

Scrutiny Streets, Environment & Homes Sub- Committee Agenda



To: Councillor Leila Ben-Hassel (Chair)
Councillor Jeet Bains (Vice-Chair)
Councillors Luke Clancy, Stuart Collins, Paul Scott, Caragh Skipper and
Vacancy

Reserve Members: Jan Buttinger, Robert Canning, Pat Clouder,
Clive Fraser, Karen Jewitt, Michael Neal and Oni Oviri

A meeting of the **Scrutiny Streets, Environment & Homes Sub-Committee** which you are hereby summoned to attend, will be held on **Tuesday, 18 May 2021 at 6.30 pm** in **This meeting is being held remotely.**

Jacqueline Harris Baker
Council Solicitor & Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Stephanie Davis
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www.croydon.gov.uk/meetings
Monday, 10 May 2021

PLEASE NOTE: Members of the public are welcome to remotely attend this meeting via the following web link - <http://webcasting.croydon.gov.uk/meetings/12099>

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If you require any assistance, please contact Stephanie Davis
020 8726 6000 x84384 as detailed above.

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

2. Minutes of the Previous Meeting (Pages 5 - 22)

To approve the minutes of the meetings held on 29 September 2020 and 2 February 2021 as an accurate record.

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Investigation into conditions at 1-87 Regina Road, South Norwood and the Housing Service Improvement Plan (Pages 23 - 78)

To receive the cabinet report of the investigation into conditions at 1-87 Regina Road and the Housing Service Improvement Plan.

6. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of

business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

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Scrutiny Streets, Environment & Homes Sub-Committee

Meeting held on Tuesday, 29 September 2020 at 6.30 pm in This meeting is being held remotely; to view the meeting, please click here

MINUTES

Present: Councillor Leila Ben-Hassel (Chair);
Councillor Richard Chatterjee (Vice-Chair);
Councillors Jamie Audsley, Luke Clancy, Stephen Mann, Vidhi Mohan and Caragh Skipper

Also Present: Councillor Tony Newman, Leader of the Council
Councillor Paul Scott, Cabinet Member for Environment, Transport and Regeneration (jobshare)
Councillor Muhammad Ali
Councillor Gareth Streeter
Councillor Sean Fitzsimons
Councillor Joy Prince
Shifa Mustapha, Executive Director of Place
Gavin Hadford, Director Policy & Partnership, Strategy and Partnerships
Yasmin Ahmed, Senior Strategy Officer
Dominick Mennie, Spatial Planning – Plan Making Team Leader
Steve Dennington, Head of Spatial Planning
Elizabeth Cox, Director, Practice & Consulting, NEF Consulting
Joe Duggan, Crystal Palace Transition Town
Kim Oniyah, Commissioner, Citizens Assembly
Nuala O’Neil. Town Planning Expert
Jeremy Gill, Croham Valley Residents Association

Apologies: None

PART A

10/20 Minutes of the Previous Meeting

The minutes of the meeting held on 4 February 2020 were agreed as an accurate record.

11/20 Disclosure of Interests

There were none.

12/20 Urgent Business (if any)

There were no items of urgent business.

13/20 Croydon Climate Crisis Commission

The leader of the Council, Tony Newman introduced and outlined the report in a [Presentation](#)

A Guest representative from the Citizens Assembly added that there was a good diverse mix of people on the Assembly. All involved contributed, engaged and voiced their different views and opinions. There was some commonality of ideas and trends such as communication, awareness and engagement with the public.

Following the presentation, Members has the opportunity to raise questions.

A Member expressed that this issue cut across the portfolio of many Cabinet Members and asked what was being done to assign political leadership. The Leader responded that this issue was an important issue and as a Cabinet was everyone's responsibility and not specifically one person. As a result, leadership responsibilities had been assigned to all Cabinet Members.

An invited guest commented that it was difficult to interpret what the ambition of the Commission was through the presentation given and would question if aspirations were ambitious enough. The leader said that the task at hand was a mammoth one and would want to see ambitious recommendations come out of the Commission.

A Member challenged the lack of pace since the Climate emergency was declared in 2019 and that the Corporate Action Plan would not be available till 2021. The Leader acknowledged this point and advised that events of Covid had impacted pace. A draft report or early recommendations which may prompt early intervention or action would be welcomed but it would be down to the Commission to decide the feasibility of this. The Executive Director of Place agreed that there was a need for increased pace and whilst the impact of Covid had slowed down the work of the Commission, there were also positives that had been experienced such as the implementation of Low Traffic neighbourhoods (LTN).

In response to a Member question on what the key opportunities and challenges in light of financial and resource constraints were, officers said that the benefit of Covid had been the environmental impact whilst there had been challenges due to economic impact. Further details would emerge as work progressed and it was important to find a balance in order to achieve the aspiration of a truly sustainable Borough. The Leader added that whilst there has been impact on finance and resources, the true impact would be on attitudes and responses to change. There were proposed changes to the transport network which was underway with improvements to road networks to support pedestrians and cyclists. The challenge to the Mayor and Central Government was for investment in green economy and jobs and it was important for a case to be made collectively on these matters.

A Member commented that more should be done to identify and utilise skills within the community as opposed to paying for consultant expertise where unnecessary. The use of expertise of partnerships such as Croydon College was suggested as a means to counteract financial pressure.

An invited Guest commented that following attendance at the Commission meetings a small gap had been identified in that actions groups would like to be included and have an opportunity to contribute to work streams. The Director of Consulting, NEF welcomed this offer and opportunity presented with and agreed to engage and follow up with the Guest following the meeting.

A Member further commented that alongside the development of the action plan, it was important to identify projects that required limited resources. Officers said that this was an idea that has been supported right from the beginning, and would continue to be built into the work of the Commission. The Commission do not have the resourcing and were reliant on information on work or projects that were occurring from the Council.

In response to a Member question on how it will be ensured that the Carbon baseline assessment is achieved, how its achievements would be assessed and what monitoring framework would be in place to track progress, the Leader said that the Carbon Baseline was critical, air monitoring was currently not where it needed to be nor was it Borough wide. The priority was to look at how to fast track some actions. Officers added that an LGA tool was being used that allowed monitoring of direct emission and enabled working out of current carbon emissions which gave results of activities owned by the Council and those not of the Council to enable comparison. It was important to note that there was currently no baseline data for everything and that the baseline target referred to the whole borough and not just Croydon Council

It was asked how policy conflict would be monitored such as withdrawal of key services and how to balance expectations of the community. Officers say that they recognised the broader challenge of impact of different policies but it was vital that residents took personal responsibility by assessing what sustainability mean for their individual household and how they could play their part in realising outcomes.

A question was raised on what was being done to engage the public and stakeholders whilst ensuring that they were kept up to date and aware of what was happening. Officers said that engagement had been difficult in the last 7 months but they were keen to continue the approach in activities where possible. It was important for the Council form an understanding of developing an effective engagement plan and they were waiting for details to emerge from the Commission to enable this to be completed. The finer details of the engagement plan was still being finalised.

The Chair thanked officers and guests for their attendance and engagement with the Sub-Committee

14/20 Planning for the future: White Paper

The Cabinet Member for Environment, Transport and Regeneration (job share), Councillor Paul Scott introduced and outlined the report in a [Presentation](#)

Following the presentation, Members had the opportunity to ask questions.

A Member commented that the proposal presented opportunities, with some possibly controversy as the paper was designed to be England wide with ideas that may not work as well in London as they may in other parts of the country. This may present an opportunity for challenge and rethink and it was asked how prepared Croydon was to challenge and be radical and bold in its response. The Cabinet Member responded that they were keen to hear people views and there would always be differences in planning arrangements. It was right that radical change was needed and the difference on cases of London for consideration was welcomed. Whilst there was currently a huge housing crisis, systems needed to be in place to address that crisis. Balance was needed on listening and involving communities against understanding of the task at hand. It was also vital that consideration be given to the production of a national strategy on housing distribution. The pandemic had made people rethink how and where they live. Officers added that the absence of detail of how the proposals would work in London was at the fore front of many Boroughs who would undoubtedly make representation about the absence of London specific detail in the proposals.

A Member asked what was being done by way of an assessment of strengths and weaknesses of the white paper in terms of design of schemes. The Cabinet Member responded that there was serious challenges to deliver on quality of design. Permitted developments have not delivered on design quality to date It was difficult to enforce on high quality design due to the limited control the Local Authority (LA) had and implementing a design code to cover the whole borough or specific areas would be challenging. There was significant risk of eroding character with the current proposals. Officers added that there was in place national set development policies which was similar in many local plans across the country, with fall-back position on permitted developments. There was opportunity to breach the gap presented by the White Paper but the complexities of doing so could not be underestimated, in particular, how a borough was defined in order to produce the codes.

An invited guest commented that whilst there were difficulties in streamlining the finer details of design codes, it would prove to be beneficial in the end as it would mean that there were detailed guideline in place to be adhered to with more examples of good practice. The Cabinet Member said that one of the challenges is that it may be restrictive on innovative design as the nature of innovative design is that it was undefinable due to fluidity in that what was innovative now may not be in a year or two. General keeping in character of an area whilst allowing for evolution was important and how to introduce that with a design code system would be difficult.

Officers added that the White Paper did not give detail on how communities could engage with production of the codes and would urge Resident Associations to make those comments to the consultation.

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A Member questioned what areas would be classed as low density areas as per the Secretary of State changes to the New London Plan which encourages 'gentle densification' of low density areas. Additionally the proposals allow for Expansion of existing high density areas and apart from the Town centre, were there any areas in the borough under the classification. The Cabinet Member said that in terms of low and mid density areas, there would be changes across all developed areas. Lower density areas, due to lower access to public transport would have lower density of development. The Council was working with partners on increased sustainability in transport accessibility and access in general to services. The Town centre of Purley for example was classed as high density and could be expanded further to provide homes. It was however important to be reminded that the development of homes must be distributed across the whole Borough in order to fulfil the aspiration on numbers and types of homes needed.

In response to a Member question on the impact of the proposals on protection for parks, The Cabinet Member said that every park was protected. The Council recognised the importance of parks to the infrastructure and community of the Borough. It was acknowledged that some open land would need to be released for development in order to establish a balance of places to build additional homes.

It was further asked whether there was an opportunity for more protection of Parks or the ability for bio diversity. The Cabinet Member responded that the protection aspect of the plans were very clear. The Prime Minister had launched an initiative to protect land and that was supported. There was a strategic view on what land was protected such as National Parks. There were some protected land in Croydon that was not very good for bio diversity and Councillors should be lobbying for greater renewal in order to further protect nature and natural spaces across the country.

The Chair thanked officers and invited guests for their engagement with the Sub-Committee.

15/20 Exclusion of the Press and Public

This was not required.

The meeting ended at 10.40 pm

Signed:

Date:

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Scrutiny Streets, Environment & Homes Sub-Committee

Meeting held on Tuesday, 2 February 2021 at 6.30 pm in This meeting was held remotely via Microsoft Teams

MINUTES

Present: Councillor Leila Ben-Hassel (Chair);
Councillor Jeet Bains (Vice-Chair);
Councillors Jamie Audsley, Luke Clancy, Stephen Mann, Vidhi Mohan and Caragh Skipper

Also Present: Councillor Stuart King, Deputy Leader and Cabinet Member for Croydon Renewal
Councillor Oliver Lewis, Cabinet Member for Culture and Regeneration
Councillor Alisa Flemming, Cabinet Member for Children Young People and Learning
Councillor Jane Avis, Cabinet Member for Homes and Gateway Services
Councillor Manju Shahul-Hameed, Cabinet Member for Economic Recovery and Skills
Councillor David Wood, Cabinet Member for Communities Safety and Skills
Councillor Muhammed Ali , Cabinet Member for Sustainable Croydon
Councillor Sean Fitzsimons
Shifa Mustapha, Executive Director of Place
Heather Cheesbrough, Director of Planning and Strategic Transport
Sarah Hayward, Director Violence Reduction Unit
Steve Iles, Director of Public Realm
Stephen Tate, Director Growth Employment and Regeneration
Geetha Blood, Finance Manager

Apologies: None

PART A

1/21 Minutes of the Previous Meeting

The Sub-Committee agreed to defer consideration of the minutes till the next meeting.

2/21 Disclosure of Interests

There were none.

3/21 Urgent Business (if any)

There were no items of urgent business.

Staff Changes, Service Impact and Response to Budget Reductions

The Deputy Leader and Cabinet Member Introduced the item by highlighting the strategic context that the meeting would follow. The report in the public interest was published on 23 October 2020 which set out the seriousness of the Council's financial situation as well as its governance. Following recommendations made, work began to address emerging concerns with the commissioning of Price Waterhouse Coopers to undertake a strategic review of the Council's companies. There had also been significant work undertaken to submit a request for exceptional financial support from the Ministry of Housing Communities and Local Government through a capitalisation v. All of the work had been undertaken under the umbrella of the Croydon Renewal Plan which includes an Improvement Plan by which the authority would be held to account. This session would detail service delivery, budget, current savings and impact on those savings

The Chair outlined briefly the scope of the meeting and it was determined that each section of the service would be presented in turn with questions taken immediately after.

Each officer outlined details of each section of the report in a [Presentation](#)

Strategic Approach and Options

Clarification was sought on what statutory and non-statutory services were as referenced in the presentation. Officers said that statutory services included building control, planning, environmental health, including others, all of which must be provided. Non statutory services were some of the activities around economic growth. Extensive work was carried out to explore how the statutory services could be delivered with a reduced budget.

It was asked how the department intended to monitor and gather data to inform the improvement journey. Officers said that they would rely on the new corporate monitoring framework's corporate tracker. There will be an opportunity to shape the tracker, including what information was needed, interaction with processes and performance as well as information needed for managers to take action.

A question was raised on what the wider departmental approach was to ensure values and outcomes were realised despite budget restrictions and strategic priorities and whether there would be a need to pursue external funding. Officers said that there were no plans in the proposals that reduced resources and policies around areas such as waste transport and the built environment that directly dealt with tackling the climate challenge. The next steps would be based on recommendations from the climate crisis, which a report would be presented before Cabinet and would detail the next steps on smarter working as well as any financial implications and opportunities to apply for additional funding.

It was asked what was being done around prioritisation of the climate crisis

which had been considered a priority of the administration. Officers said that the proposals did not in any way include a requirement for reduction in resources in the area of climate change and that a lot of the activities in the department contributed in the expected way to climate change. There was already a lot of work taking place to deal with environmental objectives to tackle climate change which would continue based on recommendations that come out of the climate crisis commission.

It was further challenged that following the meeting of the sub-committee on 29 September 2020, a commitment had been gained that the climate commission would review the financial strategy and renewal plan to ensure alignment with the Councils financial plan and the plan to get to net zero emissions by 2030.

The Cabinet Member for Sustainable Croydon stated that the Commission had aligned its work prior to the economic challenges and in particular since the Covid crisis. Having had a clear view on the current financial situation of the Council, it was expected that the recommendations to be made would take a holistic view and application of the Sustainable Development Principle.

