

Date of issue: 29<sup>th</sup> March, 2022

<b>MEETING:</b>	<b>CUSTOMER AND COMMUNITY SCRUTINY PANEL</b> Councillor Begum Councillor Muvvala Councillor Ajaib Councillor Ali Councillor Hussain Councillor Kaur Councillor Minhas Councillor Mohammad Councillor Sandhu Trevor Pollard Manvinder Matharu
	Residents Panel Board
<b>DATE AND TIME:</b>	<b>WEDNESDAY 6<sup>TH</sup> APRIL, 2022 AT 6.30PM</b>
<b>VENUE:</b>	<b>COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL</b>
<b>DEMOCRATIC SERVICES OFFICER:</b> <b>(for all enquiries)</b>	<b>MANIZE TALUKDAR</b> <b>07871 982 919</b>

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



**GAVIN JONES**  
Chief Executive

**AGENDA**

**PART I**

Apologies for absence.

**CONSTITUTIONAL MATTERS**

1. Declarations of Interest

*All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.*

2. Minutes of the Meeting held on 2<sup>nd</sup> March, 2022 1 - 8

3. Member Questions

*(An opportunity for panel members to ask questions of the relevant Director/Associate Director, relating to pertinent, topical issues affecting their Directorate – maximum 10 minutes allocated.)*

**SCRUTINY ISSUES**

4. RMI Contract Update 9 - 30

5. Houses of Multiple Occupation 31 - 46

**ITEMS FOR INFORMATION**

6. Members' Attendance Record 47 - 48

7. Date of Next Meeting - TBA

**Press and Public**

**Attendance and accessibility:** You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

**Webcasting and recording:** The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

**Emergency procedures:** The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the

premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.

**Covid-19:** To accommodate social distancing there is significantly restricted capacity of the Council Chamber and places for the public are very limited. We would encourage those wishing to observe the meeting to view the live stream. Any members of the public who do wish to attend in person should be encouraged.

Note:-

**Bold = Key decision**

Non-Bold = Non-key decision

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**Customer and Community Scrutiny Panel – Meeting held on Wednesday 2<sup>nd</sup> March, 2022.**

**Present:-** Councillors Begum (Chair), Muvvala (Vice-Chair), Ajaib, Kaur, Minhas and Mohammad

**Also present under Rule 30:-** Councillors Gahir

**Apologies for Absence:-** Councillor Ali

**PART 1**

**22. Declarations of Interest**

No declarations were made.

**23. Minutes of the Meeting held on 25<sup>th</sup> January 2022**

**Resolved** – That the minutes of the meeting held on 25 January 2022 be agreed as a correct record.

**24. Member Questions**

There were no Member questions.

**25. Learning Skills and Employment: OFSTED Outcome**

The SBC Group Manager, Localities & Neighbourhoods presented a brief overview of the report entitled East Berkshire Community Learning and Skills OFSTED report.

Members asked the following questions and received the following replies:

- What changes had been implemented following the OFSTED inspection in 2019 which had led to the overall improvement in performance of the East Berkshire Community Learning and Skills Service?

The SBC Interim Community Learning and Skills Manager advised that changes had been implemented following the original inspection and the implementation of the new OFSTED education inspection framework, which was more outcomes based. Her team had focussed on following the three I's which focussed on key themes for learners – namely, Intent (whereby learners were clear about what they could expect from the learning process), Implementation (how learners received that learning and the learning journey) and Impact (for example, whether the learner had achieved a particular qualification or acquired a job). During the pandemic, the service as whole had shifted to online learning and had carried out robust and intensive training to implement those changes. There was also a progress and progression monitoring policy in place to help learners achieve their goals.

- What were the timescales for tackling the three areas identified for improvement in the OFSTED report?

The SBC Interim Community Learning and Skills Manager stated that they were undertaking an assessment of the careers information and guidance service and seeking kitemark approval for a three year period. Classroom walks and one-to-ones had been introduced and the service was delivering training to the Council's customer service teams. Data processes were being reviewed to assess how data could be used to develop existing courses and demonstrate learning. Work was underway with the information management system provider to set the parameters for assessment. These changes had been implemented immediately following publication of the OFSTED report.

