building for those whose carers require access, a key can be stored here to allow them to access the block. This is to ensure that security is maintained. For the same reason, communal key codes in blocks where there is a door entry system will only be given to employees and contractors to enable them to carry out their duties.

6 Neighbourhood Walkabouts

- 6.1 Tenants, councillors (both District and Parish) and other agencies such as the Police are welcome to join neighbourhood officers when an estate in their area is inspected to raise any concerns and share ideas for improvement. A schedule of neighbourhood walkabouts is available on our website.

- 6.2 Neighbourhood walkabouts enable neighbourhood officers to identify issues surrounding the following (this is not an exhaustive list):

- Breaches of tenancy
- Grounds maintenance issues, including hedges, trees and boundaries, and grassed/planted areas
- Repairs
- A build-up of domestic waste that has not been appropriately disposed of
- Items in your garden which are not in line with your tenancy agreement
- Items in your garden that impact the look of an estate
- Any health and safety issues; for example, any deterioration to pathways that could be trip hazards, gas canisters, tyres, vehicle parts, anything that should not be in a garden whereby the garden looks untidy or unkempt
- Communal areas – internal and external

- Car parks and garages
- Security issues, including fencing/ boundaries, security doors
- Tenancy issues, including property condition, property improvements, untidy gardens, pets
- ASB, including graffiti/vandalism, drugs, abandoned cars, fly-tipping

7 Communal Inspections

- 7.1 MDH are committed to undertaking regular communal inspections and will proactively address any concerns raised during these inspections.
- 7.2 The frequency of these inspections will be locally determined and will be undertaken more frequently in neighbourhoods where there have been more reported issues, for example ASB.
- 7.3 Communal inspections have one aim, to ensure the safety of all residents living within a block who share a communal space. Inspections and walkabouts will be done in partnership with tenants, internal colleagues, such as our maintenance team, Councillors and other external agencies such as the Police.

8 Vandalism and Graffiti

- 8.1 Acts of vandalism to MDH property or land will be repaired as quickly as possible. Offensive/racist graffiti will be removed within 24 hours, all other graffiti will be removed within a reasonable timescale.
- 8.2 Any vandalism on MDH property will be reported and dealt with within our repair priorities. Any vandalism which is a Health and Safety risk will be dealt as an emergency as per our repair priorities.
- 8.3 MDH will investigate all acts of vandalism and graffiti and appropriate action will be taken against all known perpetrators of vandalism.

9 Litter and Fly Tipping

- 9.1 MDH will take reports of fly tipping seriously and ensure that it is dealt with quickly and efficiently.
- 9.2 MDH will investigate all instances of fly tipping on MDH property. MDH will request that the responsible person remove the items within a reasonable timescale. If these items are not removed, MDH will arrange for the removal of these items and a recharge will be raised to the responsible person to cover the cost of this service.

- 9.3 Reports of fly-tipping that is not on MDH property will be reported to and dealt by the Street Scene Service.
- 9.4 MDH will investigate fly tipping incidents and appropriate action will be taken against all known perpetrators.

10 Anti-Social Behaviour and Neighbour Disputes

- 10.1 ASB can have a significant impact and MDH is committed to delivering a non-judgemental, balanced service. For more information on how MDH tackles ASB, please view the ASB Policy and Procedures.
- 10.2 Where the behaviour does not constitute ASB, you will be told why your complaint does not classify as an ASB complaint and advice will be given to enable self-resolution.
- 10.3 We expect a reasonable level of tolerance between neighbours and will make fair evaluations on whether a complaint of ASB is reasonable. An important part of creating sustainable communities is the recognition and acceptance by MDH tenants that the initial responsibility to resolve concerns with others lies with them. Therefore, we may be able to provide advice, but we will not investigate the following concerns:
- A tenant going about their daily activities in their home – for example, playing with children, loud footfall, moving of furniture, babies/children crying, television noise, occasional loud music, toilets being flushed (this is not an exhaustive list)
 - Noise occurring at different times due to different working patterns or one off parties
 - Concerns which do not breach the tenancy agreement, for example, people staring, smoking or cooking odours, or clashes due to lifestyle or cultural differences
 - Concerns which involve residents not being pleasant to each other, but are not serious enough to justify our involvement
 - Boundary disputes
 - Inconsiderate parking
- 10.4 It is important to be tolerant of other people's lifestyles and to be understanding of these possible differences. Behaviour that results from different lifestyles, or which would not be considered unreasonable by most people is not ASB. Examples of this might include (this is not an exhaustive list):

- Lifestyle clashes
- Children playing or youths innocently congregating
- Ball games
- Parking disputes
- One off party
- Reasonable living noise such as lawn mowing, household DIY, hoovering, toilets flushing, doors banging, noise from household appliances or moving around in top floor apartments

10.5 Ways in which residents may be able to prevent low level complaints being made against them may include:

- Informing your neighbours if you are going to be having a one off event
- Not to remove carpets from upper floor flats so that noise transfers to lower down properties
- Consider the use of appliance mats if you are running washing machines etc. overnight
- Telling your neighbours if your shift patterns have changed so they can be understanding of your needs
- Be considerate of your neighbours
- Do not carry out repairs or other works late at night or at other unsociable hours
- Do not play music, TV or instruments too loudly
- Keep dogs and other pets under control
- Be aware of where your children are playing, who is supervising them and what they are doing

10.6 If residents are not able to resolve their differences themselves they should contact MDH where a neighbourhood officer may be able to offer mediation or other solutions in order to resolve the dispute. In this instance you will be kept informed of the progress of your dispute and what actions have been agreed to mitigate a repeat of the incident.