In response to a question on which savings that had been budgeted to be achieved carried the most risk or were the most challenging, officers said that this was something that would become clearer as the department moved into the next stages of its plan which was feasibility. In some areas of service this would become apparent following any planned consultations or further understanding of demands for a particular service. The process in place was that when risks became apparent, proposals would be shared with Members for feedback and then a final decision would be made. In order to deliver an affordable budget, feasibility assessments would have to take place to determine which processes or service could go ahead and which could not. The performance monitoring process that had been put in place as well as the risk register would provide better information and awareness of risks.

It was further asked what was being done strategically to ensure creative ways of working and identified opportunities for change to service delivery. Officers responded that they had to refocus on vision by exploring different ways of doing things that would lead to improved alignment of services and minimisation of duplication which could ultimately lead to some savings of efficiencies.

Members challenged why it had taken a crisis, in particular in other departments and not Place which had not been overspending, for some of these measures which could have been implemented to be considered. Officers acknowledged that on reflection it was evident that the structures in some areas should have been designed more efficiently and that going forward, whilst structures were designed for lengthy periods such as three or five years, increased and frequent review of those structures must take place to ensure that investments were making the intended progress and if not swift action to be taken.

A Member asked for an outline of any cultural changes that may have

occurred or were underway which would instil confidence in deliverability of the saving outlined as concerns had been raised about this at both organisational and individual departmental level. Officers said that the concerns around deliverability was expected due to what had occurred in the past but Members were reminded that most of the savings proposals within the Place department over the last few years had indeed been delivered. It was evident that in other departments there had been different challenges, for example in children and adult services which had experienced increasing demand over the last few years and had contributed to savings not being delivered. There was confidence in the commitment of senior managers in the Place department and it was not felt that culture needed to change drastically, especially in the way savings were delivered. It was however recognised that there were some cultural changes that needed to be made around monitoring in order for the budget to be met and for proposals to be delivered unless consultation or statutory processes indicated otherwise.

The Deputy Leader and Cabinet Member for Croydon Renewal added that culture was very much set and influenced by behaviours at the top of an organisation. The new leadership at political and organisational level was committed to changing of the culture of the Council where needed to ensure ability to tackle the failings that has been laid out by the Report in the Public Interest. Change had and was already being seen in terms of challenge and scrutiny from councillors as well as challenging conversations taking place within the Labour group and Cabinet.

Planning and Strategic Transport

A question was raised on what was being done to ensure that the proposals included in the MTFs and this year's budget do not impede on maximisation of income or expectation for staff to increase work for the same or less pay. Officers acknowledged that this was a challenge as the proposed savings would result in reduction in a number of posts in the local plan spatial planning team. It was anticipated that the local plan would have been delivered to adoption state and then the work would stop. The proposals would also affect the policy team but there would however be retention of a core team that would allow for bids for grant funding and would focus external grant funding opportunities. In the past the department had worked hard on generating income internally and were now looking at external clients such as other local authorities to see what new work and income could be attracted.

Discussions took place on promoting cycling and walking by addressing issues with the road network in the borough which was sometimes dangerous to walk and cycle in due to potholes in the street. Officers said that strategic transport team were working closely with colleagues in the highways team as well as partners to deliver more cycle ways. This work in terms of low traffic and health neighbourhoods was still proceeding as it was funded through the Local Implementation Plan (LIP) and funding from Transport for London (TFL) and was integral to improving air quality in the borough.

It was challenged that a recent health streets map which brought together data of all London boroughs presented a picture that Croydon performed badly in comparison to neighbouring boroughs. It was asked how we begin or continue to tackle the reality of the boroughs infrastructure in terms of poor street quality. Officers responded that the teams were committed to bringing the schemes forward which in themselves were challenging due to lack of support from some residents. It was important to work with colleagues to communicate the benefits of the work that was being undertaken by highlighting the long term benefits of improved air quality for all. The Council had adopted a corporate approach by bringing colleagues together from a number of teams to ensure that communication was spread far and wide and at every opportunity. There were also opportunities through the Local Plan that was being utilised such as the requirement for developers to pay sustainable transport contributions to help fund schemes and work hard to limit the number of parking spaces that were provided in suburban areas. As part of the new local plan, there was a review underway for it to focus more intensified development to areas that were more sustainable and with better transport and local services.

Homes and Social Investment

Officers advised that there were no proposals in this area as there had already been funding removed from the service in the past and to include the department in the savings proposal would result in an inability to meet statutory responsibilities.

Public Realm

In response to a question on what lessons had been learnt from other LA's that had experienced financial pressure difficulties, officers said that they had looked at how to deliver services in a different way. In arrears such as recycling, prior to the Councils current financial difficulties, work had begun on overhauling of the waste management system. The cost of taking waste to residual site for disposal had been identified as significantly higher than it would be if put into recycling streams and as a result, heavy emphasis had been put on curb side recycling capacity which had positively increased recycling statistics. There was however still a lot of work to be done to improve and maximise on getting residents to recycle more. In the highways department, it was acknowledged that it had been operating as a reactive and not a preventative service which was more costly as it was more expensive to repair a failed highway than it was to maintain it. Lessons had been learnt and changes made to build on a more preventative approach which would result in saving and better quality of highways in the borough.

Officers were asked to outline how the spending profile demonstrated prioritisation for cycling and walking. Officers said that investment in highways had a significant impact on the savings proposals. In order to encourage

walking and cycling, the footway and carriageway needed to be fit for purpose. The deterioration of the highway was exceeding the money invested as the potholes along the edge of carriageways were increasingly prevalent. In order to tackle the issues, the department had been working on introduction of a proactive maintenance programme to address surface issues before they become big issues. There had also been lot of work with schools in the borough through the school streets programme which had resulted in high uptake and participation on encouragement of walking and cycling and reduction in number of vehicle journeys. This has also had its own challenge and there has had to be a balance in ensuring that local residents as well as those that were vulnerable or disabled that lived within the school were still able to enter and exit freely.

It was asked what plan was in place to cover any potential shortfall in the event of the delay in the decisions for renewal of the landlord licensing scheme. Officers said that the application was made in July 2020 and the response has possibly been impacted by the events of Covid. There was regular contact being made to try to get a decision sooner rather than later. There had as a result in delayed response been cash flow issues and in order to mitigate there had been a reduction in resource to the team. Once a decision had been given, resources would be put back into the team to meet demand.

Culture and Leisure

A Member commented that all Councillors were actively promoting the libraries consultation amongst community groups and residents and asked what steps the Council was taking to maximise participation in the current climate. Additionally what reassurances could be given that serious consideration would be given to responses received, in particular those in opposition of a library closure. The Cabinet Member for Culture and Regeneration thanked Councillors for promoting the consultation due to the importance of high levels of participation. The library team had been working hard to encourage those on the library's database to be active and participate. Community groups were being encouraged to share any ideas on models of operation, community ownership which would be cost neutral to the Council. Officers were readily available to work in partnership with groups and individuals on feasibility of ideas. Officers further acknowledged that there had been dramatic changes as a result of Covid as to steps that usually would have been taken to maximise participation such as public meetings and roadshows. Alternative method such as leafletting, regular emails via the Council's Comms and through the voluntary sector was being utilised to generate as much participation as possible. Councillors were also being actively encouraged at every opportunity to publicise the consultation through their networks.

It was highlighted that staffing attributed to two third of the overall running costs for libraries and officers confirmed that staffing amounted to 75% of running costs although a lot of libraries operated with a volunteer model.

Croydon's staff proportion was well within the normal range for library services.

It was further asked what choices such as those adopted by other borough had been considered when the library service was brought back in house to offset budget costs. The Cabinet Member for Culture and Regeneration said that the hope was to continue to maintain library services in the same number of locations whilst delivering financial savings. In order to do this there will be a need for volunteer groups running the libraries and potentially the group would have to find significant funds to maintain buildings or look at alternative. The Council would work with communities and support them to realise keeping libraries services in each location whilst delivering savings. The decision to bring the service back in house at the time was in the best interest of Croydon.

In response to a question regarding cuts to the book fund. Officers made it clear that there were no proposals to cut the fund again next year. It had been cut this year as it could not be spent due to the libraries being shut as a result of the pandemic. In November 2019 Croydon joined the libraries consortium which provided access to millions of books.

The Director of the Violence Reduction Unit responded to a question on the opening of the reading room attached to the library archives and stated that they would reopen when COVID restrictions allowed.

Parks

It was asked what reassurance could be provided on the ability of securing the level of investment needed, in particular through external investment by staging events in order to make significant improvements to the boroughs parks which were considerably lower in numbers by London average. Although there had been a significant contract signed with Live Nation, it was questioned whether there was the ability to develop strategies that can attract further increased levels of investment. Officers responded that the evolving strategy intended to underpin aspirations that would attract high level investments. The 128 parks and open spaces in the borough was a significant amount which continued to be a lifeline for residents. In the short term due to the financial constraints that the Council was under, there would be reduction in terms of the investment that the Council could make on its Parks but in the middle and longer term, the strategy would focus on encouraging where possible, external investment through bidding mechanisms.

The Cabinet Member for Sustainable Croydon further added that a key element would be continuing to build on the partnership with friends of park groups and strengthening that relationship. Focus would also be on drawing on external funding to allow for enhancement of existing facilities that would be linked to the climate change commitment.

A Member asked how the Council would build a lasting legacy for London Borough of Culture amidst the financial landscape and proposed cuts to services. The Cabinet Member for Culture and Regeneration said that culture

was an important part of people's lives and part of that included access to jobs. A lot of funding was coming in externally with over a million pounds from the GLA which will be used to start investing in some of the young people and local artists in the borough. Part of the legacy of borough of culture was developing local talent and providing pathways to employment in creative and cultural industries through positive experiences and pathways to a positive future. There would be reshaping of what Croydon's culture would look like but there would be physical reminders and lasting legacy of aspirations.

Growth Employment and Regeneration

Members discussed and raised questions regarding the Growth Zone and what would occur in the event that investment was stopped which would mean a lack of business opportunities. This would impact on income from business rates which would further impact the budget. Officers said that the proposal was not to stop investment in the Growth Zone as it was vital to keep investing in the town centre and driving growth in order to reap the longer term benefits. The proposal however was to reduce the amount of investment due to budget constraints. Officers further said that it was important to remain flexible to change in light of the current circumstances and be able to respond to current issues as necessary

A further question was raised on whether in light of the unprecedented economic climate if it was realistic to be reliant on income from business rates. Officers responded that they had been reassured by the findings from PWC that the department's trajectory was in the right direction and that they would continue to conduct strategic reviews based on the current economic circumstances. The key point to remember was that a 16year model gave plenty of opportunities to review the model as necessary.

In response to a question on Croydon Works and decommissioning of the service, officers said that they had been exploring decommissioning the service initially but had been working with partners to look at ways to continue the good work produced by the service. Alongside that there was still ongoing work with other partnerships to assist residents back into employment. The key at present was to think very differently about the way some of the services were run and explore different options on using some of the anchor institutions in the borough as aspirations for residents into different pathways to employment.

It was commented that looking at the Place budget, it would appear that strategic planning had been prioritised over regeneration, in particular cuts to numbers of staff. It was asked if this was considered risky given the need to have strategies in place to support businesses post Covid by having clear strategies of diversification of offers for high streets and local district centres. Officers said that across the board they needed to think carefully about exploring different ways to deliver services but that planning and regeneration had always worked extremely close together on all matters. It was

acknowledged that across regeneration and economic development there was larger staffing but proposed – however it the main thing to focus on was the partnership working of the departments and across the economic field there was scope to pull together partnership particularly around some of the larger anchor institutions through some of the departmental bids and the ability to look for and attract funding as it becomes available in Covid recovery.

Violence Reduction

A Member asked if there had been any work done on estimating the human impact and costs of pausing the scheme and what monitoring of the impact of not having the scheme in place would take place. It would be useful to be presented with data when reviewing the scheme for restart. Officers said that the proposals that were developed in order to rebuild community safety, violence reduction capacity presented some potential options in the short term for keeping a violence reduction approach. It was however vital to think about other services across the Council and thinking differently about how those services operate. Officers were working closely with the Leader and Councillor David Wood to develop proposals that would deliberately avoid cuts to frontline services where possible. There has been a dramatic increase in domestic abuse throughout the Pandemic and lockdown and it was essential to protect key services such as the Family Justice Centre which was why the domestic violence service which is non statutory had not been cut at all. Retaining the domestic violence service held to avoid costs that could impact other services in particular children's social care.

In terms of antisocial behaviour, landlords were being reminded of their responsibilities to tackle antisocial behaviour as the antisocial behaviour team should only get involved when they are unable to deal or cases escalate and this was currently not the practice in Croydon. It was important to change practices and still deliver some antisocial behaviour outcomes that help to tackle violence in the borough. Regular monitoring does take place with monthly data collated to identify trend in order to take mitigating actions to the safer neighbourhood partnership.

The Chair thanked all in attendance for their engagement with the meeting.

Information request by the Sub-Committee

1. A briefing on lessons learnt and things that could have been done better
2. List of Statutory and Non Statutory services
3. A detailed briefing on the Parks revenue projection
4. Data on the increased contacts received due to the temporary suspension of the Landlord Licensing Scheme.

Staff Changes, Budget Reduction and Service Impact

In reaching its recommendations, the sub-committee came to the following **Conclusions:**

1. It was vital that the department continued to monitor all areas to ensure that in the midst of cuts being made that the impact to provision of services was minimal.
2. Whilst there has been reassurance of continued monitoring of statutory services that has received cuts by senior officers and cabinet members, the sub-committee must ensure that they continue to monitor services and hold officers to account where necessary.
3. The Sub-Committee was reassured by the approach taken in the decision making behind the cuts made. The department must continue to explore more detailed engagement plans on its partnerships in order to drive the economic recovery needed.
4. It was reassuring that the Sub-Committee has been able to get a commitment from Cabinet Member for Culture and Regeneration that the Libraries consultation responses would be brought before the Sub-Committee for discussion and scrutiny.
5. Members were heartened by the aspiration of the Cabinet Member for Culture and Regeneration of keeping all Libraries open but in a different format where possible.
6. It was disappointing that income generation from Parks, aside from the impact from Covid has not been as strong as it could be.
7. The lack of a Parks Strategy was concerning given the fact that the services was brought back in house in terms of maintenance.
8. It was reassuring that further cuts would not be made to the CCTV department due to the vital services they provide in the safety of the community.
9. It was important that the department continue to build on how to manage risks in the event that application for the renewal of the Landlord Licencing scheme is rejected.
10. It was concerning that the Councils Highways department was in a position of reactive response instead of responsive approach to the deterioration of the boroughs highways.
11. More clarity on the proposals of activities and works as borough of culture was required.

The Sub-Committee resolved to **Recommend:**

1. That the responses from the Libraries Consultation be brought before the Sub-Committee for scrutiny.

-
2. That officers include in their presentation at the March meeting how they intend to align the plans of the Climate Action plan with the Budget.
 3. That the Sub-Committee include in the work programme an item on the Parks Strategy.
 4. That the proposed Parks Strategy include a Play Policy and for the policy to not be limited to play equipment.
 5. That a mitigation plan be brought to a future meeting of the committee in the event of rejected by MHCLG of the extension of the Landlord Licensing Scheme.
 6. That the asset investment strategy on the prevention of further deterioration to the Borough's highways be brought before the Sub-Committee prior to its Presentation at Cabinet in May 2021
 7. That a detailed legacy plan inclusive of timelines be brought before the Sub-Committee prior to the commencement of the prior to the commencement of activities as borough of culture

5/21 Exclusion of the Press and Public

This was not required.

