

Public Document Pack

Tenant & Leaseholder Panel

To: Yaw Boateng (Chair)

Jill Arboine, Binta Barry, Ishia Beckford, Monica Binns, Peter Cooper, Teresa Cox, Susan Devonish, James Fraser, James Gitau, Dave Mundy, Grace Osoata, David Palmer, Guy Pile-Grey, Stephen Pollard, Marilyn Smithies, Sharon Swaby, Jamil Tarik and Kim Wakely

Councillors Caragh Skipper, Patricia Hay-Justice, Lynne Hale, Louisa Woodley, Michael Neal and Jeet Bains

A meeting of the **Tenant & Leaseholder Panel** will be held on **Tuesday, 9 February 2021** at **6.30 pm**. **This meeting is being held remotely and event invites will be sent to members in due course.**

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Monday, 1 February 2021

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AGENDA

1. Welcome and Introductions

2. Apologies for absence

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

3. Disclosure of Interest

Members will be asked to confirm that their Disclosure of Interest Forms are accurate and up-to-date. Any other disclosures that Members may wish to make during the meeting should be made orally. 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 relevant disclosable pecuniary interests at the meeting

4. Minutes of Previous Meeting (Pages 3 - 10)

To approve the minutes of the meeting held on 11 February 2020 as an accurate record.

5. See the Person Campaign (verbal update)

6. Budget/Rent setting 2021/22 (Pages 11 - 18)

This report provides information on the proposed rent and other charges made to council tenants and leaseholders for the financial year 2021/22. The report also provides information on the Housing Revenue Account (HRA) budget for the financial year 2021/22, detailing the way in which the rent and other income is spent.

7. An update on the council's financial position, renewal plan & staffing proposals

This item will be taken at the next meeting.

8. Capital Programme 2021/22 (verbal update)

9. Responsive repairs and planned maintenance contracts update (verbal update)

10. Housing White Paper (Pages 19 - 32)

This report outlines the key elements of the White Paper, a proposal to work in partnership with residents in responding to future statutory and regulatory requirements and sets out Croydon's current position in relation to the proposals in the Paper.

11. Any Other Business

To discuss any other business at the discretion of the Chair.

12. Date of next meeting

The date of the next meeting is 29 April 2021.

Tenant & Leaseholder Panel

Meeting held on Tuesday, 11 February 2020 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Yaw Boateng (Chair);
Petra Johnson (Vice-Chair);
Marilyn Smithies, Binta Barry, Ishia Beckford, David Palmer, Guy Pile-Grey,
John Piper and Kim Wakely.
Councillors Patricia Hay-Justice and Lynne Hale

Also Present: Stephen Pollard, Ash Patel, Collin Wood and Councillor Alison Butler
Resident Involvement Manager, Head of Finance, Finance Manager, Asset
Team Manager, Asset Manager, Head of Tenancy and Caretaking Services,
Director of Housing, Waste and Recycling Manager and Director of Growth,
Employment & Regeneration.

Apologies: James Fraser and Monica Binns
Councillors Pat Clouder, Louisa Woodley, Richard Chatterjee and
Michael Neal

PART A

1/20 **Welcome and Introductions**

The Panel members, councillors and officers in attendance introduced themselves.

2/20 **Apologies for absence**

Apologies were received from James Fraser, Monica Binns, Councillors Pat Clouder, Louisa Woodley, Richard Chatterjee and Michael Neal.

3/20 **Disclosure of Interest**

There were no disclosures at this meeting.

4/20 **Minutes of Previous Meeting**

The minutes of the meeting held on 15 October 2019 were agreed as an accurate record, with the addition that Stephen Pollard was also present.

The Resident Involvement Manager informed those present that application forms to join the Panel were available.

5/20

Update on the Waste Management Action Plan

The Waste and Recycling Manager introduced the item and informed the Panel that a 48% recycling rate had been reached, which was an increase of 7% on the previous year.

The Waste and Recycling Manager went through the action plan produced by the Waste and Recycling Task & Finish Group; the ability to report food recycling missed collections online was now functional, and reports should be submitted within two business days; caretakers could also now report on behalf of residents. No requests for communal composting had been received, but officers were ready to assist with any residents who were interested in setting this up.

Communications with residents on the correct ways to dispose of waste had improved; new videos on the council website showed the journey of recycling. The Waste and Recycling Manager emphasised that the council were keen to communicate with residents as much as possible and undertook roadshows with Veolia, distributed calendars, were active on twitter and were open to any other ideas from the Panel.

There had been no requests for signage on bin stores to be replaced, but residents were encouraged to contact the council if this was needed on any sites. A programme of checking bin signage was being implemented, but would take around a year, due to the volume of bins and the number of staff.

All planning applications were reviewed by Waste Services to ensure adequate and correct waste and recycling facilities; there was a dedicated officer in the team who dealt with this.

The Waste and Recycling Manager explained that all figures on waste and recycling were sent quarterly to the Department for Environment, Food & Rural Affairs (DEFRA) and published on the DEFRA website; if the Panel requested any additional figures they would be happy to provide them for a future meeting.

There had been no reports of any issues with collection frequencies, but these would be reviewed on a case by case basis. Waste Services worked closely with Housing to identify any issues.

In response to a question from a Panel member regarding whether new properties being built on their estate would have their own waste and recycling facilities, the Panel heard that they would.

In response to a question from a resident about broken and dirty bins on their estate, the Waste and Recycling Manager explained that there was a way to report this online, and that the bins may need replacing. There had been a change to the process of cleaning food waste bins, and these bins would be cleaned in the future. In response to a further question about whether recycling was being sent to Malaysia, the resident was assured that most recycling was sent to Essex to then sold on and sent to re-processors. The council always had the certificates of sale, and almost all recycling stayed in the country.