11 VEHICLES AND PARKING

11.1 You must not park any vehicle which is untaxed, un-roadworthy or not insured at your property or on any other Council-owned land.

- 11.2 Any vehicle parked on a drive or on a garden where there is no dropped kerb, and without evidence of a request to Devon County Council to drop the kerb, will be expected to be removed immediately until a dropped kerb is in place. We will also need to ensure that you have appropriate permission from the Council for the installation of a drive. You are prohibited from parking a car on a garden that has not had a hard standing installed without consent from MDH.
- 11.3 MDH will work with our tenants and residents to reduce irresponsible parking and parking-disputes.

12 TREE MANAGEMENT

- 12.1 MDH have a rolling maintenance plan to reduce avoidable risks relating to trees on land owned by the Council. Works to trees outside the works programme will only be undertaken when there has been an identified risk or hazard, such as it is:
- a) Unsafe
 - b) Obstructing public footpaths or roads
 - c) Proven to be damaging property
- 12.2 Where any trees or shrubs, which are in tenants' gardens are causing a nuisance/annoyance or are dangerous, we may give tenants written notice asking that they remove or cut back the trees within certain timescales. If this is not done MDH may enter the property to carry out the works and the tenant may be liable for reasonable costs in carrying out any such works.

- 12.3 If tenants want to plant a tree on their property they must obtain written consent from MDH before undertaking the planting (in fact it may be wise to get written consent before purchasing the tree).

13 CCTV AND CAMERA DOORBELLS

- 13.1 MDH will consider proposals to install CCTV or camera doorbells where appropriate to do so. Please refer to MDH's CCTV Policy for more information on this.

14 INFESTATIONS OF PESTS AND VERMIN

- 14.1 Pests or vermin that pose an immediate danger to a person or property will be investigated and dealt with appropriately via the responsive repairs team.

15 CLEANING

- 15.1 MDH will ensure that communal areas are clean and safe. There is an expectation that tenants, leaseholders and other residents play their part in keeping their neighbourhoods clean and tidy.

16 GARDENS

- 16.1 The responsibility of garden maintenance lies with the tenant. Where a tenant fails to maintain their garden, MDH will take appropriate action (which may result in a recharge to the tenant).
- 16.2 MDH will work with our tenants to encourage them to keep their gardens tidy and well-maintained.
- 16.3 You are responsible for notifying us if there is a good reason you are unable to look after your garden or arranging for someone to look after it on your behalf.
- 16.4 You must obtain written consent from us before you or members of your Household do any of the following:

- Place, build or erect any greenhouse, garage, shed, patio, decking, aviary, fencing, conservatory, pigeon-loft, fishpond, pool or similar structure in your garden or a communal area or anywhere in/or on Council property;
- Place, build or erect any gate or barrier across a communal path;
- Replace or erect fencing. Any fencing, with written consent, should be no higher than one metre at the front or two metres at the back of your property;
- Make changes to boundary walls, outbuildings or hard surfaces.

17 GARDEN FENCES

17.1 Garden fences are mostly the responsibility of the tenant to maintain. Where there is a dispute between two neighbours regarding the responsibility for a fence or hedge, MDH will provide a boundary plan to confirm responsibility.

17.2 Where a garden fence is the responsibility of MDH it will be maintained by us.

18 FIRES AND BBQ'S

18.1 Bonfires and/ or mini fires on communal land, owned and managed by MDH will not be permitted. Disposable BBQ's are not permitted to be used in communal areas.

19 GRASSED AREAS AND COMMUNAL LAND

19.1 Grassed areas located on communal land on an estate are provided as an amenity for the benefit of all tenants. Therefore, tenants should seek permission regarding the use of external communal areas if there is a proposal to establish a gardening club, or to create a wildlife garden, or to run a community social event, for example.

19.2 It should be noted that public liability insurance may be required in relation to a community social event if it is organised by private individuals and not MDH. MDH cannot be held liable for any damage or injuries which may occur at such an event which has been organised by private individuals. Anyone planning such an event is advised to seek advice from their neighbourhood officer before requesting permission.

19.3 MDH may consider allowing a charity to hold an event on communal land but a written agreement will be required indemnifying the Council in the event of any claims for damage or injury. Decisions made regarding such events will take account of all relevant factors and MDH will require sight of all relevant insurance and other documents in these circumstances before permission is granted.

19.4 Individual tenants will not be permitted to erect their own sheds in communal areas. Should storage be an issue, tenants should seek advice from the neighbourhood team.