The meeting ended at 10.24 am

Signed:

Date:

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For general release

REPORT TO:	Scrutiny Streets Environment and Homes Sub-Committee 18 May 2021
SUBJECT:	Investigation into conditions at 1-87 Regina Road, South Norwood and the Housing Service Improvement Plan
LEAD OFFICER:	Katherine Kerswell, Interim Chief Executive Sarah Hayward, Interim Executive Director of Place
CABINET MEMBER:	Cllr Hamida Ali, Leader of the Council Councillor Patricia Hay-Justice, Cabinet Member for Homes
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Sarah Hayward, Interim Executive Director of Place

CORPORATE PRIORITY 2020-2024

Implementation of the council's response to the independent investigation's recommendations is essential in order to ensure that the council provides the best quality core housing management service that it can afford and provides value for money for its tenants and leaseholders.

ORIGIN OF ITEM:	This item was referred from Cabinet to review the report and comment as per recommendation 1.13 of the Cabinet report of 17 May 2021
BRIEF FOR THE COMMITTEE:	The Scrutiny Sub-Committee is asked to review the attached Cabinet report and together with any new information learnt at the meeting, provide any comments of recommendations on the attached Initial Action Plan.

1. EXECUTIVE SUMMARY

The Sub-Committee is asked to review the appended Cabinet report and supporting documents with a view to submitting comments on the initial action plan, progress in implementation and developing the Housing Improvement Plan.

CONTACT OFFICER: Sarah Hayward Interim Executive Director of Place

BACKGROUND DOCUMENTS: 4 February 2020 Axis responsive Repairs Contract review report

<https://democracy.croydon.gov.uk/documents/s20405/Axis%20Contract%20Review%20Report.pdf>

APPENDICES: Cabinet Report – Regina Road Investigation
Appendix 1A Report of Independent Investigation by ARK Consultancy
Appendix 1B LB Croydon Timeline
Appendix 2 Regina Road Terms of Reference
Appendix 3 Council’s Initial Action Plan

For General Release

REPORT TO:	CABINET 17 MAY 2021
SUBJECT:	Investigation into conditions at 1-87 Regina Road, South Norwood and the Housing Service Improvement Plan
LEAD OFFICER:	Katherine Kerswell, Interim Chief Executive Sarah Hayward, Interim Executive Director of Place
CABINET MEMBER:	Cllr Hamida Ali, Leader of the Council Councillor Patricia Hay-Justice, Cabinet Member for Homes
WARDS:	All
<p>COUNCIL PRIORITIES 2020-2024</p> <p>Implementation of the council’s response to the independent investigation’s recommendations is essential in order to ensure that the council provides the best quality core housing management service that it can afford and provides value for money for its tenants and leaseholders.</p>	
<p>FINANCIAL IMPACT</p> <p>This report notes the exercise of delegated authority to appoint an Interim Executive Director of Housing, for an initial six months at a total cost of £104,250, including relevant on-costs, to be funded by the Housing Revenue Account (HRA). Other necessary expenditure to drive improvement will be identified by the new interim executive director and reported/approved/in accordance with the Council’s governance processes.</p>	
<p>FORWARD PLAN KEY DECISION REFERENCE NO: Not a key decision</p>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

The Cabinet is recommended to

1.1 Fully accept the findings of the report of the independent investigation into the housing conditions at 1-87 Regina Road, a council-owned property in South Norwood - the investigation report is attached at Appendix 1;

1.2 Recognise that the housing conditions in the affected flats at Regina Road are completely unacceptable and reiterate the Leader’s full apology to the tenants concerned;

1.3 Note the Council’s response to the conditions at Regina Road: rehousing the tenants affected and responding to other urgent issues identified in the report;

- 1.4 Note the Council's steps to identify whether there are any issues at other council-owned high-rise blocks of flats, and the steps to resolve any problems identified;
- 1.5 Adopt the Council's initial action plan for the housing service;
- 1.6 Note that a wider review of the Council's housing services, including delivery of the repairs service, will be conducted and will consider how the Council fully involves its tenants and leaseholders, both in terms of responding to issues raised and in the co-design and co-delivery of services;
- 1.7 Note the exercise of delegated authority by the Council's Chief Executive under Part 4J 3.3 paragraph 2 of the council's Constitution to appoint an Interim Executive Director of Housing for an initial period of six months to bring additional capacity to provide new leadership and direction for the housing service, conduct a review of the wider housing service, and lead the development and implementation of a longer-term Housing Improvement Plan for the service. This will be reviewed after six months by the Appointments Committee in accordance with the council's Constitution.
- 1.8 Agree to the establishment of an independently-chaired Housing Improvement Board, the membership of which will include council tenants and leaseholders, and independent housing experts, to oversee the development and implementation of the Housing Improvement Plan;
- 1.9 Subject to agreeing recommendation 1.8, delegate authority to the Interim Executive Director of Place in consultation with the Leader and Cabinet Member for Homes to agree the final membership and constitution of the Housing Improvement Board together with its Terms of Reference;
- 1.10 Note that, in accordance with their delegated authority, the Chief Executive will consider, in consultation with the Director of Human Resources, what, if any, investigation is required to be undertaken in accordance with its agreed staff policies and procedures;
- 1.11 Fully welcome the recommendations of the Social Housing White Paper 'The Charter for Social Housing Residents', in particular the focus on the importance of treating residents with respect and ensuring the voices of tenants and leaseholders are heard;
- 1.12 Note that the report of the investigation and the Council's initial action plan will be shared with the Tenants and Leaseholders Panel, Housing Scrutiny Panel, Scrutiny and Overview Committee, the Ministry of Housing, Communities and Local Government (MHCLG), Croydon's Improvement and Assurance Panel, the Regulator of Social Housing and the Local Government Association; and
- 1.13 Note that a report will be made to the Scrutiny and Overview Committee to engage its members on the initial action plan, progress in implementation and developing the Housing Improvement Plan.

2. EXECUTIVE SUMMARY

- 2.1 The council commissioned ARK Consultancy (ARK) to conduct an urgent independent investigation to understand the circumstances that led to residents of three Croydon Council-owned flats at 1-87 Regina Road, South Norwood living in the conditions as publicised in the national news report on 22 March 2021. The council also referred itself to the Regulator of Social Housing and the Health and Safety Executive (HSE).
- 2.2 The investigation identified no single reason as to why the situation at Regina Road occurred. In ARK's view these issues represent *'a failure to deliver even basic 'core' housing services effectively. They are potentially symptomatic of poor performance across the council's housing service and impact on its ability to drive for self-improvement'*. A wider review of the service is therefore recommended. At the time of writing the Regulator of Social Housing continues to review the case. Evidence provided by the council is under consideration. It is expected to take a few weeks before any decision is announced. The HSE have decided not to pursue any action against the council.
- 2.3 This report presents ARK's findings and recommendations. It updates Cabinet on progress to resolve the problems at Regina Road and assist the residents affected and to identify and resolve any problems at other housing blocks of similar age. Finally, the report asks Cabinet to adopt an initial action plan in response to the recommendations made by ARK and to approve the creation of the post of an Interim Executive Director of Housing and the setting up of a Housing Improvement Board.

3. BACKGROUND

- 3.1 A water leak first reported in 2017 went undiagnosed and unrepaired in 1-87 Regina Road. This defect was allowed to grow into a major problem that presented a risk to health and safety and significantly impacted the quality of life of four households.
- 3.2 The water leaks into four flats were caused by a corroded copper rising water main in the floor slab between two flats (one above, the other below). Residents' concerns were left unresolved and opportunities to resolve the problem were missed from 2017 onwards. The block has been known to experience other water leaks caused by corrosion in the pipework, as well as a leaking roof.
- 3.3 On 19 March a media organisation informed the council of a report it was going to broadcast on 22 March on national news about the housing conditions at the council high-rise block at 1-87 Regina Road.
- The council's response***
- 3.4 Three households were moved from their flats in Regina Road into emergency accommodation, two of them on 19 March (the day the media organisation brought their report to the council's attention), and the third on 26 March. The fourth affected flat was empty. Two of the households have subsequently been rehoused in alternative council properties: one permanently; the other temporarily, in view of their stated wish to return to Regina Road. The third tenant has accepted an offer of alternative council accommodation, and

remains in emergency accommodation whilst the property is decorated. The council has also been replacing the tenants' damaged furniture and other household items.

- 3.5 The leak was repaired and the council's engineers confirmed that the building meets all building control requirements for structural safety. Steps are being taken to repair the damage to the affected flats, although the flats will take some weeks to dry out before repair work can start. The flats will be prepared for reletting as soon as is practicable.
- 3.6 The Leader of the Council and Cabinet Member for Homes both spoke to residents, including those who have been most affected, to offer apologies, answer questions and hear feedback. In addition, the Leader of the Council, Cabinet Member for Homes visited the block. At the request of residents a private meeting was held with the Leader, Cabinet Member, Ward Councillors and the Chief Executive and Interim Director of Place, to which residents of the three blocks at Regina Road were invited.
- 3.7 The Tenancy Team and Resident Involvement Team maintained a daily presence at 1-87 Regina Road and two other blocks from 23 March for two weeks. The main purpose was to try to reassure residents who had questions about the council's response that repairs were underway at the affected properties. It also gave residents living at the blocks an opportunity to raise any other issues requiring attention to officers onsite who referred them on to the appropriate teams at the end of each day in an effort to resolve issues as quickly as possible. A letter was delivered to all residents in the block with information on current actions and future plans, and details of how to contact the tenancy service.
- 3.8 Repairs staff inspected other flats in the building in order to identify any other repairs required. While the roof has had local repairs, there has been water damage to three upper floor flats, some of it severe, over a long period. One of the tenants has been placed in temporary accommodation, but has expressed the wish to return to Regina Road once this is possible. Another tenant has been identified for a move but declined an offer of emergency accommodation, preferring to remain in the flat while awaiting a permanent move because of her children's needs. The third and fourth tenants, are occupying upper floor flats that require minor works and are awaiting offers of sheltered flats. The council is maintaining close contact with tenants across Regina Road via local Ward Councillors and the Tenancy and Resident Involvement Teams to support tenants throughout this period.
- 3.9 Two other flats on lower floors have also suffered damage from leaks. One flat was affected by a leak for one year before it was resolved in December 2020. Work has been requested to make good the damage, now that this flat has dried out, and in the other flat to wash mould off the kitchen ceiling, redecorate the bathroom and refit the lighting fixture. In an unrelated issue, three flats suffered minor damage when a tenant left the taps on.
- 3.10 Contact has been made with all residents of the council's 15 other high-rise blocks of similar design. The letter drop to them resulted in 18 responses (as at

5 May), 15 of which reported leaks or damp. There were 48 additional repair issues raised in respect of other properties (as at 5 May).

- 3.11 The council updated all 1,252 households in the council's high-rise blocks by letter about the actions it has been taking, and will begin undertaking similar precautionary checks in all 25 other council high-rise blocks in May. The council has agreed to undertake further detailed surveys at an initial five blocks including three in Regina Road, which will inform future investment priorities in those homes. Further follow-on inspections and surveys across the council's housing schemes will be planned in accordance with a proactive approach to future planned stock investment programmes. The timing and sequencing of surveys will be published in due course.
- 3.12 On 23 March, the council commissioned ARK to conduct a rapid independent investigation. The consultancy began its investigation on 24 March, interviewing council staff, councillors and tenants from 1-87 Regina Road. ARK delivered a first draft of their report on 9 April. The council asked the consultancy to conduct some further investigations in order to capture more evidence from residents, staff and contractors to fully complete the investigation. ARK delivered its final report and recommendations to the council on 26 April (detailed in Appendix 1).
- 3.13 In order to strengthen the repairs and asset management functions immediately, the Interim Executive Director of Place identified a number of staff vacancies and took swift action to fill them. The council is recruiting to the following nine vacant posts, plus one cover for long term sickness absence:
- Members & Residents Services Officer
 - Engagement and Digital Inclusion Officer
 - Senior Repairs Inspector
 - Repairs Inspector
 - Gas Servicing Officer (recruitment of agency cover for long term sickness)
 - Gas Engineer and Gas Contract Supervisor
 - Compliance Manager
 - Senior Fire Safety Compliance Surveyor
 - Two Principal Asset Management Analysts.

4. ARK'S INVESTIGATION AND SUMMARY OF FINDINGS

- 4.1 The council's terms of reference for the independent investigation (detailed at Appendix 2) required ARK to:
- Conduct an immediate investigation focussed on the four flats affected to establish a detailed timeline of events; the likely cause of the damp and mould; action or inaction taken by the council, its staff and its contractors in respect of repairs, assessing issues in the block, and supporting or rehousing residents affected; any issues in contacting the council by those tenants; and any evidence that discrimination, in particular on the grounds of race, played a part in the treatment of these tenants;

- Assess whether the council's processes for the reporting and rectification of repairs and relationship with tenancy management are fit for purpose, identifying where they fall short of both standard and best practice;
 - Explore the role of staff and contractors that led to conditions in the flats deteriorating, and highlight likely failings and where possible make recommendations for the oversight of repairs work and related tenancy functions.
- 4.2 ARK's investigation was a rapid review, focussed on the disrepair in one block of flats. Gaps and inconsistencies remain, but it uncovered *'a range of underlying issues primarily across the council's operational teams (repairs, asset management and tenancy management) and to some extent with its contractor'*. In ARK's view these issues led to a failure to deliver *'even basic 'core' housing services effectively. They are potentially symptomatic of poor performance across the council's housing service and impact on its ability to drive self-improvement'*. The findings suggest the need for a wider review of the housing service.
- 4.3 The five key findings about the housing service are:
- a lack of capacity and competence;
 - a poor operating culture with a lack of care and respect for tenants;
 - systemic problems in how the council communicates and deals with tenants' concerns and complaints;
 - weak performance management, meaning senior managers do not appear to know what is going on; and
 - poor use of data and 'intelligence' by the council and its contractors.
- 4.4 In particular, the report made the following findings about the repairs, asset management and tenancy management functions:
- i. Basic 'core' housing management practices were not followed to resolve problems or to protect tenants from risk.
 - ii. Staffing was significantly under-resourced and the service was reactive.
 - iii. The fragmentation of housing roles across the council potentially makes it harder to address issues with performance, communication and working across teams.
 - iv. Council and contractor staff do not always treat tenants with care and respect. ARK found no clear evidence of discrimination on race grounds, but there were wider issues with all tenants being seen as less worthy of respect.
 - v. The council is not visible or seen as open and accessible to tenants. Tenants do not know where to go to raise issues.
 - vi. There was extremely weak performance management. Any competent housing provider or contractor would have readily identified these problems.
 - vii. There are blurred lines of responsibility and accountability between the council and its main repairs contractor.
 - viii. The council is over-reliant on contractor data to monitor repairs performance.
 - ix. The council's understanding of the condition of its housing stock and its ability to make sound investment decisions is poor.

