

**MINUTES OF THE SCRUTINY COMMITTEE
HELD ON**

5 December 2023

7.30 - 9.32pm

PRESENT

Committee Members

Councillor Tony Edwards (Chair)

Councillor Alastair Gunn (Vice-Chair)

Councillor James Griggs

Councillor Colleen Morrison

Councillor Russell Perrin

Councillor Matthew Saggars

Councillor Lanie Shears (as substitute for Councillor Kay Morrison)

Officers

Andrew Bramidge, Chief Executive

Elizabeth Beighton, Development Manager

Pauline Elliott, Interim Head of Planning and Building Control

Simon Hill, Director of Governance and Corporate Services

Wendy Makepeace, Assistant Director - Housing and Property

Hannah Marriott, Governance Support Officer

Neil Rowland, Commercial Director, HTS (Property and Environment) Limited

Steve Ward, Operations Director - HTS Group Ltd

Other Attendees

Councillor David Carter

Councillor Joel Charles

Councillor Mike Garnett

Councillor Sue Livings

Councillor Dan Swords

101. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Kay Morrison.
Councillor Lanie Shears attended as a substitute for Councillor Morrison.

102. **DECLARATIONS OF INTEREST**

Councillor Matthew Saggars raised a pecuniary interest as a non-executive director of HTS.

103. **MINUTES**

RESOLVED that the minutes of the meeting held on 31 October 2023 are agreed as a correct record and signed by the Chair.

104. **MATTERS ARISING**

None.

105. **WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

None.

106. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

107. **RESPONSES OF THE CABINET TO REPORTS OF THE SCRUTINY COMMITTEE**

Councillor Tony Edwards confirmed that the Corporate Plan went to Cabinet for approval in November 2023.

108. **ROOFING AND MAJOR REPAIRS TO COUNCIL HOUSES**

The Committee received a report on roofing and major repairs to council houses.

Councillor Dan Swords, Leader of the Council, confirmed that 73 per cent of the backlog of repairs had been cleared and advised that the remaining backlog of repairs should be completed by the end of the financial year.

The Committee noted the amended procedures put in place for logging repairs. For roofing repairs, Wendy Makepeace, Assistant Director Housing, advised that two dedicated members of staff would inspect and survey any potential repairs. The Council would follow this up with further surveys and add the repair to the roof programme. For general repair jobs, tenants were being asked to submit photographs to give HTS operatives a better idea of the repair required before they attend the property.

It was noted that the Council now received weekly update reports from HTS which split outstanding jobs into trades, number of jobs etc. The data helped with prioritisation of repairs where needed, for example, with vulnerable tenants.

The Committee raised some concerns over the lack of clarity for the number of backlog repairs and work in progress (WIP) repairs. It was confirmed that there were currently 3,950 jobs outstanding in total with 1,231 of these jobs being backlog jobs (from June 2023 and earlier). The intention was for the backlog jobs to be completed by the end of the financial year.

Councillor David Carter, Deputy Leader and Portfolio Holder for Housing, confirmed that every tenant would now be contacted following completion of their repair. The satisfaction rate was at 90 per cent.

Councillor Dan Swords confirmed that the repair timeframe had reduced to 60 days. It was still the ambition for the timeframe to reduce further to 30 days by the end of the financial year.

The Committee suggested that HTS needed to be more proactive with work to avoid repairs arising later on, for example, clearing gutters before they became an issue. Councillor Dan Swords noted that a full stock condition survey had been instructed. Tenancy audits would also be undertaken and the schedule of works was due to be reviewed in January 2024.

It was noted that HTS would be introducing a new IT system next year which would integrate more smoothly with the Housing Orchard system.

Councillor Tony Edwards noted that he previously suggested that a Tenants Repair Charter be introduced to give tenants information on their repair at the start of the process. Councillor Dan Swords advised that this was being worked on.

Councillor Dan Swords agreed to send the Committee clearer figures on the number of repairs outstanding.

RESOLVED that the Committee noted:

- A** Improvements to the business process, following the review of both the major works and the roofing referral processes. (Major Works - Cabinet report 30 November 2023).
- B** The continued improved performance against the backlog of responsive repairs works and clearance of the backlog of street property roofing projects.

109. **NEW ESTATE DEVELOPMENTS**

The Committee received a report on lessons learned with new estates development.

Councillor Michael Hardware, Portfolio Holder for Economic Development, advised that encouraging developers to perform their S106 requirements was not uncommon. However, he noted that legal action against a developer for this reason had not been done in recent history.

Councillor Joel Charles advised the Committee of the history with regard to the Gilden Park development. He explained that residents and local councillors have tried to communicate and engage with the Consortium since 2021. This included site visits, meetings with residents and an action tracker which was developed relating to the S106 agreement. Councillor Joel Charles welcomed the injunction but advised he did not trust the

Consortium to follow up with the completion of the requirements under the S106 agreement.