19.5 MDH is required to consult all residents affected regarding a major change in the use of the communal area. We will make the final decision if there is any dispute regarding the use of communal space where agreement cannot be reached locally. Any such decisions will take into account legal obligations, policy, local feedback and any other considerations which may be relevant.

20 COMPLAINTS AND FEEDBACK

20.1 We try to get things right the first time and when we do, we would love you to let us know. It's great for us to receive positive comments or feedback, so if you wish to complement our staff for doing a great job, we would love to hear from you.

20.2 If things do go wrong the Council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services.

20.3 When you contact us to tell us you are dissatisfied with the service we have provided, we will offer you the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.

20.4 The Housing Ombudsman Service advises that a complaint is defined as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.

20.5 Where a tenant considers that the Council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.

20.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint (stage 1), which can be escalated to stage 2 if they are still not satisfied with the response. If having been through stages 1 and 2 they are still not satisfied, the tenant may contact the Housing Ombudsman Service.

20.7 MDH's complaints procedure is detailed on the Council website: [Feedback and Complaints](#)

21 EQUALITY IMPACT ASSESSMENT

21.1 MDH completes an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us ensure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

22 REVIEW AND VERSION CONTROL

22.1 MDH will review this policy every 4 years and as required to address legislative or regulatory changes, best practice or operational issues.

22.2 This policy was produced in 2023 and is version 4

22.3 This policy was adopted by Cabinet on xxxx



Neighbourhood Management Policy - Equality Impact Assessment (EIA)

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The Public Sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

MDH is required by law to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- Foster good relations between people who share a protected characteristic and people who do not share it.

An EIA will be carried out by MDH in respect of new or revised policies and a copy of the assessment will be made available. Where it is clear from initial consideration that a policy will not have any effect on equality or any of the protected characteristics, no further analysis or action will be necessary.

Service:	Mid Devon Housing
Name of policy being assessed:	Neighbourhood Management Policy
Lead officer responsible for EIA:	Operations Manager for Housing Management Services
Is this a new or existing policy:	Existing to be revised

1. What are the aims and objectives of the policy?

This policy sets out Mid Devon Housing's (MDH) approach to managing our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.

MDH will work in partnership with our tenants and other stakeholders and public bodies where it is effective to do so.

2. What outcome do MDH want to achieve from this policy?

Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.

It will ensure that MDH is compliant with its responsibilities under relevant legislation.

3. Who is intended to benefit from the policy?

The Neighbourhood Management Policy will apply to all tenants living in MDH homes.

4. Who are the main stakeholders in relation to the policy?

- All tenants
- Household members
- Family members of tenants

5. Do you have baseline quantitative data for this policy?

MDH has around 3000 homes and they are all included within the Neighbourhood Management Policy.

6. Do you have baseline qualitative data for this policy relating to different equality strands?

All tenants of MDH will be covered by the Neighbourhood Management Policy. This policy will ensure that a consistent, fair approach is taken when managing our estates

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

The contents of the Neighbourhood Management Policy provides guidance as to how MDH will manage our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.

Stakeholder consultation has taken place including residents' feedback on what best practice is considered by them.

Internal consultation with the relevant officers has taken place to ensure the document covers all aspects required of us and meets the needs of MDH and our tenants.

The consultation with residents and stakeholders did not result in any comments or concerns.

8. From the evidence you have, does the policy affect or have the potential to affect different equality groups in different ways?

All MDH tenants have a **responsibility** both in relation to their property and neighbourhood. The policy sets out how MDH will respond to issues that arise. No communities or groups are affected in an adverse way.

9. Is this policy likely to be equally accessed by all equality groups or communities?

The policy applies to all MDH tenants living on our estates as all tenants have rights.

10. Are there barriers that might make access to the policy difficult for equality groups or communities?

MDH will maximise access for all groups. Where requested, MDH will have this (or any other MDH policy) translated if English is not the tenant's first language.

11. Could the policy promote or contribute to equality and good relations between different groups?







The policy may raise awareness between officers and tenants regarding the rights of tenants and their responsibilities both in relation to their property and neighbourhood. The policy encourages tolerance between neighbours to foster an understanding of different lifestyles.

The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.

12. What further evidence is needed to understand the impact on equality?

MDH will use existing performance monitoring data to establish whether there has been any negative or positive impact on tenants and their ability to access services.

13. On the basis of the analysis above, what actions, if any, will MDH need to take in respect of each of the equality strands?

Characteristic:	Impact: Please  the relevant box		Comments/Action:
Age:	Positive		No action needed. The rights of existing tenants remain unaffected.
	Neutral		
	Negative		
Disability: You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.	Positive		No further action needed
	Neutral		
	Negative		
Gender:	Positive		No further action needed
	Neutral		
	Negative		
Gender reassignment:	Positive		No further action needed
	Neutral		
	Negative		
Marriage and civil partnership:	Positive		No further action needed
	Neutral		
	Negative		
Pregnancy and Maternity:	Positive		No further action needed
	Neutral		
	Negative		
Race:	Positive		No further action needed. Regular monitoring may identify reasons not initially identified. Action will be taken to mitigate any barriers identified.
	Neutral		
	Negative		
Religion and Belief:	Positive		No further action needed. Regular monitoring may identify reasons not initially identified. Action will be taken to mitigate any barriers identified.
	Neutral		
	Negative		
Sexual Orientation:	Positive		No further action needed. Regular monitoring may identify reasons not initially identified. Action will be taken to mitigate any barriers identified
	Neutral		
	Negative		

Monitoring and Review:

MDH will regularly review the EIA, in line with legislative changes or good practice, or if the policy impacts any group directly.