- What was the scope of the unit and which areas of Slough did it serve?  
The report stated that there were 265 learners on the programme – could she provide any more detailed figures? Had a needs analysis of the local population been carried out? Was the current provision serving the needs of local population?

The SBC Group Manager responded that there was a joint management committee made up staff from Windsor and Maidenhead and Slough. She undertook to share a breakdown of how many learners were from Slough and how many from Windsor and Maidenhead. The current provision, which had been graded as 'Good' by OFSTED, and been praised for being reflective and flexible to needs of local employers, schools and volunteering opportunities. The DWP (Department for Work and Pensions) had provided a grant for one year to fund the post of a future skills co-ordinator, who would be working closely with all local employers and other learning providers to identify gaps in local employment needs.

- What specific challenges did the service face with online training when it was introduced in Dec 2020, which had been praised by OFSTED and what were the plans for future delivery of learning?

The SBC Group Manager advised that the main challenge faced by students was 'online fatigue' as most were obliged to undertake many aspects of their lives online e.g. work, socialising and study. However, many learners had valued the online learning as a means of overcoming isolation. The team had worked closely with colleagues to move to the hybrid learning model in early 2021.

The SBC Interim Manager stated that learners had shared that they valued online learning, though some learners had experienced issues regarding access to equipment with some of them sharing laptops and computers with their children. Other learners had left their courses due to mental health concerns and a lack of resources, while others had begun using their mobile phones to access learning. However, they had found it difficult to upload their coursework via their mobiles. Following a safeguarding assessment there had been a phased return to face to face classes. On the whole, higher level

classes were better suited to online delivery. Courses were being delivered in accessible venues such as the Curve, Chalvey, Riverside and libraries. The future delivery model would remain hybrid. Recently the service had introduced a laptop loan scheme which was available to all learners on request.

- Were most residents aware of these learning opportunities?

The SBC Interim Manager stated that these were publicised through a learner guide, flyers and information on the Council's website. Her team also attended stakeholder meetings with bodies such as the DWP (Department for Work and Pensions) and community organisations. Footfall at the learning centres had increased recently and recently the customer service team had been on site to provide information while classes had been taking place at the Curve.

- Was there a follow up process once learners had completed their courses?

The SBC Interim Manager advised that learners would be followed up three months after completing a course through destination and learner surveys. She undertook to share this information with Members after the meeting.

**Resolved:** That the report be noted.

### 26. **Priority Three: Strong Healthy & Attractive Neighbourhoods**

The SBC Group Manager Localities & Neighbourhoods presented an update report regarding Priority Three: Strong Healthy and Attractive Neighbourhoods.

Members asked the following questions and received the responses below:

- What was the scope of the pilot scheme aimed at reducing health inequalities, when would it be completed?

The SBC Group Manager advised that her team were working with the PCNs (Primary Care Networks) to agree the focus of the project and create a clear twelve month action plan with transparent targets. The project would begin in April 2022 and run for a year. She undertook to report back to a future meeting of the Panel.

- What had been the format of the consultation – i.e., had it been door to door and what had been the response rate?

The SBC Group Manager stated that the surveys had been carried out slightly differently in each of the localities, however, all localities had door to door delivery of surveys which had been publicised at community and resident meetings. Her team had also worked with partners to ensure optimum engagement. She undertook to provide figures regarding the number of surveys delivered and the response rate after the meeting.

A Member stated that in his view the door to door option would ensure better engagement by residents and this option should continue to be used in the future.

- How was the progress of health inequalities being measured? Was there any data from local GPs regarding this?

The SBC Group Manager stated that advice was being sought from health colleagues, and work was underway to develop clear outcomes and milestones to identify which health interventions had been the most effective. PCNs may ask the community development officers to work with particular cohorts of patients. Other PCNs may be working to the locality model and take a bespoke approach in different localities. She confirmed that data protection legislation would be followed in all instances.

- Was there a Ward breakdown in terms of the main health issues experienced by residents?

The SBC Group Manager advised Ward outlines on the Council's website provided health inequalities data. She undertook to provide links to these pages after the meeting. She explained that PCNs weren't specific to Wards and may cross a number of Ward boundaries.

- How likely was it that the funding would continue to be available for the two community development officers in the future?