Councillor Joel Charles advised that a residents association was set up in November 2023. The association has suggested a number of recommendations including;

- a) Communication – The Council should have worked with residents quicker to create a residents association
- b) Enforcement – Further investment is needed in the planning team
- c) Future legal strategy – The Council should consider stronger penalties and plan for the worst case scenario

The Committee noted that the report detailed seven trigger points (paragraph 21) which were largely on track. However, there had been some slippage with the landscaping and the football pitches due to the adverse weather and it being the wrong time of year. Councillor Michael Hardware advised that it would not be reasonable for the Council to enforce these trigger points at this stage as there was a reasonable reason for the delay.

Councillor Dan Swords confirmed that further enforcement action would be taken if there was a timeframe slip for any substantial item and if the legal advice received suggested that the Council could secure a successful injunction.

Andrew Bramidge, Chief Executive, confirmed that the Council would not have been able to successfully secure an injunction in October 2023 as the Consortium had lodged timescales with the Court.

With regard to investment in the planning team, Andrew Bramidge advised that the Council had made a bid for government funding for a new planning post for the enforcement of S106 agreements. If the bid was unsuccessful, the Council could look at sharing officer resources with other North Essex authorities. Furthermore, Andrew Bramidge advised that the team was also looking at increasing the capacity of the administration resource to give existing planning officers more time to follow up on enforcement matters.

Pauline Elliott, Head of Planning, noted that the recent Government Autumn Statement suggested that statutory planning fees could be increased which potentially could secure an extra £60,000 for local councils. Pauline Elliott suggested that this could be retained within the planning service.

Councillor Michael Hardware noted that developers need to consider their exit strategy at the start of the planning and development process. It was suggested that the Legacy Strategy could be agreed at the planning stage.

RESOLVED that the Committee agreed that:

- A** The council maintains a robust stance against the developers on major housing sites when it negotiates and monitors Section 106 Agreements, to ensure that the best possible benefits are achieved for the community.
- B** That sufficient officer resource and expertise is identified in the Planning department to hold developers to account and to provide sufficient monitoring capacity.
- C** The council undertakes more proactive engagement with the residents association.
- D** Further work to be undertaken on legacy issues, consider the need for a planning charter.
- E** Work to be done to codify “willful breaches” and to be clearer on trigger points for further enforcement action.
- F** Work to be undertaken on further opportunities for officer resource with other local authorities if necessary.
- G** The Council should require developers to facilitate a residents association.

110. **WORK PLAN**

The Committee received a report summarising its work plan for 2023/24.

Councillor Tony Edwards advised that the new Princess Alexandra Hospital item would be deferred to 2024/25 as the business case for the new hospital had not yet been completed.

RESOLVED that the work plan, as amended, be noted.

111. **REFERENCES FROM OTHER COMMITTEES**

None.

112. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

Item 8 – Roofing and Major Repairs to Council Houses - Update to Committee Members

Dear Committee Members,

At the last meeting of Scrutiny, some members raised questions about the clarity of backlog figures contained in the report. Therefore, I promised to write to you to provide further clarity, which I hope the following achieves:

In June – the point at which we radically changed the way we managed the backlog and our repairs processing - the backlog stood at 5,481 jobs stretching back to 2021.

At that point, I introduced a corporate priority to clear the entire backlog by the end of the financial year and to reduce the standard repair time of nine months to a maximum of one month by the end of the financial year. The other part of the backlog regarded void properties which at that point had an average turnaround time of 64 days against a target of 24 days (which hadn't been achieved for several years) with over 150 voids in the system against a target of 120.

To date over the past six months, we have cleared 81% (4,439 jobs) of the overall backlog. Therefore, the backlog currently stands at 1,042 jobs (down from 5,481 in June). The backlog is defined as everything outside of the new target timeframes.

There are now no jobs outstanding from 2021 or before. There are currently c.250 jobs outstanding from 2022 and c.800 jobs outside the target timeframes from 2023 (and therefore form part of the backlog).

We have already reduced the standard repair time from 9 months (270 days) to 2 months (60 days) and are on track to reduce it to 1 month (30 days) by the end of the financial year. There are currently 2,778 jobs in the WIP (Work in Progress) which means they are being dealt with within the timeframes and thus, these jobs do not form part of the backlog.

On void figures, the average turnaround time has fallen from 64 days in June to 23 days at present (against a target of 24 days). We currently have 97 voids in the system (against a target of 120) which is down from over 150 voids in the system in July.

Overall customer satisfaction in the follow up inspections and telephone calls is currently 98%.

I hope that this makes clear the significant progress that has been made, but if you do have any further questions, please do let me know.

With every good wish,

Cllr Dan Swords
Leader of Harlow Council