Operations Manager for Housing Management Services.

Signed:

Dated: June 2023

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Report for: HOMES POLICY DEVELOPMENT GROUP

Date of Meeting:	08 August 2023
Subject:	MID DEVON HOUSING SERVICE DELIVERY REPORT
Cabinet Member:	Councillor Simon Clist, Cabinet Member for Housing and Property Services
Responsible Officer:	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing
Exempt:	None
Wards Affected:	All Wards
Enclosures:	Annex A shows service activity and performance against specific indicators for Q1 for 2023/24. This is presented as agreed at the previous Homes PDG in June 2023. As such, changes have been made due to introduction of new, national performance metrics called Tenant Satisfaction Measures (TSMs) as well as the recently adopted Voids Management Policy

Section 1 – Summary and Recommendation

The report sets out the performance and headline activity of the Mid Devon Housing (MDH) service for the first quarter (Q1) of 2023/24 using the updated reporting framework agreed at the previous Homes Policy Development Group (PDG).

Recommendation:

That the PDG notes the Q1 performance for 2023/24 as provided in Annex A

Section 2 – Report

1. Introduction

- 1.1 Mid Devon Housing (MDH) has approximately 3,000 homes in its management located across the District.
- 1.2 This report provides a summary of activity and performance by MDH for Q1 of 2023/24 (1 April - 30 June 2023).
- 1.3 At the previous PDG, members agreed to an updated reporting framework to ensure we are providing the correct information for 2023/24 onwards under the revised Regulatory Framework for Social Housing. This includes the newly implemented Tenant Satisfaction Measures (TSMs) standard. Further information on the Framework and wider regulatory changes were provided in the previous June PDG report.
- 1.4 In summary, it was agreed that the following revised performance metrics will be provided to the PDG on a quarterly basis. These cover both the new requirements and information previously reported for core areas of MDH performance not specifically covered by a TSM where members may felt this was informative. It also covers relevant new policy requirements for void properties.
 - 12 new performance data TSMs
 - 10 new perception survey data TSMs (annual survey data)
 - Tenancy enforcement data (as per historic reporting)
 - Rent collection and debt data (as per historic reporting)
 - Full repairs data including Decent Homes (minor amendments only)
 - Voids data (metrics determined by updated Voids Management Policy)
- 1.5 In accordance with the above, data for Q1 2023/24 is provided in Annex A.

2. Performance

- 2.1 Where possible, comments and informative narrative on performance are provided against each metric within Annex A.
- 2.2 All of the TSMs are new from 1 April 2023 with no annual reporting due to the Regulator of Social Housing (RSH) until after 31 March 2024. Furthermore, some of the TSMs require a tenant perception survey which will be completed later in 2023, therefore results for these are not yet available. Consequently, at this stage we do not have a full dataset for the new TSMs and any comparative national benchmark data cannot be provided yet by the RSH.
- 2.3 Once benchmarking has been completed by the RSH, we anticipate that our overall TSM satisfaction performance (measure TP01) and wider TSM performance, especially in relation to repairs, safety and complaints, will inform RSH priorities for provider inspections, with those performing worse likely to receive inspections earlier in the four-year cycle.

- 2.4 In the absence of TSM benchmark data, where possible we have provided a Housemark benchmark instead. Alongside hundreds of other registered providers of social housing (private and local authority, large and small), MDH provide performance data to Housemark which is used to deliver its monthly Pulse reports on housing sector performance and trend. Whilst these reports are highly informative, the metrics used by Housemark may not be fully compatible with the Government TSMs or our local metrics in all instances so are best viewed as indicators rather than strict comparators.
- 2.5 During Q1, overall performance against targets or benchmarks has been strong with the main exception of voids turnaround times. This is no reflection of the hard work or efficiency of the voids team or the wider service including allocations. Early quarter leave followed by unexpected vacancies in several trade roles has meant the service rightly placed a focus on safety and compliance in the existing stock and consequently shifted some resource away from the voids work temporarily.
- 2.6 As with many other housing providers, targets for our voids team also continue to be impacted upon by backlogs, relatively high volumes of void properties and the poor condition of properties being returned. We have updated and reintroduced pre-void inspections (managed tenancy end) by our Neighbourhood Teams which were suspended during Covid and during periods of high team vacancy rates in 2022/23. Staffing resource has now increased within these teams and these inspections should result in improvements in the condition of some returned properties.
- 2.7 In respect of the allocations end of the voids process, with a new voids and allocations officer now in post, the team are now planning on carrying out viewings at an earlier stage whilst the voids team are still onsite once safe to do so, which again is what used to happen pre-pandemic. This should result in properties being let more quickly going forward.
- 2.8 For standard voids where some comparable Housemark data is available, MDH performance for Q1 (63.97 days) compares reasonably nationally. The latest April only data from this source shows that MDH currently sit between the industry median figure of 45.9 days and the Quartile 3 figure of 68.4 days. Almost all landlords are reporting extended re-let times compared to pre-pandemic levels due to pressures set out above.
- 2.9 Efforts are ongoing around trade vacancies in what is unfortunately a highly competitive recruitment market with private sector remuneration and demand outstripping the public sector in key roles. These issues are presenting challenges to many registered providers and not just MDH. Nonetheless, specific roles in Building Services are currently subject to a policy compliant re-evaluation (grading) process and the service also continues to focus efforts on apprentice recruitment to grow our own teams.
- 2.10 Despite all of the above challenges, the level of activity achieved has meant the overall 97% occupancy target has been met, with 2.39% of current stock void and therefore 97.61% being occupied at the end of Q1