- x. Positively, the council has successfully installed sprinklers in all but 12 of its 1,252 high-rise flats.

4.5 ARK identified the following issues as requiring an immediate response.

Actions being taken to address these issues are included in the action plan:

- i. Two unfilled posts in the Compliance function which oversees delivery of health and safety activities in the housing service.
- ii. Problems at Regina Road such as a leaking roof are still treated as 'one-off' repairs, yet disrepair claims against the council are increasing.
- iii. Tenants were often seen as demanding, difficult to deal with and less worthy of respect. Some council staff lack empathy with tenants. These attitudes appear to be going unchallenged.
- iv. Disruptive work may have compromised fire safety measures – the door to one flat does not meet the required safety standard. ARK has asked for confirmation that works identified in a Fire Risk Assessment undertaken in October 2020 have been completed in line with recommended timescales.
- v. ARK has some concerns about allocations, tenants' understanding of their tenancy status and overcrowding in the block that should be explored further.
- vi. The council lacks a simple, effective, clear and accessible route to get tenants' concerns and complaints resolved.
- vii. Tenants do not know to whom they should report failures in the day-to-day repairs service or non-repair issues and often do not know their tenancy officer.
- viii. Relations between the council and its main contractor appear to focus on monitoring performance rather than actively managing it.
- ix. Intelligence and data exist in 'silos' and do not appear to be drawn together to give a holistic view of asset performance or inform strategic decision making or budget setting.
- x. Surveys of half the flats at 1-87 Regina Road identified damp, mould and condensation. The council planned to investigate the installation of a mechanical ventilation system before Covid struck, but the roof was considered 'fit for purpose'. However, leaks into the top floor flats are now common, with patch repairs having limited effect.
- xi. The high level of responsive repairs demanded suggests the need to proactively invest in homes. The council should assure themselves that key data on stock condition and health and safety responsibilities is accurate.
- xii. The council should proactively survey other blocks of similar age to Regina Road and develop clear plans for their future.

5. SUMMARY OF ARK'S RECOMMENDATIONS

Immediate actions

5.1 ARK has identified a number of key issues (listed at 4.5 above) that require immediate action and the council is producing its own recommendations in response to these. To address them and provide building blocks for further service improvement, they recommend a realignment of resources to establish:

- a team focussed on policy and performance and control of service delivery.

- a team focussed on improving investment planning to ensure homes are sustainable over the longer-term.
- a strategic group with the power to oversee the development and implementation of a recovery plan and to direct the initial work of the investment planning and control teams. It should involve tenants in the development of plans and scrutiny of outcomes.

Recommendations for improvement

5.2 ARK have made recommendations for improvement in seven areas, on governance and strategic leadership of the housing service; workforce planning and skills development; cultural and behavioural change both of council staff and contractor operatives; tenant involvement; business intelligence; performance management; and complaints handling. These are detailed in the investigation report at Appendix 1.

6. CROYDON'S INITIAL ACTION PLAN AND PLAN FOR IMPROVEMENT

Issues requiring an immediate response

6.1 The council's actions to date are detailed in section 3. The independent investigation identified 12 issues, listed at 4.5 above, that required an immediate response. The council has already taken the following action to begin to respond to some of the issues. Further actions to address these issues are included in the initial action plan:

- ***Resourcing of compliance function:***
 - The council is recruiting a Compliance Manager (interviews due on 17 May) and a Senior Fire Safety Surveyor (closing date for applications 19 May), in order to resource the compliance function fully.
 - As at 4 May 2021, 98.68% of all council social housing homes had a valid gas safety certificate. The council is taking intervention and enforcement actions to ensure all homes have a valid safety certificate. At 4 May, 39 homes were subject to enforcement action to ensure gas appliances are serviced. The level of non-compliance has fallen from 276 homes on 9 April to 172 homes (1.32%) without a valid certificate on 4 May. The council is also introducing longer term improvement measures to achieve 100% compliance on all gas safety matters; these are detailed in the action plan.
 - The council has instructed a specialist housing and repairs consultancy to undertake from 10 May 2021 a random dip test of homes that were subject to a high priority repair item to provide assurance, or to inform the need for further compliance audits in the months ahead. These tests will also cover gas compliance.
- ***Other problems causing damp and mould treated as 'one-off' repairs:*** Repairs staff have contacted all other tenants in the block, visiting the flats to identify any other disrepair in the building and schedule appropriate action. Further action is set out in the initial action plan.
- ***Outmoded culture and attitude among a number of staff towards tenants:*** Directors, heads of service and managers have been specifically

directed to challenge all instances of outmoded attitudes, disrespect and lack of empathy for tenants. Further action is set out in the initial action plan and this will be a key component of the Interim Executive Director of Housing's work.

- ***Disruptive work may have compromised fire safety measures:***
 - The door to a flat that is vacant, pending the repair of damage caused by the leak, will be replaced as specified by the fire risk assessment, as part of those repairs.
 - The other recommendations in the fire risk assessment related to residents' items in communal areas. Most of the items to the rear of the block have been removed as well as some residents' items in communal areas. Arrangements have been made to remove two remaining items to the rear of the block and action continues for the removal of residents' items that remain in communal areas.
 - Recommendations in fire risk assessment reports are made into works orders for immediate attention in the small number of cases that are rated as high priority; otherwise they fed into the planned maintenance programme. The council has sought independent assurance by instructing a specialist housing and repairs consultancy to undertake from 10 May 2021 a random dip test of homes that were subject to a high priority repair item to provide assurance, or to inform the need for further compliance audits in the months ahead.

- ***Route for resolving concerns and complaints and Tenant lack of awareness of how to report issues:***
 - Council staff were present at Regina Road for two weeks to give residents an opportunity to identify any other issues that needed addressing.
 - A letter to all residents in the block on 29 March gave details of how to contact their tenancy officer. In addition, the council wrote to the residents of all 16 council-owned blocks of flats of similar design with details of how to contact the tenancy service.
 - The council is in the process of helping Regina Road residents to set up a residents group.
 - Further action is set out in the initial action plan.

- ***Management of contractor contract:*** Action is set out in the initial action plan.

- ***Use of data and intelligence and Accuracy of data on stock condition and health and safety:*** The council has authorised recruitment of two principal asset management analysts. Further action is set out in the initial action plan.

- ***Proactive survey of all tower blocks:*** Precautionary checks will be conducted at all 26 council-owned high-rise blocks, starting in May 2021. Further action is set out in the initial action plan.

Initial action plan

6.2 The independent investigation report and the initial action plan (detailed at Appendix 3) are the start of a much longer-term and wider-reaching review and

improvement programme for the council's housing services. Residents will be informed and involved in the process. The review will consider how the council fully involves its tenants and leaseholders, both in terms of responding to issues raised and in the co-design and co-delivery of services. The review will also consider delivery of the repairs service, in order to identify the most cost effective means of providing the service that also meets the standards expected by tenants and leaseholders.

- 6.3 The initial action plan details the council's steps to provide the building blocks for further improvement of the housing service, responding to the 'immediate actions' recommended by the independent investigation and detailed at 4.5 above. This will be achieved mainly through the realignment of existing resources.
- 6.4 The Chief Executive under delegated powers is proposing to recruit for a period of up to six months an Interim Executive Director of Housing, who will bring together the council's housing functions and improvement work into one place.
- 6.5 A new strategic body, the independently chaired Housing Improvement Board, will oversee the development and implementation of a Housing Improvement Plan and direct the initial work of the investment planning and control teams. The council will seek the advice of housing professionals and engage with its tenants and leaseholders to test its approach in establishing the board and deciding on its membership. The Board will involve tenants and leaseholders in the development of plans and scrutiny of outcomes.

Housing Improvement Plan

- 6.6 Elements of the council-wide three year Croydon Renewal Plan adopted by Cabinet in December 2020 address issues raised in the investigation and support implementation of its recommendations:
- Stronger governance, management practice and the management of demand and cost
 - A new system of internal control for finance, performance and risk
 - A programme to change culture and behaviours so that all staff live by the council's values and have the core skills and capabilities to do their jobs effectively. It also aims to strengthen management capability, improve performance management and strengthen accountability.
- 6.7 The council will develop the longer-term Housing Improvement Plan to address the seven recommendations for improvement, summarised at 5.2 above. This process will be led by the Interim Executive Director of Housing and overseen by the Housing Improvement Board. This Plan will include further work to strengthen governance and leadership; workforce planning and the skills development; cultural and behaviour change both of council staff and contractor operatives; strengthened resident involvement; the better use of accurate and up to date business intelligence; stronger performance management; and improved complaints handling.

- 6.8 The council recognises that the issues identified by ARK are potentially symptomatic of poor performance across the housing service and longer term systemic failures that have built up over a long time. The holistic plan will address other issues in the housing service not considered by the investigation, including the quality and cost of emergency and temporary accommodation the council secures for homeless households, which is the subject of an ongoing review by the council in preparation for the development of a strategy for emergency and temporary accommodation. The review will also consider the impact of living in emergency and temporary accommodation on families with children and on the number of children who come to be looked after by the council. A housing strategy is also under development to set the approach to housing for the borough.
- 6.9 The council notes ARK's view that the housing service is inward-looking and failing to keep up-to-date with good practice. In developing its Housing Improvement Plan, the council will learn from benchmarking and from other social landlords as well as housing experts across the sector.
- 6.10 The findings and recommendations of the ARK investigation contain allegations that systemic management and operational failings have contributed to the inadequate conditions at Regina Road specifically; but also more generally in relation to housing management. The council will need to properly consider, in line with its staff policies and procedures, what, if any, investigation is required to be taken.

7 EARNING TENANTS' CONFIDENCE

- 7.1 Two key findings of the independent investigation were a poor operating culture with a lack of care and respect for tenants, the lack of visibility of the council to its tenants and systemic problems in how the council communicates and deals with tenants' concerns and complaints. This has built up over a considerable period of time. ARK's report has recommendations for improving the council's handling of complaints and for strengthening its capacity, competence and commitment to resident involvement, through training and developing staff and reviewing existing participation structures to ensure tenants' and leaseholders' voices are heard.
- 7.2 The council is committed to regaining tenants' confidence and improving its service for them. A wider review of the housing service will consider in particular how the council fully involves its tenants and leaseholders, both in terms of responding to issues raised and in the co-design and co-delivery of services. Tenants and leaseholders will be included in the membership of the Housing Improvement Board that will oversee the review as well as the development and implementation of the more detailed Housing Improvement Plan. Tenants directly affected by the Regina Road situation have been invited to take part.
- 7.3 The existing structures for resident participation and scrutiny, the Tenants and Leaseholders Panel, the Housing Scrutiny Panel, housing services inspectors and mystery shoppers, all have a role for testing and holding the housing service to account. There is currently no tenants or residents association that

covers Regina Road. The council is seeking to work with Regina Road residents to set up a residents group. The council will seek the views of council tenants and leaseholders in Croydon as well as of other experts in the borough and beyond, on how the participation of tenants and leaseholders can be widened as well as deepened.

8. CONSULTATION

- 8.1 As part of its independent investigation, ARK interviewed council staff, councillors and stakeholders as well as tenants from 1-87 Regina Road.
- 8.2 As part of the membership of the Housing Improvement Board, tenants and leaseholders will be involved in overseeing the development and implementation of the Housing Improvement Plan. The council will engage with members of the Tenants and Leaseholders Panel as well as tenants and leaseholders more widely to inform the setting up of the Board. Tenants directly affected by the leaks and those living in the blocks at Regina Road will be asked if they wish to be part of this work.
- 8.3 The council will also test its approach through engaging with housing professionals in the borough and in other local authorities and across the housing sector.

9 PRE-DECISION SCRUTINY

- 9.1 An update of the council's initial response to the housing conditions at Regina Road and the terms of reference for the subsequent investigation was provided to the Scrutiny & Overview Committee on 30 March 2021.
- 9.2 The Committee broadly accepted the terms of reference for the independent investigation. It welcomed confirmation that a review of housing services had been brought forward in light of the issues experienced by tenants at Regina Road. It recommended that:
 - Prior to starting the review, the council's long term vision for its housing services needed to be defined and then used as a basis for the review.
 - The review also needed to consider how the council listens to the voice of its tenants both in terms of responding to issues raised and in designing services.
 - The process for tenants reporting issues and how they are subsequently dealt with needs to be comprehensively overhauled to ensure the needs of tenants are prioritised in any future delivery model.
 - Delivery of the repairs service should be reviewed, when possible to do so under the terms of the current contract, to establish the most cost effective means of providing the service that also met the standards expected by tenants.

- 9.3 The report of the independent investigation and the council's initial action plan will be shared with the Tenants and Leaseholder Panel and the Housing Scrutiny Panel, the Scrutiny and Overview Committee, the Ministry of Housing, Communities and Local Government (MHCLG), Croydon's Improvement and Assurance Panel, the Regulator of Social Housing and the Local Government Association.
- 9.4 A report will be made to the Scrutiny and Overview Committee to engage its members on the initial action plan, progress in implementation and developing the Housing Improvement Plan.

10 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 10.1 The immediate financial impact of implementing the recommendations included within this report is the cost of an unbudgeted executive director for 6 months at an estimated cost of £104,250. This cost will be met from HRA general reserves which, as a provisional outturn figure, will stand at £27m at 31 March 2021. This is an increase of around £12m from 1 April 2020 due to Covid related delays in Planned Maintenance work across 2020/21. There will be a need to catch up on this delayed work as well as prepare for increased stock investment and fire safety improvements in the medium to long term which will need to be found from reserves or from ongoing savings measures within HRA revenue spend.
- 10.2 The financial impact of implementing the Initial Action and Improvement plan will include an unquantified increase in responsive repairs costs; additional staffing costs to create the Policy and Performance and Investment Planning teams; an increase in training and development and other HR support costs and the cost of investment in digital systems and reporting tools (Business Intelligence). Detail of the plans for this increased spend will need to be approved via appropriate governance mechanisms.
- 10.3 The Responsive Repairs budget is £14.18m for 2021-22 and the base budget for Planned Maintenance work is £26.771m. Both of these budgets will need to be reviewed for 2021-22 and future years to ensure that assets are appropriately maintained, tenants are provided with services that are fit for purpose and that the long term financial stability of the Housing Revenue Account is secured.

The effect of the decision

- 10.4 The short-term appointment of an unbudgeted Executive Director will by itself have minimal impact on the overall financial position of the HRA; the challenge will be to ensure that robust controls and monitoring measures are in place around the implementation of improvement plans that must be set out in more detail at a later date.

Risks

- 10.5 In developing its action plan the council recognises the importance of listening to its tenants and leaseholders in identifying and reducing risk to them and for the council. There is a long term financial risk in insufficiently investing in HRA

assets that must be considered in reviewing and setting the budget.

Options

- 10.6 The options to best meet the needs of council tenants and to manage and maintain the HRA stock should be considered as plans are developed.

Future savings/efficiencies

- 10.7 No opportunities for savings or efficiencies are presented at this stage of the review process.