A Panel member commented that they had the same bins on their estate for 18 years, and were not sure they were clearly marked and because of this they may not be used correctly. They also commented that collection schedule changes had caused confusion. Another Panel member requested better signage for their bins to ensure cardboard was not going to landfill.

A Panel member stated that a public litter bin on the green space on Church Road would frequently be overfilled with dog waste, which had caused people to begin using the recycling bins. The Waste and Recycling Manager responded that they would check the frequency of collections and advise whether a new bin would be required. Another Panel member enquired as to whether dog waste bins could be requested for estates, and learned that this could now be disposed of in normal bins, and if it was felt a new one was needed Waste Management would look at the location and possibly offer an alternative.

The Resident Involvement Manager reminded the Panel that a Task & Finish Group had met with Waste Management and Housing departments and produced the Action Plan; the plan would be updated and circulated with these minutes. Report forms were available in the meeting to request meetings with or visits from officers.

The Chair explained that they felt there were recurring reports of residents reporting issues and no action being taken; this needed to be stopped. The Resident Involvement Manager suggested an additional meeting of the Task & Finish Group to look at this, with residents submitting any issues they wished to be looked at beforehand.

6/20

Housing Revenue Account Rent, Service Charge, Garage Rent and Budget Setting

The Head of Finance introduced the item and went through and summarised the figures in the report.

In response to a question from a resident about the value of service charges in relation to overworked caretakers and poor quality cleaning, the Head of Tenancy and Caretaking Services queried whether these issues had worsened due to nearby building works. The resident confirmed the issues and it was agreed that this would be picked up separately. The team had no

vacancies, being fully staffed with caretakers, with one Tenancy Officer role soon to be filled through secondment. The operational manager roles for caretaking and tenancy had been merged.

The Chair queried the normal process for reporting cleaning issues; the Head of Tenancy and Caretaking Services responded that noticeboards should state when caretakers would be on-site, and these attempted to mirror the Veolia schedule, although this was not always possible. If cleaning standards were not as they should be, then residents should contact the council and the operational manager; these contact details should also be on the noticeboards.

A Panel member stated that as a freeholder they had to pay VAT on their garage rent, which council tenants did not; the Panel member pointed out that this was not mentioned in the report. The Head of Finance apologised and promised future reports would correct this.

7/20 **Housing Capital Investment Programme 2020/21**

The Asset Team Manager introduced the item and went through the presentation appended to these minutes.

In response to questions about whether the Housing Revenue Account (HRA) budget would be used to maintain Brick by Brick properties, the Panel heard this would only be true for properties that were bought by the council from Brick by Brick.

One Panel member informed the Panel that they had been informed by some residents that repairs on bathrooms and kitchens would need to be done at the tenants own expense. The Asset Team Manager said this would only be true in the instance that the tenant had installed their own kitchen, and it had not been done by the council.

The Asset Team Manager informed the Panel that there were two standards for properties that the council worked towards. The first was the 'Lettable' standard, which was the standard properties were kept at to insure they were quickly rented to minimise housing waiting lists. The second standard was the government 'Decent Homes' standard which worked to a lifetime of 20 years for a kitchen and 30 years for a bathroom; it also insured adequate space and layout. Properties were checked via a condition survey every five to seven years.

8/20 **Fire Safety Videos**

The Resident Involvement Manager explained that the council had been approached by its insurer, Protector, who had been keen to provide the funding to create some fire safety videos to educate officers and residents.

These had been filmed around Croydon, but were not quite ready to be shown at the time of this Panel meeting. More tenant input on the videos was desired, and residents were invited to give their views at the next meeting of the residents' Health and Safety Panel on 3 March 2020. Ideas for the best ways to share the videos were requested, with the current plan being to share them via social media, Open House and screenings at local meetings.

In response to a question from the Panel regarding whether the videos would show cladding and sprinklers, the Resident Involvement Manager stated that they could not confirm this, but that they would make a note to ensure they were covered. The videos were being created at no cost to the council.

9/20 **Scrutiny update**

The Chair informed the Panel that a presentation detailing the findings of Scrutiny had been given to the council in January 2020, and this had been positively received. The full report would be on the council website from mid-February 2020.

The Resident Involvement Manager stated that this had been an excellent piece of work that had produced 28 recommendations, with the vast majority of these having already been agreed. An action plan was being produced and would be published, with complaints and the complaints response procedure being improved.

The Chair explained that some of the recommendations had already been implemented, and that this showed the council was moving in the right direction. In response to a question from the Panel about whether Scrutiny had focused on procedures, the Chair stated that it had; the recommendations concerned processes and not individual officers. Scrutiny had looked at the experiences of residents and how these could be improved.

10/20 **Resident Involvement Activity Report**

This report was for information only.

11/20 **Feedback**

The Panel were told that the Community Fund 2020/23 bids were detailed in the circulated agenda. CRY SAP were the resident's evaluation representative for 'outcome two'.

The All Ages Family Safety Challenge finals would take place in the Council Chamber on 19 February 2020. Any Panel Members wishing to attend were encouraged to contact Marilyn Smithies or Guy Pile-Grey.

No CVSA report had been circulated with the agenda, as it had only met earlier that day.

12/20 **Any Other Business**

A resident told the Panel that they had emailed senior officers several times over an issue, and had not received a response; they also stated that they had found it difficult to get in contact via telephone. The Head of Tenancy and Caretaking Services acknowledged the issue and assured that it would be looked into and responded that since September 2019 there had been a Duty Tenancy Officer in Access Croydon to facilitate more face to face interaction; Tenancy Officer surgeries had also increased in frequency. The Director of Housing stated that they would send the resident a staffing structure chart for housing, tenancy and caretaking (appended to these minutes).