3. Recommendation

3.1 The following recommendation is made:

That the PDG notes the performance for Q1 2023/24 as provided in Annex A.

Financial Implications

The activity of Mid Devon Housing (MDH) is funded through the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls. There are no direct financial implications arising from this report, however performance information must inform service delivery and ensure compliance where any required improvements may have subsequent financial implications.

Legal Implications

The tenancy agreement defines MDH's relationship with tenants and sets out the rights and responsibilities of both parties. This takes account of legal and regulatory requirements.

The Council is (and must be) a registered provider of social housing (RP) and therefore is required to comply with the regulatory framework operated by the Regulator for Social Housing (RSH). The framework has recently been updated with the inclusion of a new Tenant Satisfaction Measures standard, bringing the total number of consumer standards to five:

- Home Standard – quality of accommodation/safety, repairs and maintenance
- Tenancy Standard – how properties are allocated/exchanged and terms around tenure
- Neighbourhood and Community Standard – issues around neighbourhood and communal areas and anti-social behaviour
- Tenant Involvement and Empowerment Standard – customer service and complaints, tenant rights and involvement
- Tenant Satisfaction Measures Standard – reporting against the TSMs, which cover information on areas such as repairs, safety checks and complaints (from 1 April 2023).

This overarching framework sets the legal standards for the performance of registered providers. Under legal changes, the RSH now holds substantial new powers to intervene where failures to meet standards have caused, or could have caused, serious harm to tenants and/or where we have failed to put tenants at the heart of the service we provide. The RSH is also currently reviewing the overall framework and further changes or updates to the standards are likely.

There is also a requirement for MDH to manage complaints in accordance with the Complaints Handling Code (the Code) which is issued by the Housing Ombudsman Service (HOS). Landlords are expected to self-assess against the Code. Landlords are also required to use the learning from complaints to drive service improvement which should positively impact on performance.

Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Bill has just completed its course through Parliament and gained royal assent as the Social Housing (Regulation) Act on 20 July 2023. This landmark legislation will impact the regulatory framework for social housing and introduce the new overarching consumer regulation regime. The overall purpose of the legislation is to give tenants even greater protection and an enhanced say in service delivery and satisfaction.

Risk Assessment

The Council has approximately 3,000 homes in management and the performance of MDH impacts upon the lives of many thousands of tenants and their families. This represents a huge responsibility and investment, consequently a major area of risk.

Not providing an effective housing management service has the potential to result in failure to meet legal and statutory obligations including those relating to health and safety issues, repairs obligations, tenancy fraud and reputational issues which could result in our tenants feeling stigmatised.

Failure to collect rental income could impact the ability to fund necessary management and maintenance activities and/or the delivery of new housing into the MDH stock.

Furthermore, a failure to provide adequate information on service performance for the purposes of governance and scrutiny is a specific area of non-compliance with the requirements of the RSH. Under new powers granted by the Social Housing (Regulation) Act 2023, the RSH will be able to impose performance improvements and potentially fine registered providers where performance is poor and/or adequate assurance is not provided.

Overall, the delivery of an effective MDH housing service including the provision of new social housing is a key mitigation in respect of Corporate Risk 12: Housing Crisis which is currently judged at Risk Severity 4 / Risk Likelihood 3 (Status 12 / amber).

Impact on Climate Change

None directly arising from this report.

Equalities Impact Assessment

MDH has a collection of housing related policies. The use of these helps to ensure that service delivery is consistent and fair. These are currently being reviewed with the aim of aligning them more closely with the Regulatory Standards. There is a regulatory requirement for registered providers of social housing to tailor their services to meet the needs of tenants. MDH requests diversity data from tenants to enable compliance to be monitored.

MDH is required to work with people from all sections of society and having an agreed policy ensures that all tenants and other stakeholders are treated in the same way with adjustments being made to meet their needs, as necessary. The Housing

Ombudsman Service Complaints Handling Code which MDH adhere to also requires landlords to have an awareness of accessibility so residents are easily be able to access the complaints procedure via several routes.