Approved by: Chris Buss – Interim Director of Finance , Investment and Risk

11. LEGAL CONSIDERATIONS

- 11.1 The Head of Litigation and Corporate Law comments on behalf of the interim Director of Law and Governance that the Council is generally responsible for making sure the structure of rented property is kept in good condition (which includes the walls, ceiling, roof and windows); gas and electricity appliances work safely; and shared parts of a building or housing estate are kept in good condition.
- 11.2 The Council's Tenancy or Lease Agreements set out express terms in relation to both the rights and obligations of the Landlord and the Tenant regarding repair and maintenance responsibilities.
- 11.3 Whether a housing disrepair claim can be made against the Council, principally arises out of contract and statute law.
- 11.4 The basis of a claim can arise under s.11 of the Landlord and Tenant Act 1985 (LTA 1985). In addition, repairing obligations are implied in certain circumstances pursuant to a range of other legislation such as the Defective Premises Act 1972. There are also some standard implied terms developed by the Courts that:
- 1) if a landlord carries out repairs, they must be done with reasonable skill and care using proper materials; and
 - 2) a landlord must not derogate from its grant. This means where a landlord has taken steps, or granted rights to another party, which render the premises unfit or unsuitable for the purpose for which they were let.
- 11.5 Failure to comply with these implied terms can result in a civil claim for damages and specific performance. A claim for compensation can also be made under the Housing Act 1985. Claims in common law nuisance or negligence can similarly arise. Allegations of statutory nuisance can also be pleaded in the Magistrates' Court under the Environmental Protection Act 1990 where this is evidence to support such a claim. A housing conditions claim may include a personal injury element.
- 11.6 Separately the Homes (Fit for Human Habitation) Act 2018 contains implied covenants that residential rented accommodation is provided and maintained in a state of fitness for human habitation.

- 11.7 The Housing Ombudsman (THO) established under the Housing Act 1996 (as amended by the Localism Act 2011) is responsible for investigating complaints about member landlords in accordance with a scheme approved by the Secretary of State. The role of THO is to seek to resolve disputes involving members of the Scheme, including making awards of compensation or other remedies when appropriate, and to support effective landlord-resident dispute resolution by others.
- 11.8 In addition, the Housing and Regeneration Act 2008 established the Regulator of Social Housing (RSH) an executive non-departmental public body of the MHCLG. The RSH sets regulatory standards, codes of practice and guidance for registered providers of social housing. The regulator will consider complaints and referrals to determine whether there is evidence of a breach of its regulatory standards. The Council has self-referred itself to the regulator.
- 11.9 The *Charter for Social Housing Residents – the Social Housing White Paper* published in November 2020 sets out actions the government propose to take to include a Charter for Social Housing Residents, plans for new regulation, a strengthened Housing Ombudsman to speed up complaints, and a set of tenant satisfaction measures that social landlords will have to report against.
- 11.10 The power to appoint staff under the Local Government Act 1972 section 112 is specifically designated as a non-executive function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and sits with the Council's Head of Paid Service and its Appointments Committee.
- 11.11 The Local Government Act 1999 imposes a requirement on all local authorities to deliver 'best value' which requires the Council to demonstrate that it is making arrangements that are economic, efficient and effective and the Council has had regard to the need to secure continuous improvement in how it carries out its work. The investigation and the proposed review of the Council's housing function will be a significant contributor to meeting the Council's legal duty of 'best value' and therefore this report complies with that legal duty.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law for and on behalf of the interim Director of Law and Governance.

12. HUMAN RESOURCES IMPACT

- 12.1 The interim appointment of the Executive Director of Housing was conducted in accordance with the council's requirements for its recruitment practice. A request was made across procure frameworks for temporary staff and a diverse and politically proportionate member panel interviewed with advice from Human Resources and the interim Chief Executive. After six months any further extension to the role will be a matter reserved for an Appointments Committee.
- 12.2 This role will provide additional capacity and focussed leadership for the staff teams and drive the improvement plan actions to develop and implement the required workforce improvements.

- 12.3 The findings and recommendations of the ARK investigation contain allegations that systemic management and operational failings have contributed to the inadequate conditions at Regina Road specifically; but also more generally in relation to housing management. The council will need to properly consider, in line with its staff policies and procedures, what, if any, investigation is required to be taken.

Approved by: Sue Moorman, Director of Human Resources

13. EQUALITIES IMPACT

- 13.1 The proposed recruitment of an Interim Executive Director of Housing and the interim action plan proposed, will achieve an improvement in the quality, visibility, accessibility and responsiveness of the housing service to the needs of all tenants and leaseholders and improve housing conditions in council homes for all tenants. There are no negative impacts for people with protected characteristics.
- 13.2 The ARK report found no clear evidence of racial discrimination, but did find that there were wider issues, with all tenants being seen as less worthy of respect. The proposed action plan includes immediate measures to improve the operating culture and attitude of staff toward tenants as well as a longer term cultural transformation programme to ensure council staff and contractor operatives consistently deliver a tenant-focussed service and have a culture of 'safety first', respect and empathy for tenants. The Council will ensure staff are aware of its Code of Conduct, Commitment to Equality and Equality in Employment Policy, and complete Equality and Diversity ELearning.
- 13.3 Given the high percentage of households from black and ethnic minority backgrounds in the Regina Road flats in particular, among homeless households and council homes generally, compared with the borough as a whole, the work to improve council homes will have a positive impact. This is also true of the planned wider ranging review of the housing service – including the quality and cost of temporary accommodation and the review of historic housing allocations (as the percentage of tenants of flats in Regina Road who are from BAME communities is disproportionately high, compared to the percentage of Croydon Council tenants generally and the population in the borough) and assessment of the housing need of those who need to move to larger accommodation, which will lay the basis for a longer term plan for further improvements to the housing service.
- 13.4 As part of its investigation, ARK interviewed council staff, councillors and tenants from 1-87 Regina Road. Residents of the three blocks at Regina Road have also met with the Leader, Cabinet Member and Ward Councillors. The wider review of the housing service will consider in particular how the council fully involves all its tenants and leaseholders, both in terms of responding to issues raised and in the co-design and co-delivery of services. Tenants and leaseholders will be included in the membership of the Housing Improvement Board that will oversee the review as well as the development and implementation of the more detailed Housing Improvement Plan. Tenants directly affected by the Regina Road situation have been invited to take part.

The council will ensure that the resident participation is representative of the council tenants and leaseholders generally and the tenants who occupy the Regina Road flats in particular.

Approved by: Yvonne Okiyo, Equalities Manager

14. ENVIRONMENTAL IMPACT

14.1 There is no environmental impact arising from this report.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 There is no crime and disorder impact arising from this report.

16. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

16.1 Acceptance and implementation of the recommendations of the independent investigation into housing conditions in the council flats at Regina Road are the essential first steps to improve the council's housing services and ensure that the council delivers the best quality core service that it can afford and provides value for money for council tenants and leaseholders.

17. OPTIONS CONSIDERED AND REJECTED

17.1 The seriousness of the report's findings leave the council with little option other than a full scale review of the housing service; and the investment of appropriate resources to drive the improvement that tenants and leaseholders should expect and deserve. The recommendations of ARK's investigation report are clear, and require action in response.

17.2 While doing nothing is not an option, in deciding the scope of the action to be taken, the council has to consider that this is restricted by its financial situation (including that of the Housing Revenue Account). Bringing the housing services together could be delayed, but this would impede the ability of the new Interim Executive Director to improve them and could impact staff morale in the interim. Whilst committing to recruit is a cost to the council, this should result in improved services and reduced overall risk.

17.3 There is the option of not recruiting the new Interim Executive Director post, but no current Executive Director has the necessary housing experience or capacity to lead the level of strategic, operational and cultural change needed to drive improvement on the scale required by the findings of the ARK investigation.

18. DATA PROTECTION IMPLICATIONS

18.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

YES

18.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

NO

The Interim Executive Director of Place comments that the housing conditions experienced by tenants of 1-87 Regina Road have been noted in order to arrange repair, and their housing needs have been recorded in order to arrange emergency accommodation and permanent rehousing where this is appropriate. Personal data held as part of housing IT systems within the council is managed carefully and shared with contractors and partners only as appropriate, in line with GDP regulations.

The management and use of personal data to inform the investigation, this report and the subsequent action plan will not vary from established systems and data management that are deemed compliant with GDP regulations.

Approved by: Sarah Hayward, Interim Executive Director of Place

CONTACT OFFICER:

Sarah Hayward, Interim Executive Director of Place, 020 8407 1325

APPENDICES TO THIS REPORT

Appendix 1A	Report of Independent Investigation by ARK Consultancy
Appendix 1B	LB Croydon timeline
Appendix 2	Regina Road Terms of Reference
Appendix 3	Council's Initial Action Plan

BACKGROUND PAPERS:

None

CROYDON
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CROYDON COUNCIL

Independent Investigation

May 2021

CONTEXT

1. Croydon is an outer London borough located in the south of London. The borough has a rising population of around 400,000¹, the second largest population of all London boroughs, of which 53.1 per cent are from Black, Asian and Minority Ethnic communities².
2. There are 160,100 homes in Croydon³. Rates of owner occupation are lower than the England average at around 59 per cent compared to the England average of around 64 per cent (as at the last census in 2011). The private rented sector accounts for 21 per cent of the stock well above the national average of around 18 per cent⁴.
3. Social renting, including the Council's 14,360 homes and a further 11,500 housing association homes, accounts for around 18 per cent of homes – in line with the national average. The Council's housing service normally completes about 65,000 repairs a year to its housing stock – comparatively a very high number of repairs.

BACKGROUND

4. A relatively routine building component failure (a water leak) went undiagnosed and unrepaired in 1-87 Regina Road, South Norwood, for a combined period of around 4 years. In this time, left unchecked it was allowed to grow from a minor defect into a major problem that presented a risk to the health and safety and significantly impacted the quality of life of residents.
5. Residents' concerns were left unresolved and opportunities to resolve the problem were missed from 2017 onwards. Ultimately this resulted in a high-profile news report on 22nd March 2021 which led to this investigation.
6. ARK understand the cause of the water leaks into Flats A, B, C and to a lesser extent D Regina Road were caused by a corroded copper rising main in the slab between Flats C and D. This detail exists throughout the building. The block is also known to experience other water leaks caused by corrosion in the pipework, as well as a leaking roof. (The flat addresses have been changed to protect the privacy of individuals).
7. 1-87 Regina Road is an 11-storey block consisting of 44 one-bedroom flats. It was built in 1965 and was re-clad in 1999. In 2018/19 the block was fitted with a water sprinkler system which involved fitting a new water tank on the roof. It has had its kitchens and bathrooms updated, as well as some fire safety work such as the installation of fire doors. There was a limited stock condition survey of the block completed in 2017.

¹ Source: ONS population projections, Croydon Observatory

² Source: GLA 2016-based Round of Demographic Projections, November 2017

³ Source: Valuation Office Agency - Council Tax: Stock of Properties, published 24/9/20

⁴ ONS 2011 census

ARK'S FINDINGS

8. ARK's investigation identified no single reason as to why the problems at Regina Road occurred. Rather there are a range of issues primarily across the Council's operational teams (repairs, asset management and tenancy management) and to some extent with its contractor.
9. In ARK's view these issues led to a failure to deliver even basic 'core' housing services effectively. They are potentially symptomatic of poor performance across the Council's housing service and impact on its ability to drive self-improvement. These issues are:
 - a lack of capacity and competence;
 - a poor operating culture with a lack of care and respect for tenants;
 - systemic problems in how the Council communicates and deals with tenants' concerns and complaints;
 - weak performance management meaning senior managers do not appear to know what is going on; and
 - poor use of data and 'intelligence' by the Council and its contractors.

DISCLAIMER

10. The London Borough of Croydon (the Council) asked ARK Consultancy (ARK) to conduct an independent urgent fact-finding investigation. The immediate focus was on the events which led to a high-profile news report covering the housing conditions experienced by residents of the block 1-87 Regina Road in South Norwood.
11. The report sets out ARK's key findings. Because of the urgency needed ARK acknowledge that potentially not all the issues that may have contributed to the problems have yet been identified. The report also does not seek to provide a 'balanced' picture – ARK's focus has been on identifying the key areas for improvement and lessons to be learnt.
12. The report solely reflects ARK's views based on the information made available to date. ARK has highlighted some concerns to the Council about the accuracy, completeness and reliability of the information provided. ARK has not conducted a forensic investigation or an audit of the information and do not accept liability for this report's accuracy or completeness.
13. ARK do not accept a duty of care or liability to any person in respect of this report or any actions or decisions taken in relation to its key findings. No third party may rely on its contents.
14. The report has been prepared for the Council's sole use and has been published at their request.
15. ARK would like to thank all staff, councillors and stakeholders who contributed to this report. In particular our thanks are extended to the tenants from 1-87 Regina Road who readily gave of their time to help us with the investigation.

A. KEY FINDING: A LACK OF CAPACITY AND COMPETENCE.

- The Council’s housing service is experiencing significant issues with staffing resources. Resources are stretched with problems with recruitment and low morale. High vacancy rates exist across the service but are highest in the repairs teams – some are operating with only half their staffing complement. Consequently, the service is focused on ‘firefighting’ and reacting to circumstances and events, rather than getting ahead of things and being proactive.
- Resourcing of the Council’s Compliance function which oversees the delivery of the Council’s health & safety activities within the housing service, including fire safety and gas servicing, is inadequate. Currently only one of three posts is filled. *This issue requires an immediate response.*
- ARK understand each tenancy officer is responsible for a patch of more than 1,000 properties, which is double what ARK might typically see from a high-performing housing provider.
- The Council’s staff do not appear to understand their role in delivering even basic ‘core’ housing services effectively. There is little emphasis on gaining professional skills or qualifications within the housing service. Recruitment and retention issues means that an increasing proportion of staff lack the experience and skills needed. Training and development opportunities to upskill staff have been limited.
- ARK found the Council’s managers have insufficient focus on housing issues. This is driven by the fragmentation of housing roles across the Council. A form of matrix management is employed. This model is potentially making it harder for the Council to address issues with performance, communication and working across teams. ARK is also concerned about the spans of management control particularly for such complex and dynamic services in a context where staff capacity and competence is poor.
- The Council’s housing service is inward-looking and failing to keep up to date with good practice. Access to good practice notes and standardised procedures appears limited. There is little or no recent evidence of learning from benchmarking or from other social landlords.
- Basic ‘core’ housing management practices were not followed to resolve problems or to protect tenants from risk. After more than two years of failed attempts to remedy the problems, the Council agreed to decant the tenant of Flat C in early December 2019. However, the Council did not agree to decant the tenant of the flat above (Flat D), or to arrange access to their flat for investigatory work to identify and fix the leak. *This was the first of several missed opportunities by the Council’s operational staff to resolve the problems at Regina Road.*
- It took the Council 7 months to arrange to move the tenant from Flat C despite the unsatisfactory housing conditions experienced. Almost 10 months later, Flat C is still vacant. *There were further missed opportunities by the Council’s operational staff to resolve the problem during this period.*
- It is unclear why the tenant of Flat D was not decanted at the same time as Flat C, even if this was only for a short period. This would have allowed the Council to diagnose and remedy the problem much more easily. ARK understand some Council staff believed the tenant of Flat D to be ‘difficult’.
- Efforts to gain access to Flat D from December 2019 onwards were unfocussed and uncoordinated. ARK found no evidence that the Council had a clear operational procedure or an awareness of best practice in its approach. After a delay of 9

months (following repeated contractor requests and the decant of Flat C at the end of June 2020) the Council moved to use its draconian powers of entry to gain access to Flat D in March 2021.

