

**Report for:**

**Cabinet**

Previously seen by  
Homes Policy Development Group (8 August 2023)

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Date of Meeting:	29 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 9<sup>th</sup> May and 16<sup>th</sup> 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 9<sup>th</sup> May and 16<sup>th</sup> 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

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#### **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](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)