The SBC Group Manager advised that Frimley colleagues were keen to maintain links between the two projects and they would be reviewed on a quarterly basis. However, there was a potential risk in that funding may not continue after a year. If that were the case, then the two posts would need to be funded from general fund. She added that the service would not be in a position to deliver to same current standard without the two officers.

**Resolved:** That the report be noted.

## **27. Library Service Consultation Results**

The SBC Group Manager Localities & Neighbourhoods presented a report regarding the Slough Library Service Plan and new delivery model.

Members made the following comments and asked the following questions, which were responded to accordingly:

- The service plan confirmed the need to keep individual libraries open otherwise the service would struggle to deliver the aims set out.

The SBC Group Manager advised that officer recommendations regarding the library service would be set out in the forthcoming Cabinet report. Currently, there were no plans to close any libraries, however, alternative ways of

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delivering the service were being explored in order to make the service more accessible. For example, 70% of all lending was from the children's library and alternatives such as providing this service in school locations, or at the leisure centre would be considered.

- There was a need for a library in Langley. Officers should consider the localities model to ensure accessibility to libraries for all residents.

The SBC Group Manager undertook to incorporate this suggestion in the Cabinet report.

- The report suggested that the savings target for 2022/23 was £400k and further savings may need to be made in subsequent years. How would it be possible to make further savings?

This was a challenge faced by every service area at the Council. Decisions would be based on best value, consideration of other venues and locations for library provision, the increased use of volunteers, partnership working, and increased local provision. Evaluation of the information collated from the Eqia (equalities impact assessment), the needs assessment and the consultation results had indicated that the proposed saving of £400k would still allow the Council to continue to provide a comprehensive and efficient library service.

- Large numbers of libraries across the country had been closed due to spending cuts, however, Slough had kept its libraries open. The consultation results revealed that residents wanted to retain libraries. Libraries were often social and learning hubs that catered to community groups and community events. Would these groups lose this access if library provision moved to other sites?

The SBC Group Manager advised that this would be decided on a case by case basis, nevertheless, library provision at any potential new locations would continue to offer book borrowing, community events and any other informal provision would continue.

- It should be noted that schools were not ideal locations for library provision as their buildings were not open at weekends.

The SBC Group Manager stated that the use of schools was just one of many possible options under consideration, any final decision would ensure that the Council continued to fulfil the terms of the 1964 libraries act i.e. ensuring the provision of an efficient and comprehensive service.

- The library service should consider organising book clubs in different languages in partnership with community groups.

The SBC Group Manager said that the suggestion was noted and would be explored further.

- How would it be possible to make further savings in future years?

The SBC Director advised that due to the current financial crisis faced by the Council it would be necessary to make savings every year for the next five years. Currently, there was no set savings figure for each service area. In 2022/23, the library service was predicted to make the proposed savings without having to close any libraries. The Council needed to make savings of £20M each year for the next five years. Service provision and savings targets would be reassessed annually. It was not therefore possible to predict what would happen in future years. The consultation had provided detailed information regarding residents' views. There were plans to make library users more aware of the online and home service offers. His team were focussed on the provision of a comprehensive and efficient library service and using different methods to achieve those outcomes, whilst continuing to make savings.

- The report did not provide any figures or quantitative data regarding the recommendations that would be submitted to Cabinet the following week.

The SBC Director advised that the Cabinet report was being completed and would include feedback from the Customer and Community Scrutiny Panel. The report would also be submitted to the Overview and Scrutiny Panel following Cabinet approval.

- Would it be possible to continue to make savings in the library service in future years without resorting to the closure of libraries?

The SBC Director advised that this was difficult to predict. The Council needed to sell its assets whilst balancing that with service provision. The valuation of the Council's portfolio of properties had begun and a strategy was being formulated which would inform decisions regarding savings in future years. The co-location of multiple services at the same venue was under investigation. It was important to make the distinction between the library service and individual library buildings. Slough was proud of its well-placed and award winning library service.

- Could local artists showcase their work at Slough libraries?

The SBC Group Manager stated that similar suggestions had been received as part of the consultation and would be explored further.

- Would the Unison response be available to Cabinet?

The SBC Group Manager stated that all consultation responses would be included in the Cabinet report.

- Had the Council sent a response to the queries in the Unison letter?  
Would it be possible to share that with the Panel?

The SBC Director stated that this would be looked into once Cabinet had made its decision. Agreement would need to be sought from Unison first.