- A co-ordinated series of actions applied on an escalating scale in line with operational procedures or best practice to encourage the tenant of Flat D to allow access or leave (if only for a few days) does not appear to have been attempted.
- The housing service failed to call on knowledge and experience from across the Council for example, social care or environmental health to support and encourage the resident to provide access.
- The Council also failed to draw on knowledge from a specialist company (between 2017 and late 2019) to diagnose and resolve the leak between Flats C and D.
- From July 2020 Council and contractor staff dealt with Flat C as a 'standard void'. This means they carried out repairs while water was still pooling on the floor and running down through the walls and ceilings into Flats A and B. This was a waste of resources.
- Repeated call-outs continued to be made with the contractor attempting to tackle leaks and remedy associated electrical faults in Flats A and B. Despite this because the Council did not gain access to Flat D the source of the ongoing leak between Flats C and D was left unresolved. Successful action in stopping the leak was not taken until the tenants of Flats A, B and D had all been moved into emergency accommodation in late March 2021 – almost 4 years after the tenant of Flat C had started reporting problems of water leaking into their flat.
- In January 2021, the contractor advised the Council by email that without access to Flat D to stop the leak, then flat B would be uninhabitable. This did not lead to effective action Council staff.
- ARK identified other problems in the block, such as a leaking roof, which is causing damp and mould problems to flats in the upper storeys. Once again these appear to be treated as 'one-off' repairs. ARK understand some of these are now being progressed as disrepair claims against the Council. The growing number of disrepair cases represents a significant further risk to the Council. *This issue requires an immediate response.*

B. KEY FINDING: A POOR OPERATING CULTURE WITH A LACK OF CARE AND RESPECT FOR TENANTS.

- ARK identified an outmoded culture and attitude among a number of Council staff towards tenants. Tenants were often seen as demanding, difficult to deal with and less worthy of respect. Some Council staff lack empathy with tenants, failing to put themselves ‘in their shoes’ when dealing with problems. These attitudes appear to be going unchallenged. *This issue requires an immediate response.*
- Council and contractor staff do not always treat all tenants with care and respect. The Regina Road tenants’ experience of contacting the service was mixed. Tenants reported to ARK that they made multiple calls including to the contractor’s call centre to report the same issue and that some calls were ended abruptly.
- Contractor call centre staff appeared not to be able to track previous contact or repairs history. Tenants of the Regina Road flats had to repeatedly explain in detail problems they had already reported on previous occasions. ARK has established that this was in part due to COVID-19 working practices which meant call centre staff were working from home and may not have had full access to the contractor’s IT systems at all times. This also means ARK was unable to review any recordings of tenants’ telephone calls to the call centre.
- Council staff repeatedly failed to provide advice and support to tenants. No-one took ownership of the problem and sought to ensure everyone pulled together to get the problems resolved effectively. Tenants were left to repeatedly try to resolve reported problems without support from staff.
- Importantly, an appointment for an operational staff member from the Council to visit the tenant of Flat D in November 2020 did not take place. No contact or follow-up appointment appears to have been made perhaps involving a tenancy officer. *This was a significant missed opportunity to help resolve the leak / no access problem.*
- Council staff failed in their duty of care to manage risks and keep tenants safe. The tenants of Flats A and C reported they were forced at times to live in one room because of the clear problems of damp and mould. Tenants also reported problems with the electricity supply to at least two flats (“a buzz or tingle” was reported by one tenant when using the light switch in their kitchen, while an operative or inspector was present).
- ARK is also concerned that at some points disruptive work may have compromised fire safety measures in the block. ARK is concerned that the door to Flat B does not meet the required safety standard. Importantly, ARK has also asked for confirmation that works identified in a Fire Risk Assessment undertaken in October 2020 have been completed in line with recommended timescales. *This issue requires an immediate response.*
- Importantly, in ARK’s view the Council’s and (to some degree) the contractor’s operational staff repeatedly failed in their duties to act as the ‘eyes & ears’ of the Council by ensuring hazards and risks are removed. ARK also heard reports of problems repeatedly being left unresolved by Council staff. These include long-standing communal repairs, such as a broken or missing manhole cover, a malfunctioning front entrance door and large amounts of rubbish accumulating in communal areas over the weekend.
- ARK did not find clear evidence of discrimination on race grounds as part of this investigation. Instead, there appears to be a wider issue, with all tenants being

stigmatised and seen as less worthy of respect. However, ARK has some concerns about allocations, tenants understanding of their tenancy status and overcrowding within the block that should be explored further. *This issue requires an immediate response.*

- Around the date of the news broadcast on 22nd March 2021, the Council responded quickly to move the tenants still living in Flats A, B and D to emergency accommodation.
- ARK is reassured that the tenants of Flats A and B have subsequently been rehoused in permanent housing but notes with concern that the tenant of Flat D and their young child are still in temporary housing. ARK was surprised the Council did not assign a dedicated 'point of contact' or caseworker to provide advice and assistance to tenants after their move. As a consequence, the process has been more stressful and confusing for tenants than it should have been.

C. KEY FINDING: SYSTEMIC PROBLEMS IN HOW THE COUNCIL COMMUNICATES AND DEALS WITH TENANTS' CONCERNS AND COMPLAINTS.

- Tenants' experience shows that the Council lacks a simple, effective, clear and accessible route for getting concerns and complaints resolved. *This issue requires an immediate response.*
- Tenants properly reported the problem on multiple occasions to Council and contractor staff from 2017 onwards. The tenant of Flat C made at least 2 formal complaints about the delays in resolving the leak and the ongoing damage to their property and the disturbance caused, as well as the time taken to arrange their decant.
- In September / October 2020 and again in the early part of 2021, the problems were escalated to councillors and the MP by tenants. Tenants were understandably frustrated that the Council's own complaints processes were not working effectively or in a timely manner.
- The MP raised a number of matters on behalf of the tenant of Flat A and received a reply in February 2021 from the Council advising him that all repairs had been completed. This was clearly incorrect.
- ARK is puzzled as to why issues being raised by councillors and the MP would not spur senior managers at the Council to take ownership of the problems. This situation continued until February 2021 when a councillor raised the circumstances of the tenant of Flat D with senior staff in the tenancy management service. *Arguably this was the final opportunity for the Council's operational staff to intervene before the conditions inside Flats A and B worsened.*
- The Council is moving many of its services online. Currently tenants reported to ARK difficulties in using the website to access services or the information they need.
- Tenancy and Repair handbooks are no longer provided to tenants to set out their mutual roles and responsibilities and the standards tenant should expect. Unlike many housing providers the Council does not provide clear and accessible service standards which would allow tenants to monitor the quality of service received and hold their landlord (the Council) to account. Tenants ARK spoke to did not know what they should expect from the Council and its repairs contractor.
- The Council is not visible or seen as open and accessible to tenants. Tenants lack awareness of who they should report failures in the day-to-day repairs service or non-repair issues to. They were often unaware of who their tenancy officer is. *This issue requires an immediate response.*
- There is no Tenants and Residents Group operating on the estate where the Regina Road block is located. Tenants are not aware of other engagement opportunities or mechanisms to have their voices heard.

D. KEY FINDING: WEAK PERFORMANCE MANAGEMENT.

- The Council’s housing service appears to lack a common understanding of the roles that teams collectively play in delivering even basic ‘core’ housing services effectively. Council staff operate in ‘silos’ resulting in a lack of a ‘joined-up’ service delivery and resources being wasted.
- There are ‘blurred lines’ of responsibility and accountability between the Council and its main repairs contractor. This undoubtedly played a part in the problems going unresolved at Regina Road.
- Some joint visits by staff from the Council and the contractor took place but these also failed to correct the problems caused by the leak. In addition, during 2020 contractor staff operatives made at least a dozen visits to Flat A to undertake repairs. Despite this no Council staff took ownership of the problems, nor do they appear to have escalated them to senior managers. *All of these visits in 2020 represent a missed opportunity by the Council’s operational staff and contractor staff to rectify the leak and associated problems.*
- This investigation identified a ‘leadership vacuum’ with an absence of active or visible leadership to front-line Council staff. ARK cannot understand why this problem was not escalated by front-line staff to their managers. Similarly, why it was not identified by managers as part of their one-to-one discussions with staff.
- Performance management processes are weak and senior managers do not appear to have known what was going on – although this is disputed by some Council staff ARK spoke to. ARK heard conflicting accounts of discussions about the issues at Regina Road among managers within the Council’s repairs team.
- Contractor staff raised the need to access Flat D with Council staff on a number of occasions from December 2019. ARK has also been advised that the status of Flat C and the need to access Flat D (to repair the leaking pipe) was regularly discussed at the weekly voids meetings between the Council and the contractor from August 2020 onwards. However, no effective action was taken.
- In ARK’s experience any competent housing provider would have readily identified these problems. The issues could have been identified from a number of different perspectives - the number of call-outs, the number of repairs, long-standing empty properties, complaints from tenants and councillors and MPs enquiries.
- The Council does not appear to have a ‘mature’ partnership relationship with its main contractor. Relationships appear to operate on a client/contractor basis with a focus on monitoring performance indicators rather than actively managing performance. ARK would expect discussions to be forward-looking, seeking to identify trends and working together to resolve operational problems and drive continuous improvement. *This issue requires an immediate response.*
- ARK understand the contractor shapes their service around available budget on a price per property basis. This model can work effectively but without the right relationships can act as a barrier to contractor working proactively and collaboratively to address larger problems.

E. KEY FINDING: POOR USE OF DATA AND ‘INTELLIGENCE’ BY THE COUNCIL AND ITS CONTRACTORS.

- The Council is not using its data and intelligence to identify and learn from problems or to underpin its decision-making. Intelligence and data exists in ‘silos’

and does not appear to be drawn together to provide a holistic view of asset performance. ARK is unclear to what extent the Council uses its intelligence to inform strategic decision making or budget-setting. *This issue requires an immediate response.*

- ARK was told that management reports can be produced to identify issues such as the high numbers of repairs at specific properties or block of flats. However, in the past year for a variety of reasons, there has been little systematic use of such reports. Using the available reporting, supervisors and operational managers in the Council (and to some extent its contractor) should have identified the obvious issues at Regina Road.
- The Council is over reliant on contractor data to monitor repairs performance. ARK cannot identify the extent to which scrutiny and validation of this key repairs data is undertaken but are concerned about its reliability to drive performance management and good decision-making. For example, data from the Council's main repairs contractor suggests that in 2019/20 around 90 per cent of tenants were satisfied with the last repair completed. However, Council-commissioned independent surveys over the same period suggest satisfaction with the repairs service was much lower at just 73 per cent. In the following year, 2020/21, satisfaction levels varied between 57 and 62 per cent. Key issues identified as part of the independent surveys include dealing with outstanding repairs and wanting the contractor to complete repairs faster and to a better standard.
- ARK was surprised to learn that the problems with the pipework in 1-87 Regina Road were well-known in some parts of the Council's repair service and by the contractor. The knowledge and experience that already exists across the Council does not appear to be harnessed effectively.
- ARK understand the Council holds information on stock condition based on around 60 per cent stock surveys, although much of it is dated. This data appears to direct future investment. However, ARK was told that investment decisions failed to reflect repairs information. The Council needs to ensure its investment decisions are based on a robust assessment of stock condition and performance and responds to the 'real-life' problems that tenants experience.
- The Council is embarking on significant changes to improve its ICT infrastructure to improve the effectiveness of the service. It is important that plans around these improvements include measures to cleanse data and improve performance reporting and do not disrupt service recovery measures.
- Over half of the homes in Regina Road have been surveyed to varying degrees. These surveys identified issues relating to damp, mould and condensation. Indeed, the Council planned to investigate the installation of a mechanical ventilation system into flats before the COVID-19 pandemic struck. ARK understands the Regina Road roof was programmed to be replaced some time ago. However, in 2018/19 as part of the Council's installation of a sprinkler system the roof was considered 'fit for purpose'. Leaks into flats on the upper floors of 1-87 are now common, with patch repairs having limited effect. *This issue requires an immediate response.*
- ARK repeatedly heard concerns that the Council is not investing sufficiently in planned improvement to ensure its homes are sustainable over the longer-term - in demand, reflecting tenants needs and providing good value for money. The high level of responsive repairs demanded suggests the need to proactively invest in

homes. Also based on what Council staff have said ARK recommend the Council assure themselves that all key data covering stock condition (Decent Homes Standard) and landlord health and safety responsibilities is accurate. *This issue requires an immediate response.*

- In previous years major investment decisions were reviewed and decided on by a body known as the Assets Board. This was attended by staff from various teams and was chaired by a Director. ARK was told by a number of staff that the Assets Board has not met in over a year and this was viewed as a retrograde step.
- In 2018/19 the Council embarked on a large-scale programme of installing sprinkler systems in all of its high-rise blocks. This was a positive response to the Grenfell Tower tragedy. Positively, the Council has successfully installed sprinklers in all but 12 of its 1,252 high-rise flats.
- Regina Road is typical of a number of other Council blocks. There are 26 blocks of a similar age and construction type and the problems experienced at Regina Road are likely to be replicated elsewhere. The Council should be proactively surveying other similar blocks and developing clear plans for their future. *This issue requires an immediate response.*

IMMEDIATE ACTIONS

16. ARK has identified a number of key issues throughout this report the Council where the Council should take immediate action. The actions below generally reflect a realignment of resources which should help provide the ‘building blocks’ for further service improvement.
- Establish a ‘team’ (or project group) focussed on policy and performance and ‘control’ of service delivery. This team should work in a co-ordinated way to oversee and report ‘independently’ on all aspects of housing performance (including a review of historic allocations), programme delivery, disrepair cases and landlord’s health and safety (currently part of the Compliance Team). The team should be able to provide ‘expert’ support to operational teams and work with them (and contractors) to develop policies and procedures, technical standards and specifications and to support improvements in complaints handling and contract management;
 - Establish a ‘team’ (or project group) focussed on improving investment planning to ensure homes are sustainable over the longer-term. This team should focus immediately on developing a robust short-term investment programme that includes work to address the issues highlighted in this report. Their function should include managing stock condition surveys, harnessing the Council’s data and ‘intelligence’ (including information from the contractor) to understand stock performance and ensuring all investment decisions represent good value for money.
 - Establish a strategic group with the ‘power’ to oversee the development and implementation of a recovery plan and to direct the initial work of the investment planning and control teams. As a minimum provide opportunities for tenants to be involved in the development of plans and scrutiny of outcomes.

RECOMMENDATIONS FOR IMPROVEMENT

17. To help the Council improve ARK has set out a number of key strategic recommendations based on our findings. These are subject to further discussion and scoping with the Council.