A Panel Member stated that Church Road residents had been sent a letter regarding misuse of disabled bays, keeping dogs on leads and picking up after dogs. These letters had not been sent to the residents in the new Brick by Brick block. The Head of Tenancy and Caretaking Services responded that the officer who sent the letters had made an error, and the Brick by Brick residents had now received it. There would be a targeted approach to repeat offenders going forward, and work was being done to bring in Traffic Management Orders for the car parking areas so blue badges could be enforced in disabled bays.

The Resident Involvement Manager informed the Panel that the quarterly STAR surveys had shown that tenant satisfaction was high. Where tenants had been dissatisfied, officers had reached out for feedback.

The first ground source heat pumps had been installed at Chertsey Crescent; these pumped hot air from underground to heat properties, and were eco-friendly and cost saving for residents.

Sprinklers had been activated by a tenant doing DIY in a property; the water had seeped into a private and uninsured property below. This had been just before Christmas, and Mulalley had redecorated and changed the carpets for this resident as a goodwill gesture.

In response to a question about whether the council had a policy on foxes, the Head of Tenancy and Caretaking Services responded that it only discouraged the feeding of foxes and pigeons.

In response to a question about estate visits, the Panel heard that there was a full year schedule of visits, and that the Head of Tenancy and Caretaking Services also conducted a monthly walkabout with Councillor Hay-Justice. Councillor Hay-Justice stated that these took place on the last Tuesday of the month, and residents should contact her if there were any urgent issues that they thought merited a visit.

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The Chair asked if officers could provide the answer to two questions – what was happening with Westfield, and what was being done to bridge the gap in regards to social housing.

13/20 **Date of next meeting**

5 May 2020 at 6:30pm in the Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX.

The meeting ended at 8.20 pm

Signed:

Date:

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Tenants and Leaseholders Panel

9 February 2021

Lead Officers: Director of Housing Assessments and Solutions and Interim
Director of Homes & Social Investment

Wards: All

Subject: Housing Revenue Account Rent, Service Charge, Garage Rent
and Budget Setting

1. DRAFT RECOMMENDATIONS

The Panel is asked to note the following:

- 1.1. Rent levels in 2021/22 to increase by CPI + 1% against the 2020/21 rate, in line with the Government social rent policy.
- 1.2. The full cost of caretaking, grounds maintenance and bulk refuse collection services will continue to be recovered via service charges applied to tenants that receive the service. The service charges will increase by 1.5% against 2020/21 rates.
- 1.3. Garage rents will also increase by 1.5%
- 1.4. Parking space rents will continue to be charged at 2020/21 rates.
- 1.5. Heating charges will be updated according to latest energy rates

2. EXECUTIVE SUMMARY

- 2.1. This report provides information on the proposed rent and other charges made to council tenants and leaseholders for the financial year 2021/22.
- 2.2. The report also provides information on the Housing Revenue Account (HRA) budget for the financial year 2021/22, detailing the way in which the rent and other income is spent.

3. IMPACT OF COVID-19

- 3.1. Covid-19 has had minimal impact on many of the spending patterns of the HRA landlord services. Additional tenant support was provided at a cost of around £50k of additional overtime during the first wave. Tenant rent collection dipped to 90%

in June 2020 but December debt figures showed that collection had recovered to 98.5% for the year to date and a standard increase to bad debt provision within the £750k budget is expected in 2020/21.

- 3.2. Spend on Planned Maintenance work has slowed fairly significantly across the year due to restrictions and distancing requirements for construction sites. The current forecast is for an underspend of around £3m in 2020/21, to be caught up on in future years.

4. IMPACT OF CURRENT GOVERNMENT LEGISLATION ON THE HOUSING REVENUE ACCOUNT

- 4.1. The HRA is the main business account for the housing service. It continues to be a ring-fenced account, funded primarily from tenants' rents. The services provided to tenants and leaseholders are paid from this account. This includes responsive repairs, management services and caretaking.
- 4.2. Long-term financial planning is based on the 40 year HRA business plan which is updated annually to reflect changes in legislation and assumptions which underpin the financial projections. This includes modelling the capital investment both to maintain and update stock.
- 4.3. The Welfare Reform and Work Bill required that council reduce rents by 1% per annum from 2016/17 to 2019/20. This period of rent reduction has resulted in reduction in spend totalling £13m since 2016/17. As a result the approach taken for budget 2020/21 and 2021/22 has been to apply growth where costs have risen due to inflation by CPI +1%. The expectation is that the council will increase rents by CPI +1% going forward and hence will have the ability to maintain or improve service levels as well as maintain properties to decent home standards at a minimum.
- 4.4. A recommendation on the HRA rent setting policy will be reviewed by cabinet as part of the budget setting papers for submission to full council on 08/03/2021
- 4.5. **Right to Buy:**
 - 4.5.1. Croydon Council entered into a retention agreement with the government in April 2012 relating to capital receipts from Right to Buy (RTB) sales. Under the terms of the agreement, the government requires that local authorities can only retain the receipts from RTB sales if they spend it within three years of retention to create new stock by match funding the purchase of this new supply on a 70:30 basis.
 - 4.5.2. The implication of this is that the RTB receipts can only fund 30% of new property development or acquisition costs with the remaining 70% costs funded through the council's HRA or other resources. Interest is repayable to the government on retained receipts not used within 3 years.
 - 4.5.3. Receipts totalling over £50m have been retained by LBC from April 2012 to September 2020. £3.302m was used to part fund new build expenditure across 2013/14 and 2014/15. Since then council house building has been outsourced to Brick by Brick and so the balance of receipts was building up with no corresponding spend for the following two financial years. In 2017/18, 2018/19 and 2019/20 retained receipts totalling £33.5m have been granted to the Croydon Affordable Homes charity to part fund acquisition of 346 street properties.

£1.225m was used to fund new-build affordable housing acquisitions within 19/20. No retained receipts have been used to date in 2020/21.