Relationship to Corporate Plan

Homes and the Environment are a priority for the Council and this includes increasing the supply of affordable homes in the District and also supporting and growing active tenant engagement.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 25 Jul 2023

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 25 Jul 2023

Chief Officer: Simon Newcombe

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 20 July 2023

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 21/07/2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Email: snewcombe@middevon.gov.uk.

Telephone: 01884 255255

Background papers:

Mid Devon Housing strategies and policies:

<https://www.middevon.gov.uk/residents/mid-devon-housing/help-and-support/strategies-and-policies/>

The Regulatory framework for social housing:

<https://www.gov.uk/government/collections/regulatory-framework-requirements>

Tenant Satisfaction Measures

<https://www.gov.uk/government/news/regulator-of-social-housing-to-introduce-tenant-satisfaction-measures-from-1-april-2023>

Complaint handling code

<https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>

White Paper – The Charter for social housing residents

<https://www.gov.uk/government/publications/the-charter-for-social-housing-residents-social-housing-white-paper>

Annex A – MDH performance metrics for Q1 2023/24

Mandated Tenant Satisfaction Measures (TSMs)

All 22 – quarterly (management data) and annual (perception surveys).

Overall Satisfaction						
	Q1	Q2	Q3	Q4	YTD	Comments
TP01: Overall satisfaction	N/A					Annual perception survey.

Keeping Properties in Good Repair						
	Q1	Q2	Q3	Q4	YTD	Comments
TP02: Satisfaction with repairs	N/A					Annual perception survey.
TP03: Satisfaction with time taken to complete most recent repair	N/A					Annual perception survey.
TP04: Satisfaction that the home is well maintained	N/A					Annual perception survey.
RP01: Proportion of Homes that do not meet the Decent Homes Standard	2.34%					No comparable benchmark presently. Nonetheless, the local target is 100% and performance is likely to be better than median data when benchmark information is available. 68 homes in total. The majority of these (50/68) are homes where the tenant has refused works to make them decent - typically window or heating upgrades. We still have to report these as non-decent even though tenants have the right to refuse non-safety related works. The remaining 18 are due to have works carried out at them this financial year.

Keeping Properties in Good Repair						
	Q1	Q2	Q3	Q4	YTD	Comments
						The HRA development programme also has a focus on properties approaching end-of-life for replacement alongside additional units. Typically these are Cornish or Woolaway units.
RP02: Repairs completed within target timescale	97.55%					Compares well to a Housemark industry national median (April 2023) of 83.9% and represents upper quartile performance. Although there have been some resourcing pressures MDH remains committed to delivering a high-quality repairs service that is consistently above industry average. This is important in terms of tenant well-being and safety and will positively impact wider tenant satisfaction measures.

Maintaining Building Safety						
	Q1	Q2	Q3	Q4	YTD	Comments
TP05: Satisfaction that the home is safe	N/A					Annual perception survey.
BS01: Gas safety checks	99.87					Compares closely to a Housemark industry median (April 2023) of 99.9%. See also Building Repairs and Maintenance below.
BS02: Fire safety checks	100%					At target/max compliance.
BS03: Asbestos safety checks	77.68%					Profile of activity means greater level of inspections in Q2 – Q4 so performance should increase across the year. With the survey programme underway this will complete the outstanding properties and have previous surveys or cloned data are in place for those remaining. Existing management controls are also in place for all properties with asbestos containing material. A number of these will also be properties that have had a Refurbishment and Demolition (R&D) Survey with samples being taken of any suspected asbestos containing materials where results are pending, therefore the checks cannot be reported as complete.

Maintaining Building Safety						
	Q1	Q2	Q3	Q4	YTD	Comments
						Any at risk and/or poor condition asbestos material is removed using specialist licensed contractors. Material otherwise safe is targeted and removed where possible during property void periods e.g. floor tiles beneath carpets. Overall, our policy and practice approach continues to safely manage asbestos and the number of properties with material is reducing year on year.
BS04: Water safety checks	100%					At target/max compliance.
BS05: Lift safety checks	100%					At target/max compliance.

Respectful and Helpful Engagement						
	Q1	Q2	Q3	Q4	YTD	Comments
TP06: Satisfaction that the landlord listens to tenant views and acts upon them	N/A					Annual perception survey.
TP07: Satisfaction that the landlord keeps tenants informed about things that matter to them	N/A					Annual perception survey.
TP08: Agreement that the landlord treats tenants fairly and with respect	N/A					Annual perception survey.

Effective Handling of Complaints						
	Q1	Q2	Q3	Q4	YTD	Comments
TP09: Satisfaction with the landlord's approach to handling complaints	N/A					Annual perception survey.
CH01: Complaints relative to the size of the landlord	22					No comparable benchmark presently. Nonetheless, as relatively small district level provider of housing, this is seen by the Housing Ombudsman, as on average, a reasonable amount for the quantity of MDH properties.
CH02: Complaints responded to within Complaint Handling Code timescales	83.08%					<p>Stage 1 = 86.16% and Stage 2 = 58.33%</p> <p>Below target.</p> <p>Target of 95% missed due to staff absence (annual or sickness). However, changes to complaints triaging, utilisation of the complaints module within the new corporate CRM and return to normal staff resourcing should see this performance improve.</p>

Responsible Neighbourhood Management						
	Q1	Q2	Q3	Q4	YTD	Comments
TP10: Satisfaction that the landlord keeps communal areas clean and well maintained	N/A					Annual perception survey.
TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods	N/A					Annual perception survey.
TP12: Satisfaction with the landlord's approach to handling anti-social behaviour	N/A					Annual perception survey.

