



CABINET

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on
Thursday, 21st March, 2024 at 7.00 pm.

Supplementary Agenda

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To approve and adopt.	
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Trading and Enterprise Board

Minutes of a Meeting of the Trading and Enterprise Board held in the Council Chamber, Civic Centre, Tannery Lane, Ashford, on the **12th March 2024**.

Present:

Cllr. Betty (Chair)

Cllrs. Harman, Ovenden.

Also Present (virtually):

Cllr. Walder.

Also Present:

Deputy Chief Executive, Corporate Director of Housing, Customer, Technology and Finance (in her Capacity as a Director of both A Better Choice for Property Ltd. and A Better Choice for Property Development Ltd.), Service Lead Finance (it was noted that he is also Company Secretary of both A Better Choice for Property Ltd. and A Better Choice for Property Development Ltd.), Commercial Development Manager (A Better Choice for Property Ltd), Principal Solicitor (Strategic Development) and Deputy Monitoring Officer, Senior Democratic Services Officer.

Apologies:

Cllr. Bell.

Communications and Marketing Manager, Operations Manager (A Better Choice for Property Ltd), Principal Solicitor (Property and Projects).

349 Minutes

Resolved:

That the Minutes of the Meeting of the Board held on the 28th November 2023 be approved and confirmed as a correct record.

350 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following items, as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were

present there would be disclosure of exempt information hereinafter specified by reference to Paragraph 3 of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

351 A Better Choice for Property Ltd – Project Update – Redevelopment of Swanton House

The Deputy Chief Executive introduced the exempt report which provided an update on plans for the redevelopment of Swanton House. Three areas of risk were outlined together with a number of recommendations for this Board.

During the debate, Officers responded to a number of questions on: - the risks highlighted, the viability of the scheme and the requirement for a red book valuation to be carried out. The Members of TEB were unanimous in their desire to review the aims, aspirations and direction of travel of both A Better Choice for Property Ltd and A Better Choice for Property Development Ltd.

Resolved:

- That (i) the report be noted;**
- (ii) the Board approves a further draw down of up to £250,000 under the existing facility agreement to progress the project to RIBA Stage 3;**
- (iii) the Board requests a review of A Better Choice for Property Ltd and A Better Choice for Property Development Ltd be commenced, to include considering the Council's aims and objectives for the Companies and potential strategies to deliver those objectives in the future, this could include potential exit strategies.**
- (iv) the funding arrangements for both A Better Choice for Property Ltd and A Better Choice for Property Development Ltd be reviewed.**

352 A Better Choice for Property Ltd – Portfolio Update

The Corporate Director of Housing, Customer, Technology and Finance (in her Capacity as Director of A Better Choice for Property Ltd) introduced the report which updated the Board on the property portfolio, including rental income, void levels and arrears for the period November 2023 to February 2024.

Resolved:

That the report be received and noted.

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Agenda Item No:

Report To: Cabinet

Date of Meeting: 21 March 2024

Report Title: Governance for Housing compliance reporting and improvement

Report Author: Maria Stevens

Job Title: Corporate Director for Housing, Customer, Technology & Finance

Portfolio Holder: Cllr Noel Ovenden

Portfolio Holder for: Leader of the Council

Summary:

In response to a 'regulator ready' inspection commissioned by the Council to review the its readiness to respond to the new consumer standards coming in from April 2024 it will be necessary for us to:

- Visit every home to make sure it meets the decency standards
- We complete all immediate work identified
- Improving our IT systems to ensure all data is accurate, up to date and in the right place
- Ensure compliance data is in place to demonstrate full compliance

The inspection identified that the Council's housing property management framework is not as effective as it should be. This impacts on the recording mechanisms and this has resulted in not having a clear audit trail of routine or follow-up maintenance being carried out.

In response to this we have taken the decision to make a self-referral to the regulator.

To address the weaknesses an action plan has been developed to ensure improvements are made to data storage which will ensure compliance is met and decent homes can be evidenced.

Councillors were updated at an early stage on the steps that are being taken and this report asks Cabinet to support a number of measures to address these issues.

Key Decision: NO (delete as appropriate)

Significantly Affected Wards: NA

Recommendations: The Cabinet is recommended to:-

- I. **Note the actions taken to date by the Strategic Leadership Team.**
- II. **Note the establishment of the Asset Compliance and Improvement Board chaired by the Leader of the Council.**
- III. **Invite the Audit Committee to receive quarterly reports on the progress in resolving these issues.**

Policy Overview:

The Social Housing (Regulations) Act 2023 introduces a number of regulation changes coming into force in April 2024 for social landlords.

The changes introduce a number of consumer standards, the Safety & Quality standard, Transparency, Influence & Accountability standard, Neighbourhood standard and Tenancy standard. These standards set out how landlords should manage their properties, tenants and perspective tenants.

Financial Implications:

There are no direct costs related to the request in this report however, the action plan needs resourcing to ensure delivery, which includes interim staffing, major capital investment and responsive repairs that will be required to address initial concerns.

If required further investment plans will come forward in due course.