- 4.5.4. The next deadline that the authority has is to spend around £0.6m by 30/09/2021 to avoid returning further receipts and interest to MHCLG. By 31 December 2021 the spend required to use the next instalment of retained receipts is £7.5m and then a further £7.5m by March 2022, totalling around £16m spend of affordable housing required in 2021/22. Analysis is underway to determine how the receipts might be used to part fund social housing acquisitions for the HRA.
- 4.5.5. The 2020/21 deadlines were extended due to Covid and it is possible that this will be repeated into 21/22 although this is in no way confirmed at this stage.

4.6. **Borrowing Cap:**

- 4.6.1. The government announced the lifting of the borrowing cap in October 2018. This provides an opportunity for the Council to borrow more money to provide social housing, where it is financially viable and does not adversely impact on the financial sustainability of the HRA.
- 4.6.2. The lifting of the borrowing cap allowed the HRA to purchase 42 new-build units in 2019/20 when borrowing increased by £16.4m relating to the acquisitions. Additional rental income from these properties will cover the additional interest relating to the new borrowing as well as the management and maintenance costs for the new properties.

5. HRA REVENUE BUDGET – 2021/22 INCOME

5.1. The main changes proposed to the HRA income budgets for 2021/22 are identified below:

5.2. **Rent**

5.2.1. The Welfare Reform and Work Bill required all registered providers of social housing in England to reduce rents by 1% a year for four years from 2016/17. 2021/22 will be the second consecutive year in which rents will rise in line with the Regulator of Social Housing direction to permit rises of CPI + 1%, which is equal to 1.5%

Table 1 – Average Weekly Rents –

Property Type	Average weekly Council rent	Average weekly Council rent
	2020/21	2021/22
1 bed	£86	£87
2 bed	£105	£107
3 bed	£127	£129

5.2.2. Where tenants are eligible for receipt of Housing Benefit, the level of benefit will reflect the higher rent.

5.3. Service Charges

- 5.3.1. It is proposed that service charges increase by 1.5% from 2020/21 levels in 2021/22, prior to 2020/21 they had not increased since 2017/18

Table 2 – Tenant Service Charges

	2020/21	2021/22	Change
Tenant Service Charges			
Caretaking	£10.38pw	£10.54	£0.16
Grounds Maintenance	£2.14pw	£2.17	£0.03

5.4. Garages and Parking Spaces

- 5.4.1. Rents for garages and parking spaces were not increased in 2020/21 and it is proposed that a 1.5% increase will be applied to garage rents only for 2021/22. A consultation is required, and planned, to increase parking charges on estates from 2022/23

Table 3 – Parking and Garage Charges

	2020/21	2021/22	Change
Parking Spaces			
Tenants	£7.00pw	£7.00pw	£0.00pw
Non-Tenants	£9.62pw	£9.62pw	£0.00pw
Garages			
Avg. Rent*	£13.13	£13.33	£0.20pw

6. HRA REVENUE BUDGET – 2021/22 EXPENDITURE

- 6.1. The main changes proposed to HRA expenditure budgets for 2020/21 are identified below:

6.2. HRA expenditure items

- 6.2.1. Legal costs relating to disrepair have been steadily rising for several years, there was an overspend of almost £400,000 in 2019/20 and there is a forecast overspend of £300,000 for 2020/21. Whilst the primary action is to investigate the reasons for the claim and make changes to ensure that these costs are reduced, growth of £343,000 is being added to the budget for 2021/22.
- 6.2.2. Utility costs inflation hasn't been applied for some years whilst related costs have been rising. This is due partly to standard inflation and partly due to discovery of backdated costs when accurate readings have been taken from hard to access meters. Additional budget of £276k has been added to the 2020/21 budget as growth bringing the total budget for gas and electric costs to £1,270,000.
- 6.2.3. The 2020/21 budget included an allowance for a 2% pay award and the final agreed award was 2.75%. The remaining 0.75% has been included as growth for the 2021/22 budget, with a 2% allowance for a pay award in 2021/22. There has also been an increase in pension costs of £400,000 following appraisal by the

Local Government Pension Scheme. The increased costs do not translate to a change in benefits to staff but address a deficit in the pension fund. The change relates to an increase in employer's contributions to the pension fund from 16% to 26%.

6.2.4. A Government approved contribution from the HRA for Discretionary Housing Payments has been made for several years and never built into the budget. This payment is £500,000 and is not more than payments made to HRA tenants.

6.3. Provision for Bad Debts and Voids

6.3.1. Bad Debts

Bad debt has been included at £0.750m per annum for 2021/22 (no change from 2020/21). This represents a collection rate of rents of around 99%.

6.3.2. Voids

The loss of income associated with void properties is assumed will remain at the 2020/21 level at 0.9% for 2021/22.

7. HRA INVESTMENT PROGRAMME – 2021/22

7.1. The table below sets out the summary of proposed investment expenditure in 2021/22 compared with 2020/21.

Table 4 – HRA Investment Programme

Investment Type	2020/21	2021/22
	£'000	£'000
Planned Maintenance and Improvements	26,771	26,771
Larger Homes	0	0
Special Transfer Payments	180	180
Fire Safety	0	0
Additions to the HRA stock	8,750	0
Total Capital Expenditure	35,701	27,951
Responsive and Cyclical Repairs	12,725	12,725
Grand Total	48,426	40,676

7.2. Repairs and Planned Improvement Programmes

The proposed major repairs and improvement programme for 2021/22 will remain at £26.7m. It should be noted that there is also a separate programme of responsive and cyclical repairs which are resourced through revenue funding totalling £12.7m, including the additional amount for inflation compared to 2020/21 costs. A reserve of £5m will be set aside to meet the costs of any future fire safety works. This amount is being ring-fenced from general reserves and we continue to lobby central government for the funding.