Responsible Neighbourhood Management						
	Q1	Q2	Q3	Q4	YTD	Comments
NM01: Anti-social behaviour cases relative to the size of the landlord	3.72					Closely compares to a Housemark industry national median (April 2023) of 3.25 and well above the Quartile 3 figure of 5.11

Tenancy Enforcement Activities

Neighbourhood & Community Standard – Housing Revenue Account – Estates Team						
	Q1	Q2	Q3	Q4	YTD	Comments
Fraud cases opened	2					Active monitoring of potential fraud continues with new cases opened during the quarter. One case has been resolved, upon investigation it was found a lawful succession had taken place. The other case identified concerns and as per below was referred to an external agency.
Fraud cases referred to an external investigator	1					Active monitoring of potential fraud continues with a new external referral during the quarter. MDH are of a view that a tenant is potentially attempting to fraudulently claim his father was part of his household, referred to specialist Plymouth Fraud Team with no outcome as yet.
Acceptable Behaviour Agreements signed	0					This continues the 2022/23 trend of lower returns in comparison to those under pre-2021 policy. It reflects new, early intervention and mediation policy and practice approaches to ASB that were successfully introduced as well as training for new team members. MDH won Resolve Team of The Year award for our work on tackling ASB. Furthermore, the management of serious anti-social behaviour can be delicate and tricky. There is a need to work in partnership with other agencies including the Police and those which work
Good Neighbourhood Agreements signed	0					
Community Protection Notice warnings issued	0					
Community Protection Notices issued	0					

Neighbourhood & Community Standard – Housing Revenue Account – Estates Team						
	Q1	Q2	Q3	Q4	YTD	Comments
Possession Actions commenced on grounds of ASB	2					with vulnerable children, families and adults. Tenants must be given every opportunity to modify their behaviour and any action taken must be both reasonable and proportionate. The figures therefore do not reflect the amount of work undertaken during Q1 and improvements secured. Overall, this does reflect our emphasis towards working with the tenants/partners and our commitment to tackling anti-social behaviour. No decision to commence possession action is taken lightly.
Closure Orders – obtained	0					
Injunctions sought	0					
Evictions on grounds of anti-social behaviour/ other tenancy breach	0					

Rent recovery

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Income Recovery – Housing Revenue Account – Income Team						
	Q1	Q2	Q3	Q4	YTD	Comments
Current dwelling rent arrears at quarter end %	2.42%					Target: <5% Compares well to 2022/23 MDH outturn of 2.41%.
Notice of Seeking possession served	52					Slightly up on Q1 2022/23 (50). Our Income Team continue to work with our tenants to try and help them to reduce their arrears so that they do not lose their homes, but sometimes, regrettably, we have to take further action against some especially where the tenant refuses to engage and/or take support.
Judgement obtained	1					Same as Q1 2022/23.
Warrants issued	4					Above Q1 2022/23 (0).
Evictions on grounds of rent arrears	0					MDH outturn for 2022/23 for this last resort measure was just 4 evictions so none within a quarter is typical.

Building Repairs and Maintenance

Homes and Neighbourhood & Community Standards – Housing Revenue Account – Building Services						
	Q1	Q2	Q3	Q4	YTD	Comments
Decent Homes Standard %	97.67%					<p>Target 100% Below target.</p> <p>68 homes in total. The majority of these (50/68) are homes where the tenant has refused works to make them decent - typically window or heating upgrades. We still have to report as non-decent even though the tenant have the right to refuse non-safety related works. The remaining 18 are due to have works carried out at them this financial year.</p> <p>The HRA MDH development programme also has a focus on properties approaching end-of-life for replacement alongside additional units. Typically these are Cornish or Woolaway type units.</p>
Emergency repairs completed on time %	96.05%					<p>Target 100%</p> <p>A small number of particularly complex emergency repairs with challenging material availability/stock have impacted Q1 performance alongside resourcing pressure. These pressures have resulted in some arrival times just outside of the 24-hour target response time. One failure (outside communal lighting) was attended on time however exceptionally poor weather prevented a safe immediate repair. Overall, a commitment to attend 100% of emergency and urgent repairs on time has kept this figure high.</p>
Urgent repairs completed on time %	97.03%					<p>Target 95% Above target.</p>
Routine repairs completed on time %	98.69%					<p>Target 95% Above target. Well above Housemark industry national median (April 2023) of 83.2% and represents upper quartile performance (see TSM RP02).</p>