Recommendation 1

Establish clear governance arrangements to provide strategic leadership to the service. This strategic group should direct future strategy around a common vision for the service. Their role should include ensuring robust performance management and decision-making, agreeing policy and practice (including service standards) and ensuring there is a 'joined-up' approach across all Council services.

Recommendation 2

Undertake a forward-looking skills gap analysis. Develop a workforce plan to recruit, train and develop staff (including mentoring and involvement of good practice networks) to fill any gaps.

Recommendation 3

Implement a development programme to ensure all staff consistently demonstrate the attitudinal and behavioural competences needed to support the Council's values and help shape its culture. This should include steps to ensure the Council (and contractors) consistently deliver a tenant-focussed service and have a 'safety first' culture.

Recommendation 4

Strengthen the Council's capacity, competence and commitment to tenant involvement through training and development of staff and councillors and reviewing existing structures to ensure they are 'fit-for-purpose' and ensure tenants have their voices heard.

Recommendation 5

Develop 'business intelligence' systems that allow the Council to collect and share real-time information on asset condition and performance (including from the contractor). This should enable the Council to proactively identify and learn from problems, manage disrepair claims more effectively and drive better investment decisions.

Recommendation 6

Conduct a fundamental review of existing performance management arrangements. Develop a comprehensive performance management 'suite' with bespoke reporting relevant to the 'audience' (for example, councillors, senior managers, operational managers and, tenants scrutiny groups). All indicators should be outcome-focused and underpinned by robust assurance 'arrangements' covering data quality and outcomes delivered.

Recommendation 7

Make improvements to complaints handling in line with the Housing Ombudsman's Complaint Handling Code and publicise how the Council is using complaints to drive service improvements.

ARK Consultancy Limited**May 2021**

COMBINED TIMELINE FOR FLATS A, B, C & D REGINA ROAD FROM APRIL 2019, TO END OF MARCH 2021

Data is mostly supplied by LBC repairs log and complaints history for C. Data provided by Axis in a chronology of actions from 05/12/19 onwards and these entries marked with an asterisk.

Date reported	Flat number	Completed (* Date attended for Axis entries)	Job description
XX/07/17	C	N/A	First report of water leak made to Axis by tenant. Multiple visits in May, June and August but source of leak not identified
25/05/17	C	25/05/17	Axis say this is the first report they received of the leak. They believe leak is coming from the 6 th floor. (Flat C is on the 2 nd floor) An electrician attends to make electrics safe
20/11/17	C	27/11/17	Report made of water leak on the living room wall. Operative cannot find source of leak, checks the flat above (likely to be D) with the same result. Thinks it may be residual water from a previous leak.
28/12/17	C	08/01/18 – 19/02/18	Damp patch reported. Operative attends and thinks source may be a pin hole leak in pipework, advises tenant that investigatory work required in vicinity of the riser cupboard. Wrong trade operative attends on 29/01/18. Operative attends on 19/02 and repairs pin hole in pipework
	C	22/03/18	Dehumidifier supplied and then collected a week later on 28/03/18
	C	30/04/18	Doorframe repaired following water damage
	C	04/06/18	Walls and ceilings repaired (damaged surfaces removed and reskimmed) and cupboard doors adjusted. Flat redecorated by Axis as compensation for delays experienced by tenant. Given the ongoing nature of the leak, outside

			help from a specialist firm should have been considered.
XX/08/18	C	?	Leak is reported to have reappeared. Operative attends, advises the leak is residual water from a leak in flat X and property needs to dry out before further action is taken. (Axis have no record of this)
04/06/19	D	05/06/19	Leak from above through ceiling in bathroom, kitchen & bedroom
04/06/19	D	05/06/19	Make electrics safe after leak
05/06/19	C	Cancelled	Water running in through window cill
22/07/19	B	30/07/19	Fluorescent strip light in kitchen is faulty
25/07/19	C	31/07/19	Reports of leak made. Operative attends – while in flat C, he calls Axis office and is told there had been a flood in flat X. Tenant is asked to monitor the damp patch
25/07/19	C	01/08/19	Trace leak coming from living room walls and lobby doorway
03/09/19	C	11/09/19 & 19/09/19	Report of water affecting wet room flooring in the flat. An operative attends but cannot find the source. Later a supervisor attends with same outcome. Notes that further investigation is required. Tenancy officer reports first involvement in this case (no other details provided, except this is a long running repair issue and that surveyor attended in October)
02/10/19	C	N/A	Tenant emails Axis for situation update, contractor has no record of this. On 11/10/19 supervisor from Axis and inspector from council attend – agree to open up kitchen cupboard wall for investigatory work to be undertaken.
22/10/19	C	21/11/19	Various works at flat booked for early December. Tenant requests an earlier start date. Operative attends on 21/11/19, takes down block work

			in kitchen cupboard but finds no pipework and no leak. Return visits arranged for 04/12/19 to investigate behind two other walls in flat. Operative reports he has found leak, but further investigatory work required as pipework runs through concrete floor to the flat above (D).
23/10/19	D	28/10/19	Storage heater in bedroom not working
01/11/19	D	11/11/19	Storage heater in bedroom not working
05/11/19	D	12/11/19	Mixer tap is very noisy, and tap is leaking
25/11/19	D	04/12/19	Plumber to attend alongside inspectors to investigate ongoing leak into the flat below (C)
04/12/19	D	27/12/19	Uncontrollable leak from flat affecting flat below (C)
04/12/19	D	06/01/20	Plumber to attend to leak
05/12/19	C	06/12/19	Inspection by the council's repairs surveyor results in decision to decant the tenant to allow investigatory and repair work to be undertaken. Timescales for completion are unknown but work is to follow the tenant's move. Request for management transfer approved on 06/12/19. It is unclear why action was limited to flat C and did not extend to flat D. Tenant moves out in June 2020, approx. 7 months later with the leak ongoing
* 05/12/19	C	N/A	* Instruction to stop all remedial works in flat C issued to Axis, work to commence when property is vacant.
11/12/19	A	12/12/19	Electrical sockets in kitchen and living room not working
17/02/20	A	25/02/20	Immersion heater not working
25/02/20	A	05/03/20	Needs new Economy 7, timer and cables to be removed
16/03/20	D	Cancelled	Door entry handset not working
23/03/20	D	23/03/20	Make safe electrics are leak from flat above (Y)

17/05/20	A	18/05/20	Leak reported from above in living room
* 17/05/20	A	17/05/20	* Uncontainable leak into living room. Went to flat B above, no access obtained
18/05/20	B	Cancelled	Investigate leak affecting flat below (A)
* 18/05/20	B	20/05/20	* Ongoing work in flat C, riser cupboard pipework between C & D, the floor must be broken into to access pipework from flat D. Job cancelled on 22/10/20 Connection to leak between C & D made. This should have prompted further attempts to obtain access to flat D
16/06/20	A	17/06/20	Leaks coming up from floor in hallway from leaking from above, possibly from B
* 16/06/20	A	16/06/20	* Leak on mains in ceiling of flat C through concrete, tenant of C to be moved out at the end of the month for work to commence
17/06/20	A	18/06/20	Make safe electrics in bathroom after leak from above
* 17/07/20	A	17/06/20	* Made safe pullcord switch in the bathroom, fault in lighting circuit, investigated and replaced living room pendant. Isolated bathroom cables, leak needs to be resolved as water inside conduits
23/06/20	D	25/06/20	Water leak in lounge, carpet is saturated and affecting flat D below
* 23/06/20	D	24/06/20	* Works being carried out at C, tenant in C being moved out
* 26/06/20	C	N/A	Email received confirming tenants decant from flat C
29/06/20	C	Allocated	Voids / minor void
* 29/06/20	C	N/A	* Void works could not be completed due to the leak and leak could not be accessed from C, it had to be from D. Do not believe leak has stopped, this is believed to be a pin hole leak and due to cold weather, the pipe has burst or got worse. Urgency of need to get

			access to flat D is clear and should have driven further efforts
30/06/20	B	01/07/20	OOH make electrics safe after leak, lighting circuit has tripped
* 30/06/20	B	30/06/20	* Made safe, tenant to call when the leak is fixed and dry
18/08/20	A	20/08/20	No hot water (NB strangely a reference is made to a gas boiler not igniting and low water pressure.)
19/08/20	A	20/08/20	No hot water (immersion heater is just flashing)
19/08/20	A	09/09/20	Reinstate light in bathroom
* 19/08/20	A	09/09/20	* Installed a new pull cord switch, overhauled existing 2D fitting and reconnected, all tested and working. (No leak present on this visit)
* No date	A & B	* N/A	* Leak stopped/slowed at some point after it being a void. No evidence of leaks between August and December 2020. Reinstated lights in A & B in August 2020
* 25/08/20	A	02/09/20	* Inspection to damage following leak from C. Job cancelled as inspection already carried out and 2 jobs requested to fit 4 vents in airing cupboard doors and replace section of wall in lounge. No leak reported
* 26/08/20	A	26/08/20	* Make safe electrics after leak. OOH checked consumer unit all MBBS dry, tenant to call supplier
* 26/08/20	E & A	26/08/21	* Leak from sprinkler system on evening of 25/08/20 affecting flats E & A. TW Drains attended with tanker to remove excess water from sprinkler leak. Mullaly are responsible for sprinkler systems.
27/08/20	B	Cancelled	No cold water throughout property
27/08/20	B	21/09/20	Reinstate light in bathroom after leak from above
* 27/08/20	B	18/09/20	* Replaced pull cord switch. No leak present on this visit
02/09/20	A	Cancelled	Hack off and replace plaster in lounge following leak
* 02/09/20	A	21/09/20	* Asbestos test requested. On 05/10/20 No asbestos detected, booked plastering to be completed.

			No leak present on this visit. On 11/01/21 Job cancelled, there is a leak. Leak returned in December 2020
02/09/20	A	28/09/20	Supply and fit 4 vents in airing cupboard
* 02/09/20	A	24/09/20	* Operative installed 4 vents in cupboard doors and fixed toilet leak that was not on the job. No leaks present on this visit.
02/09/20	A	09/09/20	Kitchen window not closing properly, draughty
13/11/20	D	25/11/20	No hot water, immersion faulty
17/11/20	D	24/11/20	Renew bottom element in immersion
XX/11/20	D	N/A	Tenancy officer reports their first involvement, requesting that tenant gives access to Axis for investigatory works in flat. Tenant reportedly denies access on basis that Axis have been in on many occasions, and she had been assured her flat was not the source of the leak.
XX/11/20	D	N/A	Visit by Council surveyor arranged. Disputed reports on whether the surveyor attended or not, but meeting to resolve access issue for investigatory works does not take place. Joint action by surveyor and tenancy officer should have obtained access at this point, or initiated escalation of No Access processes.
10/12/20	A	14/12/20	Investigate leak from kitchen cupboards, living room ceiling into walls
* 10/12/20	A	10/12/20	* Access needed to flat B, card left. Leak either returned or this was a separate leak on same pipe/area
* 10/12/20	B	10/12/20	* Plumber to attend to source leak that is affecting flat A below. No access to flat B. Plumber reports leak is coming from either void flat C or flat D, email sent to voids. Job cancelled on 28/01/21 as flat C is void.

19/12/20	A	21/12/20	Leak from under bath
* 19/12/20	A	19/12/20	* Bathroom leak caused by faulty fibre washer in cold tap connector, replaced. Leaking for the past month (?) Water damage to bath frame and panel evident.
16/01/21	A	18/01/21	Make safe electrics following a leak
* 16/01/21	A	16/01/20	*Tenant refused work as she didn't want to be without light in her living room, where the leak is coming in

18/01/21	C	Cancelled	Investigate leaks into flats A & B said to be coming from the riser
21/01/21	A	22/01/21	No hot water
22/01/21	A	25/01/21	Make safe electrics following a leak
* 22/01/21	A	22/01/21	* RCD tripping and down, reset and took down pull cord switch in bathroom
29/01/21	A	06/02/21	Reinstate all electrics, no power to the property
* 29/01/21	A	29/01/21	* Made safe light and reinstated electrics
02/02/21	A	02/02/21	Investigate water getting into electrics following leak & all electrics tripping
* 02/02/21	A	02/02/21	* All electrics have tripped. Water coming through ceiling in bathroom, light has already been made safe
* 04/02/21	C / D	N/A	* Email advising access required to flat D
* 04/03/21	A	N/A	* Email advising this is not with Axis
* 09/03/21	A	N/A	* Email advising aware of ongoing issue
18/03/21	A & B	Allocated	Carry out mould wash to all affected areas, take photos before & after
19/03/21	C	Allocated	Wet Vac required to drain pool of water in void property
22/03/21	A & B	N/A	ITN news report on leaks and conditions at the block is broadcast.
23/03/21	D	N/A	Tenancy Management staff attend flat D and issue tenant with letter demanding immediate access to property (under clause 14 of tenancy conditions). Advises that failure to give access will result in a forced entry.
24/03/21	D	Allocated	Dig up hallway floor and repair leaking pipe leaking into A, F & B below

26/03/21	A, B & D	N/A	Tenants moved to emergency temporary accommodation
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Regina Road

Terms of reference

Regina Road – terms of reference

An urgent fact finding investigation has been commissioned to understand the circumstances that led to residents at Croydon Council owned flats on Regina Road living in the conditions as publicised on the national news.

The intention is to have a verbal report back on 7 April 2021 and a written report on 9 April 2021.

The investigation will seek to understand the circumstances surrounding the disrepair issues reported by residents of 1-87 Regina Road, London SE25, 4TW.

The immediate investigation will focus on these four flats and will establish

- a detailed timeline of events including, but not limited to: contact with the council or our contractors from residents of the flats; attendance at flats in the block by tenancy or repairs staff, or our repairs contractor; reporting or recording of issues by tenancy or repairs staff or our repairs contractor; any repairs work carried out; and other reporting or recording of issues by others including cllrs, MPs or other staff who visited the flats
- the likely cause of the damp and mould based on the technical assessment made by the council
- action or inaction taken by the council, its staff and its contractors in respect of repairs
- action or inaction taken by the council and its staff (and its contractors) in respect of accessing flats to get a full assessment of the issues in the block
- action or inaction taken by the council and its staff (and its contractors) to support or rehouse resident facing repair issues
- any issues in contacting the council by these tenants
- whether there is any evidence that discrimination, in particular on the grounds of race, as alleged in the news coverage played a part in the treatment of these tenants

The investigation will also seek to understand whether or not the council's processes for the reporting of and rectification of repairs and relationship with tenancy management are fit for purpose and identify where they fall short of both standard and best practice.

The investigation will explore the role of both staff and contractors that led to conditions in the flats deteriorating and highlight likely failings and where possible make recommendations for the oversight of repairs work and related tenancy functions.

The initial investigation should report within two weeks and may make recommendations for any immediate action and areas where further work is required to address performance or conduct issues.

The investigation will involve tenants from the Scrutiny Panel and be led by an external housing expert for independence.

The outcome from the investigation will be shared with Scrutiny and Overview, MHCLG, the Improvement and Assurance Panel, the LGA and the Social Housing Regulator.