7.3. Housing Supply

In the past housing investment has been undertaken using HRA funds and Council borrowing, although this has been limited by the HRA borrowing cap.

From 2017, housing new builds have been undertaken by Brick by Brick, the Council's independent development company. Analysis is currently ongoing as to what units the HRA could purchase in 2021/22 from Brick by Brick to add to current HRA stock.

7.4. **Housing Demand**

It is considered that for at least the next 10 years that the housing market in London and the South East will be characterised by rising demand and increased barriers to entry caused by rising house prices, rising rents and population growth. Beyond 10 years it is difficult to predict with any certainty what housing policy will be in place or what structural housing market changes may have occurred.

In order to meet the Mayor of London's housing supply targets, 2,000 homes will need to be developed in the Borough every year for 20 years. The mix of new housing supply continues to be influenced by numbers of applicants on the Council's housing register locally and the forecasts of future housing need.

8. **FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

8.1. The financial considerations contained in the main body of the report will allow the HRA to set a balanced budget for 2021/22. It also anticipates that the HRA budget will continue to hold a balanced position over the period of the plan based on the assumptions that have been included in the HRA 40 year business plan.

8.2. **Right to Buy (RTB):** Croydon is currently estimating 80 sales per year, adding additional receipts to the current RTB balance held by the council. The retained RTB receipts are utilised via the purchase and build schemes being undertaken by the Council's development company Brick by Brick and housing charity Croydon Affordable Homes.

8.3. **Recent changes and Consultations**

The outcome of 'A new deal for social housing' Green Paper consultation, ending in 2018, continues to be awaited. Recent changes and proposals made in the paper that are impacting on the HRA are set out below.

8.3.1. The government has proposed making Right to Buy (RTB) receipts to be available for 50% of social rented new build costs rather than 30%.

8.3.2. The government has proposed extending use of existing RTB receipts to 5 years with new receipts being available for 3 years.

8.3.3. The government confirmed in the Green Paper that it will not bring the disposal of high value void levy of the Housing and Planning Act 2016 on local authorities into effect.

9. **STATUTORY FRAMEWORK**

9.1. Under section 25 of the Housing Act 1985 (the Act) the council has the power to determine reasonable charges for its tenancies and leases, and is required by the Act to review these from time to time and to make such changes as circumstances may require. In addition, the housing authority is required, in exercising its

functions under these provisions, to have regard to any relevant standards set under section 193 of the Housing and Regeneration Act 2008

- 9.2. In accordance with the Act the process for varying the rent and charges for secure tenancies and leases is determined by the terms of the tenancy agreement or lease, while for non-secure tenancies section 25 specifies the procedure to be followed. The council is required to give tenants' written notice of the proposed changes to their rental.

10. HUMAN RESOURCES IMPACT

There are no immediate direct HR impacts for LBC staff a result of the issues raised in this report. Should there be any future impact for the council's workforce, these will be further advised on by human resources and be managed in accordance with the council's policies and procedures.

Approved by: Sue Moorman, Director of Human Resources

11. CUSTOMER IMPACT

- 11.1. The proposed HRA budget for 2020/21 includes a rent increase of CPI +1%. Charges for rent and service charges are eligible for Housing Benefit and central government has proposed to uplift Local Housing Allowances following a four year freeze.

12. EQUALITIES IMPACT

- 12.1. The increase in rental income will have an impact on tenants bills. A large proportion of tenants in council housing claim Housing Benefit and so they will see no direct impact on their expenditure. The increase in rental income will help to reverse the impact of previous rent reductions on the sustainability of the HRA. It has been necessary to make significant savings in expenditure across the four years from 2016/17 onwards which may have an adverse effect on service delivery and tenants. For 2021/22, no savings options have been proposed.
- 12.2. The effect of self-financing and the previous rent increases is a higher level of investment in new housing supply measures and in improving the council's existing stock which will have a positive impact on many groups with protected characteristics because they are more dependent than average on social housing. One of the areas of expenditure which people struggle with is heating costs and this is particularly true for those living in homes which are hard to heat because of their construction or design. The capital programme, next year and in the longer term, will include investment in homes with solid wall construction and other hard-to-heat properties so will be of particular benefit to tenants with the highest heating bills.
- 12.3. Purchase of new homes into the HRA will provide secure tenancies for residents either on the waiting list or in temporary accommodation. These modern homes will provide them with homes which are energy efficient and compliant with standards.

13. ENVIRONMENTAL IMPACT

- 13.1. Energy efficiency measures (including upgrades to boilers, central heating systems and insulation; double-glazing, and the kind of measure referred to above for hard-to-heat homes such as external cladding) are a key investment priority within the repair and improvement capital programme. These measures will contribute to a reduction in CO2 emissions as well as reducing heating bills to ensure that keeping the home warm is affordable. We are also undertaking a pilot ground source heat pump central heating scheme that will see an efficient, zero emission heating system installed to a high rise block, alongside other energy efficiency works.

14. CRIME AND DISORDER REDUCTION IMPACT

- 14.1. There are a range of measures within the council's repairs and improvement programme that support the council's wider objective to improve community safety. These include installation of security entry door systems to flats, environmental improvements, improved lighting, and a targeted security door programme.

15. HUMAN RIGHTS IMPACT

- 15.1. There are no human rights considerations arising from this report.

16. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

- 16.1. The information contained in this report will be accessible as part of the council's Publication Scheme maintained under the Freedom of Information Act, while information held by the council supporting the report may also be accessible under that Act subject to consideration of any relevant.

TENANT AND LEASEHOLDER PANEL 9 February 2021

Lead Officer: Ozay Ali, Interim Director of Homes & Social Investment

Wards: All

Subject: The Housing White Paper

1. Recommendations

- 1.1 The Panel is asked to note and comment on the contents of this report and agree to the formation of a residents' group to ensure that Croydon fully meets future statutory and regulatory requirements.