There are financial penalties for not meeting the required duties.

Legal Implications:

*Text agreed by
[Solicitor to the
Council] on
14/03/2024*

The new regulations come into force in April 2024. The Council will be expected to meet these duties and the introduction of a Board led by the Leader will ensure officers are accountable for delivering the action plan to help achieve the monitoring of this. The board will report in to the Audit Committee which will ultimately monitor the delivery of the action plan and compliance of the Housing stock.

Equalities Impact Assessment:

NA

Data Protection Impact Assessment:

NA

Risk Assessment (Risk Appetite Statement):

The introduction of the Asset Compliance & Improvement Board will reduce the risk of the Council not meeting the required levels of compliance and ensuring that officers deliver the action plan to meet the regulatory requirements.

100% asset compliance is required to meet the Health &

Safety requirements.

Sustainability Implications:

Sustainability for all planned works will include a sustainable assessment as the programme comes forward.

Other Material Implications:

NA

Exempt from Publication:

NO

Background Papers:

[Information for tenants on how we intend to ensure your home is maintained to a good standard \(ashford.gov.uk\)](#)

Contact:

Maria.stevens@ashford.gov.uk

Report Title: Governance for Housing compliance reporting and improvement

Introduction and Background

1. The Regulator for Social Housing is introducing new consumer standards in April 2024. To prepare for this the Council worked with an independent specialist Housing Quality Network (HQN) to review how ready the Council is to meet these regulations.
2. The audit results highlighted a number of key areas that need to be improved including data quality and storage in relation to Decent Homes standards and compliance. It found that the Council's housing property management framework, which should provide assurance that compliance and building safety are being delivered and managed, is not as effective as it should be. This impacts on the recording mechanisms and this has resulted in not having a clear audit trail of routine or follow-up maintenance being carried out.
3. The inspection raised questions around the compliance with the Decent Homes Standard and whilst the inspection did not draw out that the Council does not meet these requirements, it did highlight that the way in which it is measured and the way in which the Council holds its data does not support that the Council does meet the standards.
4. Responding to this the Council has communicated the issues raised and the plan for improvement to Members through a Chief Executive briefing, written to all tenants and set up a webpage for the latest information, which includes some questions and answers. The Council also published a media release on its website for perceptive tenant and other interested parties.
5. The Chief Executive wrote to the regulator to fully update them on the current position and reassure them that Ashford Borough Council has a plan in place to respond and fully comply with the regulations within one year.
6. The steps include a detailed action plan, clearly laying out the actions required, responsible individuals, the expected outcome and how this will be evidenced. Each action has a risk rating. Both the action plan and risk scores are to be considered at a weekly meeting where the plan is being monitored by officers.
7. Improvements to systems are included as part of the action plan. True Compliance, a software package that records and reports on all compliance is currently being procured and this will be implemented. The system includes live links to the Housing Management System. Other Housing Management System developments where software modules are already in place, will also be improved and implemented. These include phase two of the responsive repairs system and the Assets module which holds all the planned maintenance information per property.
8. The final proposal is to introduce an Asset Compliance and Improvement Board.

Proposal

9. Cabinet Members are asked to approve the implementation of an Asset Compliance and Improvement Board. It is proposed that the Board is Member led and Chaired by the Leader of the Council. Other members will include the Chief Executive, Deputy Chief Executive, the Corporate Director responsible for Housing and the Corporate Director responsible for Health and Safety. Officers reporting to the Board will include the Head of Housing Assets, the Compliance Manager and other lead officers within housing/finance/health & safety.
10. The board will receive reports to monitor and review progress towards the action plan highlighted in paragraph 4, compliance key performance indicators and any proposed remedies if required, system implementation, financial plans for remedy works and investment plans and other ad-hoc asset reports.
11. The board will report to the Audit Committee on progress at least quarterly, highlighting any concerns or slippage in the programmes.
12. All finance decisions for investment will be approved through the Budget process in the normal way through Council.
13. It is proposed that the Board meets monthly for the first three months and this is to be reviewed at the third meeting to ensure that is appropriate. It is proposed that this Board runs for at least a year and at that time proposals are likely to come forward to expand to the General Fund assets, bringing all monitoring into one place.

Reasons for Supporting Option Recommended

14. The regulator will be looking for Ashford Borough Council to put in a robust reporting framework to ensure all compliance and asset management is reviewed and monitored by elected members and senior management.
15. The Board will ensure that Officers are making progress towards the plan and can introduce corrective action if objectives are not being met.

Next Steps in Process

16. If the Cabinet support the recommendation the Board will be set up with the first meeting being planned for April.
17. Regular reports will be presented to the Audit Committee.

Portfolio Holder's Views

The council is disappointed in the findings of the audit but the action plan is robust and comprehensive and I am confident that this will ensure that we are compliant with the new regulations.

It is important the Council acknowledges these issues and responds positively.

This presents us with an opportunity to inspect everyone of our homes and ensure that they meet the decent homes standards and where necessary to arrange for the work to be completed.

Cllr Noel Ovenden

Contact and Email

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