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INITIAL ACTION PLAN

Key: IIR – Issue for Immediate Response (listed at 4.5 in the report); IA – Immediate Action; R - ARK recommendation

Remaining timescales and accountability to be determined once Interim Executive Director of Housing has been appointed

ARK Immediate Action A: Policy, Performance and Control of Service Delivery

“Establish a ‘team’ (or project group) focussed on policy and performance and ‘control’ of service delivery. This team should work in a co-ordinated way to oversee and report ‘independently’ on all aspects of housing performance (including a review of historic allocations), programme delivery, disrepair cases and landlord’s health and safety (currently part of the Compliance Team). The team should be able to provide ‘expert’ support to operational teams and work with them (and contractors) to develop policies and procedures, technical standards and specifications and to support improvements in complaints handling and contract management”

No.	Action	Timescale	ARK recommendation addressed (key above)	Accountability
1	<p>Establish a team focussed on policy and performance and control of service delivery:</p> <ul style="list-style-type: none"> • to provide expert support to operational teams and work with them and contractors to develop policies and procedures, technical standards and specifications. • to ensure compliance with those policies and procedures, overseeing and reporting on all aspects of housing performance (including a review of historic allocations), programme delivery, disrepair cases and landlord’s health and safety. • to support improvements in complaints handling and contract management. 	Staffing and resource plan complete by end of May 2021	IA A	New Interim Executive Director of Housing (Interim ED Housing)

No.	Action	Timescale	ARK recommendation addressed (key above)	Accountability
2	<p>Disruptive work may have compromised fire safety measures:</p> <ul style="list-style-type: none"> Recommendations in fire risk assessment reports are made into works orders for immediate attention in the small number of cases that are rated as high priority; otherwise they fed into the planned maintenance programme. The council has sought independent assurance by instructing a specialist housing and repairs consultancy to undertake from 10 May 2021 a random dip test of homes that were subject to a high priority repair item to provide assurance, or to inform the need for further compliance audits in the months ahead. The door to a flat that is vacant, pending the repair of damage caused by the leak, will be replaced as specified by the fire risk assessment, as part of those repairs. Remove two remaining items to the rear of the block and continue removal of residents' items that remain in communal areas, following communication with tenants. 	From 10 May 2021	IIR – iv	Director of Homes and Social Investment (Dir H&SI)
3	<p>Resource the compliance function by completing the recruitment to the following posts:</p> <ul style="list-style-type: none"> Compliance manager Senior Fire Safety Compliance Surveyor 	Recruitment underway (interviews on 17 May) (closing date of 19 May for applications)	IIR – i	
	As at 4 May 2021, 98.68% of all council social housing homes had a valid gas safety certificate. 39 homes were subject to enforcement action to ensure gas appliances are serviced. The level of non-compliance has fallen from 276 homes on 9 April to 172 homes (1.32%) without a valid certificate on 4 May.		IIR – i	Dir H&SI

No.	Action	Timescale	ARK recommendation addressed (key above)	Accountability
4	Introduce longer term improvement measures to achieve 100% compliance on all gas safety matters (currently 98.68% at 4 May 2021): <ol style="list-style-type: none"> 1. Reducing the time taken to apply enforcement actions - currently, there is a 4 stage process and we wish to examine the implementation of a swifter 3 stage process 2. Independent verification of compliance testing will ensure performance data is accurate at all times - we will seek to appoint independent auditors to provide verification of performance data and overall compliance levels 3. Robust weekly reporting of compliance reporting to Director level 	From May 2021		
	Management of contractor contract		IIR – viii	
5	Interim ED/Director attendance at contract management meetings Complete the recruitment to the vacant post of head of repairs and maintenance.	Started & ongoing Recruitment happening now	IIR – viii	Interim ED Place/ Interim ED Housing Dir H&SI
6	Focus discussions between the council and its main contractor on actively managing performance through examining performance data to identify trends and working together to resolve operational problems and improve continuously;	To start May 2021	IIR – viii	Interim ED Housing
	Allocations, overcrowding within the block, and tenants' understanding of their tenancy status:		IIR – v	
7	Conduct an audit of allocations to flats in Regina Road (against the allocations policy)	Scope defined in May 2021	IIR – v	Dir Housing

No.	Action	Timescale	ARK recommendation addressed (key above)	Accountability
8	Ensure all tenants (particularly non-secure tenants) understand their tenancy status.	To start May 2021 and ongoing	IIR – v	Dir Housing
9	Identify overcrowded households and discuss options for moving to more suitable accommodation	To start May 2021 and ongoing	IIR – v	
10	Develop policy and practice (including service standards) for the housing service having regard to good practice and benchmarking with other local authorities and registered providers.	As part of improvement plan	R1	Interim ED Housing

ARK Immediate Action B: Investment Planning

“Establish a ‘team’ (or project group) focussed on improving investment planning to ensure homes are sustainable over the longer-term. This team should focus immediately on developing a robust short-term investment programme that includes work to address the issues highlighted in this report. Their function should include managing stock condition surveys, harnessing the Council’s data and ‘intelligence’ (including information from the contractor) to understand stock performance and ensuring all investment decisions represent good value for money.”

No.	Action	Timescale	ARK recommendation addressed (key above)	Accountability
11	<p>Establish a team focussed on improving investment planning for council housing stock, its functions to include:</p> <ul style="list-style-type: none"> managing stock condition surveys, harnessing data and intelligence (including information from the contractor) to understand stock performance, and ensuring all investment decisions represent value for money. 	Staffing and Resourcing plan complete by end of May 2021	IA B	Interim ED Housing

No.	Action	Timescale	ARK recommendation addressed (key above)	Accountability
12	Develop a robust short-term investment programme that includes work to address the issues highlighted in ARK's report.		IA B	Dir H&SI
	Problems causing damp and mould treated as 'one-off' repairs; Root causes of damp, mould & condensation at 1-87 Regina Rd		IIR – ii IIR – x	
13	Assess, plan and coordinate resolution of root causes of problems at 1-87 Regina Road.		IIR – ii & IIR - x	
14	Bring forward the replacement of the roof of 1-87 Regina Road and consider the installation of a mechanical ventilation system.		IIR – ii & IIR - x	
15	Proactive survey of all tower blocks Precautionary checks will be conducted at all 26 council-owned high-rise blocks	Starting in May 2021	IIR – xii	Dir H&SI
16	Proactively survey all 26 council-owned tower blocks and develop clear investment plans for their future. <ul style="list-style-type: none"> • Undertake detailed surveys at an initial five blocks including three in Regina Road, which will inform future investment priorities in those homes. • Plan further follow-on inspections and surveys across the council's housing schemes in accordance with a proactive approach to future planned stock investment programmes. 	Starting in May 2021	IIR – xii	

ARK Immediate Action C: Strategic Group

Establish a strategic group with the 'power' to oversee the development and implementation of a recovery plan and to direct the initial work of the investment planning and control teams. As a minimum provide opportunities for tenants to be involved in the development of plans and scrutiny of outcomes.

Recommendation 1: *Governance and strategic leadership:*

"Establish clear governance arrangements to provide strategic leadership to the service. This strategic group should direct future strategy around a common vision for the service. Their role should include ensuring robust performance management and decision-making, agreeing policy and practice (including service standards) and ensuring there is a 'joined-up' approach across all Council services."

No.	Action	Timescale	Recommendation addressed	Accountability
17	Create the post of Interim Executive Director of Housing, who will bring together the council's housing functions and improvement work into one place. The role will: <ul style="list-style-type: none"> • establish clear governance arrangements to provide strategic leadership to the housing service, • lead the wider review of the service and bring together housing roles, currently fragmented across the organisation, into a coherent whole, • lead in the development of a common vision and an improvement plan for the service, • ensure robust performance management and decision-making, • agree policy and practice (including service standards), and • ensure there is a 'joined-up' approach across <u>all</u> council services. 	From May 2021	IA 3 & R1	Chief Executive/ Interim ED Housing
18	Establish clear governance arrangements to provide strategic leadership to the service.		R1	

No.	Action	Timescale	Recommendation addressed	Accountability
19	Establish a Housing Improvement Board, a strategic group with the power to: <ul style="list-style-type: none"> • oversee the development and implementation of an improvement plan and • direct the initial work of the investment planning and control teams Seek the advice of housing professionals and engage with tenants and leaseholders to test the approach to establishing the Board and deciding on its membership.	From May 2021	IA C	Interim ED Place/ Interim ED Housing
20	Involve tenants in the development of plans and scrutiny of outcomes through their membership of the Housing Improvement Board. Tenants of Regina Road have been asked verbally to be involved.	Now	IA C	
21	Conduct a longer-term and wider-reaching review and improvement programme for the council's housing services: <ul style="list-style-type: none"> • Involve residents in the process and keep them informed • consider in particular how the council listens to its tenants, both in terms of responding to issues raised and in designing services • consider delivery of the repairs service, in order to identify the most cost effective means of providing the service that also meets the standards expected by tenants. 			Interim ED Housing
22	Develop a common vision and a longer-term Improvement Plan for the housing service, to: <ul style="list-style-type: none"> • address further the recommendations for improvement in the report of the independent investigation: • respond to the findings of the wider-reaching review • address other issues in the housing service, including: <ul style="list-style-type: none"> ○ the quality and cost of emergency and temporary accommodation the council secures for homeless households, ○ the impact of living in emergency and temporary accommodation on families with children and on the number of children who come to be looked after by the council. 		R 1-7	Interim ED Housing Overseen by Housing Improvement Board

Recommendation 2: Workforce plan:

“Undertake a forward-looking skills gap analysis. Develop a workforce plan to recruit, train and develop staff (including mentoring and involvement good practice networks) to fill any gaps.”

No.	Action	Timescale	Recommendation addressed	Accountability
23	Undertake a forward-looking skills gap analysis.	To start immediately	R2	Interim EDs and Directors
24	Update the council’s workforce plan to recruit, train and develop staff (including mentoring and involvement good practice networks) to fill any skills gaps		R2	

Recommendation 3: Staff development programme:

“Implement a development programme to ensure all staff consistently demonstrate the attitudinal and behavioural competences needed to support the Council’s values and help shape its culture. This should include steps to ensure the Council (and contractors) consistently deliver a tenant-focussed service and has a ‘safety first’ culture.”

No.	Action	Timescale	Recommendation addressed	Accountability
	<i>Outmoded culture and attitude among a number of staff towards tenants:</i>		IIR – iii	
25	Directors, heads of service and managers have been specifically directed to challenge all instances of outmoded attitudes, disrespect and lack of empathy for tenants.		IIR – iii	Directors
26	Incorporate action to treat tenants with respect and empathy in council’s cultural transformation programme and ensure staff are aware of the Council’s Code of Conduct, Commitment to Equality and Equality in Employment Policy and complete Equality and Diversity ELearning.		IIR – iii	Dir HR

No.	Action	Timescale	Recommendation addressed	Accountability
27	Include a module in the council's cultural transformation programme on ensuring the council consistently deliver a tenant-focussed service and has a 'safety first' culture		R3	Dir HR
28	Work in partnership with the council's contractors to ensure that contractor operatives consistently deliver a tenant-focussed service and have a culture of 'safety first', respect and empathy for tenants		R3 & IIR - iii	

Recommendation 4: *Tenant involvement*

"Strengthen the council's capacity, competence and commitment to tenant involvement through training and developing of staff (and councillors), and reviewing existing structures to ensure they are 'fit-for-purpose' and ensure tenants have their voices heard."

No.	Action	Timescale	Recommendation addressed	Accountability
29	The council is in the process of helping Regina Road residents to set up a residents group	Immediate	IIR - vii	Dir H&SI
30	Develop a training programme to strengthen the capacity and competence of staff to ensure meaningful resident involvement		R4	Interim ED Housing
31	Include a commitment to tenant and leaseholder involvement in the council's wider culture transformation programme		R4	Dir HR/ Interim ED Housing
32	Reviewing existing resident participation structures, having regard to good practice in other local authorities and registered providers and the views of Croydon council tenants, to ensure they are 'fit-for-purpose' and ensure tenants have their voices heard		R4	
33	Deliver a briefing to councillors on regulatory frameworks and housing policy how to respond to tenant queries most effectively and seek a response at higher level when appropriate.		R4	

Recommendation 5: Business intelligence

“Develop ‘business intelligence’ systems that allow the Council to collect and share real-time information on asset condition and performance (including from the contractor). This should enable the Council to proactively identify and learn from problems, manage disrepair claims more effectively and drive better investment decisions.”

No.	Action	Timescale	Recommendation addressed	Accountability
	Use of data and intelligence		IIR – ix	
34	Complete the recruitment of two principal asset management analysts, one through filling a vacant post, the other by means of a secondment		IIR – ix	
35	Draw intelligence and data together to give a holistic view of asset performance and inform strategic decision making or budget setting; Take account of high levels of responsive repairs in order to make proactive investment decisions.		IIR – ix	
36	Accuracy of data on stock condition and health and safety: Audit the accuracy of all key data on stock condition (ref. Decent Homes Standard) and landlord health and safety responsibilities (stock condition surveys will start to address this)		IIR – xi	
37	Develop ‘business intelligence’ systems that allow the council to collect and share real-time information on asset condition and performance (including from the contractor).		R 5	

Recommendation 6: Performance management:

“Conduct a fundamental review of existing performance management arrangements. Develop a comprehensive performance management ‘suite’ with bespoke reporting relevant to the ‘audience’ (for example, councillors, senior managers, operational manager and, tenants scrutiny groups). All indicators should be outcome-focussed and underpinned by robust assurance ‘arrangements’ covering data quality and outcomes delivered.”

No.	Action	Timescale	Recommendation addressed	Accountability
38	Conduct a fundamental review of existing performance management arrangements.		R 6	
39	Develop a comprehensive performance management ‘suite’ of reports as part of the council’s wider system of internal control and framework of reporting on and accountability for finance, risk, performance, workforce, health and safety and equalities		R 6	
40	Define outcome-focussed performance indicators, underpinned by robust assurance ‘arrangements’ covering data quality and outcomes delivered		R 6	

Recommendation 7: Complaints

“Make improvements to complaints handling in line with the Housing Ombudsman’s Complaint Handling Code and publicise how the Council is using complaints to drive service improvements.”

No.	Action	Timescale	Recommendation addressed	Accountability
41	<p>Tenant lack of awareness of how to report issues: Council staff were present at Regina Road for two weeks to give residents an opportunity to identify any other issues that needed addressing. A letter to all residents in the block on 29 March gave details of how to contact their tenancy officer. In addition, the council wrote to the tenants of all 16 council-owned blocks of flats of similar design with details of how to contact the tenancy service.</p> <p>Inform all other council tenants how to report failures in the day-to-day repairs service and non-repair issues. Inform each council tenant of identity and contact details of their tenancy officer.</p>		IIR – vii	
42	<p>Route for resolving concerns and complaints: Make improvements to the reporting of complaints from tenants, leaseholders, councillors and MPs, and the handling of those complaints in line with the Housing Ombudsman’s Complaint Handling Code so as to achieve a simple, effective, clear and accessible route for getting concerns and complaints resolved with clear timescales and accountability.</p>		IIR – vi R 7	
43	Publicise the new improved system to all tenants.			
44	Publicise how the Council is using complaints to drive service improvements		R 7	