2. Background

- 2.1 On 17 November 2020 the Government published a Social Housing White Paper. It has been labelled as a "Charter for Social Housing Residents" and sets out a range of measures to strengthen the regulation of social landlords and empower tenants and residents to hold their landlord to account and obtain redress where service falls below standards expected.
- 2.2 This report outlines the key elements of the White Paper, a proposal to work in partnership with residents in responding to future statutory and regulatory requirements and sets out Croydon's current position in relation to the proposals in the Paper.

3. The Housing White Paper – A Summary

- 3.1 The White Paper sets out the Government's seven point Charter for Social Housing which will apply to all local authority and housing association tenants and leaseholders.
- 3.2 The seven points can be summarised as follows:
1. **To be safe in your home.** We will work with industry and landlords to ensure every home is safe and secure.
 2. **To know how your landlord is performing**, including on repairs, complaints and safety, and how it spends its money, so you can hold it to account.
 3. **To have your complaints dealt with promptly and fairly**, with access to a strong Ombudsman who will give you swift and fair redress when needed.
 4. **To be treated with respect**, backed by a strong consumer regulator and improved consumer standards for tenants.

5. **To have your voice heard by your landlord**, for example through regular meetings, scrutiny panels or being on its Board. The Government will provide help, if you want it, to give you the tools to ensure your landlord listens.
6. **To have a good quality home and neighbourhood to live in**, with your landlord keeping your home in good repair.
7. **To be supported to take your first step to ownership**, so it is a ladder to other opportunities, should your circumstances allow.

4. The Detail

4.1 To be safe in your home

- Legislation to strengthen the existing regulations to explicitly include safety.
- Legislation to require social landlords to identify a nominated person responsible for complying with their health and safety requirements.
- Expect the Regulator of Social Housing to prepare a Memorandum of Understanding with the Health and Safety Executive to ensure effective sharing of information with the Building Safety Regulator.
- Launch a consultation on requiring smoke alarms in social housing and introducing new expectations for carbon monoxide alarms.
- Consult on measures to ensure that social housing residents are protected from harm caused by poor electrical safety.
- Continue to work with the Social Sector (Building Safety) Engagement Best Practice Group and the Building Safety Regulator to ensure resident voices are heard.

4.2 To know how your landlord is performing

- Create a set of tenant satisfaction measures for landlords on things that matter to tenants.
- Introduce a new access to information scheme for tenants so that information relating to landlords is easily available.
- Ensure landlords provide a clear breakdown of how their income is being spent.
- Require landlords to identify a senior person in their organisation who is responsible for ensuring they comply with the consumer standards set by the Regulator of Social Housing.

4.3 To have your complaints dealt with promptly

- Speed up access to the Housing Ombudsman by removing the need for

residents to either go to a 'designated person' or wait eight weeks before approaching the Ombudsman directly.

- Expanding the Housing Ombudsman service and increased its powers.
- Provide residents with consistency across landlord complaint handling by ensuring landlords self- assess against the Housing Ombudsman's Complaint Handling Code.
- Ensure tenants know how to raise complaints and have confidence in the system by launching a communications campaign. We will expect landlords, the Housing Ombudsman and the Building Safety Regulator to ensure residents have clear and up to date information on how to complain.
- Legislate to ensure clear co-operation between the Housing Ombudsman and the Regulator of Social Housing to hold landlords to account more effectively when things go wrong

4.4 To be treated with respect

- Transform the consumer regulation role of the Regulator of Social Housing so it proactively monitors and drives landlords' compliance with improved consumer standards.
- Remove the 'serious detriment test' and introduce routine inspections for the largest landlords (those with over 1,000 homes) every four years.
- Change the regulator's objectives to explicitly cover safety and transparency, and work with it to review its consumer standards to ensure they are up to date and deliver its revised objectives.
- Give the regulator the power to publish a Code of Practice on the consumer standards to be clear what landlords are required to deliver.
- Strengthen the regulator's enforcement powers to tackle failing landlords and to respond to new challenges facing the sector.
- Hold local authorities to account as landlords to make sure they deliver a good service to tenants.

4.5 To have your voice heard by your landlord

- Expect the regulator to require landlords to seek out best practice and consider how they can continually improve the way they engage with tenants.
- Deliver a new opportunities and empowerment programme for social housing residents, to support more effective engagement between landlords and residents, and to give residents tools to influence their landlords and hold them to account.

- Review professional training and development to ensure residents receive a high standard of customer service.

4.6 To have a good quality home and neighbourhood

- Review the Decent Homes Standard, including access to and the quality of green spaces.
- Tackle anti-social behaviour by enabling tenants to know who is responsible for action and who can support and assist them if they are faced with anti-social behaviour.
- ensure that housing is allocated in the fairest way possible and achieves the best outcomes for local places and communities

4.7 To be supported into home ownership

- Investing £11.5 billion to build up to 180,000 affordable homes – the highest single funding commitment to affordable housing in a decade. Around half of these new homes will be for affordable home ownership.
- Implementing a new, fairer and more accessible model for Shared Ownership.
- Implementing a new Right to Shared Ownership for tenants of housing associations and other private registered providers who live in new grant funded homes for rent.
- Emphasising through our new National Design Guide the importance of building beautiful and well-designed social homes.
- Introducing a new Affordable Homes Guarantee Scheme.
- Encouraging local authorities to take advantage of our removal of the borrowing cap to build more council homes.

5. Tenant Satisfaction Measures

5.1 The regulator will develop a process for collecting and publishing a core set of tenant satisfaction measures for all social landlords. They will also consider the best way of publishing measures so that they are clear and accessible for all tenants, and how to ensure landlords publicise them. The Government expect an annual statement to be provided to every tenant as a minimum and for technology to be used (such as an app) to provide this more directly and accessibly.