Homes and Neighbourhood & Community Standards – Housing Revenue Account – Building Services						
	Q1	Q2	Q3	Q4	YTD	Comments
Repairs completed first visit %	99.44%					Target 95% Above target.
Gas safety checks %	99.87%					Target 100% Above 2022/23 outturn (99.1%). Access remains difficult on a small number of properties preventing the 100% target being reached. Updated no-access procedures introduced in Q4 2022/23 are beginning to see improvement into 2023/24. Closely compares to a Housemark industry median (April 2023) of 99.9%. There are now just three properties that do not have an in date Landlord's Gas Safety Record (LGSR). We have started the legal process to gain access to two of these. Sadly the tenant of the remaining property passed away recently and we are waiting for the property to be returned to MDDC before carrying out the LGSR.
Fire risk assessments %	100%					Target 100% At target/max compliance.
Water safety checks (Legionella) %	100%					Target 100% At target/max compliance.

Voids*

Voids performance – Housing Revenue Account – Building Services and Allocations Teams						
	Q1	Q2	Q3	Q4	YTD	Comments
Standard voids including temporary accommodation	63.97					Target 35 working days. Below target. Early quarter leave followed by unexpected vacancies in several trade roles has meant the service has had to focus on safety and compliance in the existing stock (see above) and consequently shifted resource away from the voids team temporarily.

Voids performance – Housing Revenue Account – Building Services and Allocations Teams						
	Q1	Q2	Q3	Q4	YTD	Comments
						Furthermore, in common with other providers, targets continue to be impacted upon by backlogs, high volumes of void properties, and poor condition of properties being returned. Nationally this is between the median figure (45.9 days and the Quartile 3 figure of 68.4 days. All landlords are reporting extended re-let times compared to pre-Covid levels due to current workforce and material availability pressures.
Major voids	167.88					Target 55 working days See comments above. Major and Decent Homes voids have also been impacted upon by the amount of properties where the tenants have historically refused access for modernisations, meaning this needs to be done during the void period.
Decent homes voids	101.67					Target 75 working days See comments above.
Development voids	N/A					Target 1 calendar year and will reported post Q4 2023/24 As above.
Occupancy rate (whole stock)	97.61%					Target 97% Above target. Despite challenges in resourcing the voids team, the level of activity achieved has meant the overall occupancy target has been met, with only 2.39% of current stock void at the end of Q1.

* Definitions and targets as per adopted Voids Management Policy 2023

WORK PROGRAMME HOMES PDG 2023/2024

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
8 August 2023				
13.06.23	Election of Vice Chairman			
13.06.23	Start time of meetings			
8.08.23 29.08.23 (Cabinet)	Neighbourhood Management Policy To receive the updated Neighbourhood Management Policy		Simon Newcombe	
8.08.23	Briefing on Void Management		Simon Newcombe	
8.08.23	MDH Service Delivery Update Report		Simon Newcombe	
8.08.23	Draft Work Programme for 2023/2024		Simon Newcombe	
8.08.23	Finance / Performance / Dashboard training		Paul Deal	
26 September 2023				
26.09.23 17.10.23 (Cabinet) 1.11.23 (Council)	Damp and Mould Policy To receive the new Damp and Mould Policy		Simon Newcombe	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
26.09.23 17.10.23 (Cabinet)	Recharges Policy To receive a review of the MDH Recharges Policy		Simon Newcombe	
26.09.23 17.10.23 (Cabinet)	Tenant Involvement update and Action Plan To receive the MDH Tenant Involvement update and Action Plan		Simon Newcombe	
8.08.23	Update on the Refugee Schemes		Simon Newcombe	
11 November 2023				
21.11.23	Draft budget for 2024/25		Simon Newcombe	
21.11.23 12.12.23 (Cabinet)	Tenancy Inspection Policy To receive a review of MDH Tenancy Inspection Policy		Simon Newcombe	
21.11.23 12.12.23 (Cabinet)	Private Sector Housing Fees & Charges		Simon Newcombe	
21.11.23 12.12.23 (Cabinet)	Review of Tenancy Agreements - Project Plan To receive a project plan to tenure reform		Simon Newcombe	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
16 January 2024				
16.01.24	Updated draft budget for 2024/25		Paul Deal	
16.01.24	Service Standards - Tenant Involvement & Empowerment		Simon Newcombe	
6.02.24 (Cabinet)				
16.01.24	Homes Safety Policy To receive a new policy which incorporates the existing Gas Safety Policy, Asbestos Management Policy & Fire Risk in Communal Properties Policy. New Policy includes regulated electrical safety checks being introduced to social housing landlords by the Social Housing Regulation Bill		Simon Newcombe	
6.02.24 (Cabinet)				
21.02.24 (Council)				
16.01.24	Garage, GGRP and Parking Space Policy To receive the revised Garage, GGRP and Parking Space Policy		Simon Newcombe	
6.02.24 (Cabinet)				
21.02.24 (Council)				
19 March 2024				
19.03.24	Chairman's Annual Report for 2023/2024			

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
19.03.24	Income Management Policy To receive a review of the MDH Income Management Policy		Simon Newcombe	
2.04.24 (Cabinet)				