5.2 The housing regulator will work with the Building Safety Regulator as it develops performance standards and reporting requirements as part of the new building safety regime for higher-risk buildings.

5.3 A draft set of tenant satisfaction measures are set out in the White Paper and these can be found in appendix A of this report. The regulator is to do further

work, engaging with tenants and landlords, to finalise these and embed them within the regulatory system

6. The Next Steps

- 6.1 Legislation will be required before many of the policies contained in the White Paper can be introduced and it is not clear at this time what the likely timescales will be for this to happen.
- 6.2 The Housing Regulator will need to consult with tenants, social housing providers and other stakeholders regarding the detail of the revised consumer regulations and inspection regime. It will also need to restructure itself so that it is properly resourced to deliver its enhanced functions.
- 6.3 The Housing Regulator has indicated that work is already underway and that consultation will take place throughout the coming year. It will initially focus on the Tenant Satisfaction Measures.
- 6.4 In the meantime it expects all social landlords to commence a review of the way it engages with its tenants so that they are able to demonstrate that they will be well placed to meet future regulatory requirements.

7. Croydon's Response

- 7.1 The Council welcomes the release of this White Paper. Croydon has always recognised the value of resident involvement and has an excellent track record in engaging and involving tenants and leaseholders in service development and performance monitoring.
- 7.2 Over the past few years we have introduced very effective tenant scrutiny mechanisms, conducted various tenant feedback surveys, established a performance monitoring group, complaints panel and health & safety panel. However, we are not complacent and have always recognised the need to continually review and enhance the way we engage, involve and communicate with all tenants and leaseholders to ensure it is effective and that everyone has the opportunity to get involved and make their voice heard.
- 7.3 Following the release of the White Paper we have conducted a desk top exercise to set out how we feel we are meeting the key elements and to identify the gaps that need to be addressed. The results are summarised in appendix B.
- 7.4 It is proposed that a residents' working group be established to work with the council to oversee and contribute to the council's response to the White Paper, including replying to future consultation from the Housing Regulator and ensuring that we fully meet regulatory and statutory requirements.

Report author and contact: Chris Stock, Resident Involvement Manager

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Appendix 1 – White Paper Summary

Theme	Headline	Page	Likely Actions	Are we already doing this? Y/N	Responsible?
To be safe in your home	Landlords required to identify a nominated person to comply with all health and safety requirements	15	Identify and train up nominated person responsible for complying with health and safety for residents	Y	Compliance team
To be safe in your home	Consultation to install mandatory smoke and CO alarms in all social housing	15	Pricing and programme of installation of smoke and CO alarms to all remaining homes	Y	A&I/Repairs
To be safe in your home	Consultation on measures to ensure that social housing residents are protected from harm caused by poor electrical safety.	15	Ensure up to date survey info on electrical safety for all homes	Y	A&I, Building Services Team and Compliance Team.
To be safe in your home	Requirement for an 'accountable person' for each high rise building to produce and implement a resident engagement strategy re. decisions around building safety and risks (NB - in Building Safety Bill). Build on the work of the Social Sector (Building Safety) Engagement Best Practice Group, supporting the development of statutory and good practice guidance on engaging residents in all tenures on safety issues.	17	Allocate 'accountable persons'. Include health and safety in regular consultation plans for all homes		Repairs/A&I/Tenancy
To know how your landlord is performing	Regulator of Social Housing to bring in a set of tenant satisfaction measures for all landlords on things that matter to tenants. (See Appendix 2)	21	Monitor how the RSH plans to gather satisfaction metrics – the banking regulator appoints a contractor to run the surveys on their behalf (so we may well not be graded on a survey commissioned by the council as landlord). Check existing performance management	Y	Resident involvement, M&RS, Repairs

Appendix 1 – White Paper Summary

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Theme	Headline	Page	Likely Actions	Are we already doing this? Y/N	Responsible?
			group reporting against draft satisfaction measures. Demonstrate plans to improve services in the light of what residents are saying, and then subsequent implementation.		
To know how your landlord is performing	Provide a clear breakdown of how HRA income is being spent, including levels of executive remuneration, (see Appendix 2) to be published alongside tenant satisfaction measures.	23	Benchmark CEO salary and management costs. Work out how we will give residents a 'clear breakdown' of what we spend money on - monitor how the RSH establishes what level of detail is required here.		Stephen T
To know how your landlord is performing	Requirement for the identification of a 'responsible person' who is responsible for ensuring they comply with the consumer standards set by the Regulator of Social Housing. This person is intended to be the lead on achieving good customer service and driving culture change if needed. This person must be clearly identified to tenants, the regulator and the Housing Ombudsman.	25	Identify and if necessary, train up, nominated person responsible for compliance with new consumer standards.	N	Resident Involvement, Senior Leadership
To know how your landlord is performing	Report to every tenant on the above matters at least once a year, if not continuously, using technology.	25	Consider how best to communicate this (WP suggests use of digital/app, as a boost to annual written reports)	Y	Resident involvement

Appendix 1 – White Paper Summary

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Theme	Headline	Page	Likely Actions	Are we already doing this? Y/N	Responsible?
To have your complaints dealt with promptly and fairly	Compliance with the Housing Ombudsman's new complaints handling code	27	Self-assessment against the code and published results by 31/12/20. Review and plan for any areas of non-compliance		Corporate complaints team / Members & Residents Services / Resident Involvement
To be treated with respect, backed by a strong consumer regulator	RSH to establish more definitive consumer standards and associated code of practice, removing the 'serious detriment test' and inspecting landlords at least every 4 years, and require self-referral for breaches of standards (extending the current requirement for self-referral that applies to HAs and PPs)	35	Self-inspect your services against the consumer standards (see HQN link -will be updated to take account of the end of the “serious detriment” test). Establish a protocol for advising the RSH of breaches.		A&I/ Repairs / Tenancy
To have your voice heard by your landlord	RSH to require landlords to seek out best practice and consider how they can continually improve the way they engage with social housing tenants	47	Demonstrate continuous improvement planning for engagement with residents and, specifically, tenants. Consider how this can contribute to local connectivity and reducing loneliness, not just ensuring feedback re. landlord services. Show how residents have influenced our services and their feedback has changed our approach.	Partial	Resident involvement

Appendix 1 – White Paper Summary

Theme	Headline	Page	Likely Actions	Are we already doing this? Y/N	Responsible?
To have your voice heard by your landlord	Government review of professional training and development to ensure residents receive a high standard of customer service.	49	Monitor proposals for professional training/qualifications as they emerge. Appraise existing staff's training and qualification levels.	Partial	All services
To have a good quality home and neighbourhood to live in	Review of the Decent homes Standard	54	Monitor progress with DH review, including links to decarbonisation, energy efficiency, requirements for access to green space and standards for good communal spaces		A&I
To have a good quality home and neighbourhood to live in	Encouragement to accommodate domestic pets to boost residents' mental health	59	Review policy re. domestic pets - no blanket ban	Y	Allocations/ Tenancy
To have a good quality home and neighbourhood to live in	Review of professionalisation - focus on suitable training/expertise for staff working with residents with mental health needs	59	Review staff training re. mental health	Y	Tenancy /RI/CD/M&RS
To have a good quality home and neighbourhood to live in	Clarifying routes to reporting and managing ASB	59	Review messaging to residents re. ASB reporting and case management, including how to request a community trigger/multi-agency case review	Partial	Tenancy /ASB team
To have a good quality home and neighbourhood to live in	Ensuring landlords assist in the monitoring and support of vulnerable tenants who may become involved in county lines	61	Confirm approach to county lines and protocol to flag concerns to police and relevant agencies	Y	Tenancy / ASB team / VRN / Gangs / YOS
To have a good quality home and neighbourhood to live in	Tackling social and residential segregation at a neighbourhood level	62	Mostly relates to planning policy and new build housing. Consider resident feedback/concerns regarding any issues with integration between the council's		A&I/Regen

Appendix 1 – White Paper Summary

Theme	Headline	Page	Likely Actions	Are we already doing this? Y/N	Responsible?
			homes/estates and surrounding streets and spaces		
To have a good quality home and neighbourhood to live in	Fair and accessible social housing allocations policy	62	Confirm fair access to the council's homes for homeless households, and appropriate data capture to ensure homes with adaptations are suitably matched to disabled residents/households in need of housing.	Y	Allocations
To have a good quality home and neighbourhood to live in	Supporting tenants facing domestic abuse	63	Ensure policies and procedures relating to residents facing DV match the requirements of the RSH's emerging regulatory standards. Review and consider pledging to the CIH 'Make a Stand' commitment	Partial	Tenancy / FJC
To have a good quality home and neighbourhood to live in	Supporting the armed forces community	63	Check that existing allocations policy prioritising armed forces meets the requirements of statutory guidance published June 2020		Allocations
To be supported to take your first step to ownership	Potential to allow more flexibility on use of RTB receipts for delivery of more social housing	66	Await policy response following consultation review		N/A
To be supported to take your first step to ownership	New shared ownership model with lower initial tranches and 1% minimum staircasing, plus 10 year repair free period. Plus right to shared ownership for new SR homes.	68	Not relevant unless planning to bid for funding through the 2021 AHP - need to consider impact on any future development appraisals & viability, BxB or otherwise		N/A

Appendix 1 – White Paper Summary

Theme	Headline	Page	Likely Actions	Are we already doing this? Y/N	Responsible?
To be supported to take your first step to ownership	Leasehold reform - recommendations from the leasehold working group. Likely focus on transparency and communication of service charges and routes to redress.	71	Await announcements re leasehold reform. Review working group report to gauge any impact on current leasehold management practice at Croydon.		N/A

Box A: Draft Tenant Satisfaction Measures

Theme	Draft tenant satisfaction measures
Keeping properties in good repair	Decent Homes Standard compliance
	Responsive repairs completed right first time
	Tenant satisfaction with landlord’s repairs and maintenance service
Maintaining building safety	Compliance with health and safety obligations:
	Gas safety
	Electrical safety
	Fire safety
	Asbestos
	Water safety
	Lift safety
Effective handling of complaints	Tenant satisfaction with the health and safety of their home
	Number of complaints relative to the size of the landlord
	% of complaints resolved within agreed timescale
Respectful and helpful engagement	Tenant satisfaction with landlord’s complaints handling
	Number of complaints relating to fairness and/or respect, relative to the size of the landlord
	Tenant satisfaction that their landlord listens to their views and takes notice of them
Responsible neighbourhood management	Tenant satisfaction with landlord’s engagement with tenants
	% of communal areas meeting the required standard
	Number of complaints relating to communal areas, relative to the size of the landlord
	Tenant satisfaction with landlord actions to keep communal areas clean and safe
	Tenant satisfaction with landlord contribution to the neighbourhood associated with their home
Overall	Number of complaints relating to anti-social behaviour, relative to the size of the landlord
	Tenant satisfaction with landlord’s handling of anti-social behaviour
Overall	Tenant overall satisfaction with the service their landlord provides

Box B: Draft Financial Measures

Theme	Draft financial measures
Executive remuneration	Chief Executive or equivalent salary, relative to the size of the landlord
	Executive remuneration, relative to the size of the landlord
Efficiency and effectiveness	Management costs, relative to the size of the landlord