- Some consultees had requested a Police desk at Langley library.

The SBC Group Manager advised that this would be explored once Cabinet had made its decision. Sharing library space with partner organisation would also be considered.

- The report mentioned the deletion and creation of some posts and changing job descriptions in the library service.

The SBC Group Manager stated that some posts were no longer needed and other new posts needed to be implemented. The changes to job descriptions related to which library sites staff would work at. The aim was to create a more flexible service whereby staff would be expected to work at different library sites in the future.

- Why were volunteers being used at libraries?

The SBC Group Manager explained that volunteers were only called upon to assist library staff to deliver enhanced services or events. Many consultees had indicated that they wished to support the library service through volunteering.

The SBC Director stated that going forward there would be fewer library staff and volunteers would only be deployed to assist professionally trained library staff, for example, with events or the home service and the online service, both of which were currently not well used.

- What could residents expect from libraries by 2027? How would adults access the library service if it was located at schools?

The SBC Director stated that residents generally preferred to go to a library that was within walking distance. If, in the future, more residents took up the online or home service offer then the nature of library service provision may need to be reassessed.

The SBC Group Manager stated that providing library services at schools was just one of many options under consideration and the Council would ensure that any future provision was accessible to the greatest number of its residents.

- Recent Cipfa data showed Slough was spending more on library services than other authorities.

The SBC Group Manager advised that to date the Council had delivered an excellent library service. In order to maintain this, officers may look at good practice at other authorities which had a lower per capita spend. Changes to the service may mean that wait times may increase. Currently libraries received a discount on the purchase of hardbacks, but there was no discount

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for e-books or virtual books. Additional savings may be possible in the future as market costs reduced.

The SBC Director Cipfa groupings were a good barometer to assess whether Slough had a comprehensive and efficient library service.

**Resolved:** That the report be noted.

### **28. Forward Work Programme**

**Resolved:** That the work programme be noted and that a report regarding the call centre statistics be submitted at the April meeting of the Panel.

### **29. Members' Attendance Record**

**Resolved:** That the Members' attendance record be noted.

### **30. Date of Next Meeting - 6 April 2022**

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.08 pm)

**SLOUGH BOROUGH COUNCIL****REPORT TO:** Customer & Community Scrutiny Panel**DATE:** 6<sup>th</sup> April 2022**CONTACT OFFICER:** Ian Stone, Asset Programme Manager**(For all Enquiries)****WARD(S):** All Wards**PART I****FOR INFORMATION:****Repairs Maintenance & Investment (RMI) Contract Update****1. Purpose of Report**

The purpose of the report is to provide an update to the Scrutiny Panel following the meeting on 8<sup>th</sup> December 2021, focused on the performance of Osborne's delivery of the RMI contract, including the points below.

- Overall performance of the Osborne Contract.
- Overview of complaints against service.
- New performance measures.
- Planned works 2021/22.

**2. Recommendation(s)/Proposed Action**

The Panel are recommended to note and comment on:

- a) The contents of this report and progress made
- b) The contents of the presentation
- c) Future reporting requirements for the RMI including financial year-end report and separate quarterly RMI updates on landlord statutory compliance in HRA tenanted stock.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan****3a. Slough Joint Wellbeing Strategy Priorities**

The provision and maintenance of good quality and affordable housing can reduce housing need for local households and contributes to the identified priorities of the JSNA. The RMI is contracted to provide investment into existing council properties through a partnership approach between Osborne Property Services Limited and the Council to sustain good quality homes that will improve the safety, health and well-being of the boroughs tenants.

#### 4. **Other Implications**

##### (a) Financial

The RMI is a 7-year contract with an option to extend for three years. The contract is funded from the Housing Revenue Account and the business plan has set aside £100m for the Contract Administrator to fund the annual expenditure of day-to-day repairs and maintenance, voids properties refurbished for reletting, and the major works programme e.g. kitchens, bathrooms, windows. The total spend can be up to £14m per year.

##### (b) Risk Management

The committee are requested to note that the contractual governance offers a formal basis for management of risk through contract management, a framework for discussion intended to seek not just solutions but foster innovation through partnership initiatives. The structure of governance allows for a forum for the raising of issues, discussion on performance as well as commercial initiatives across the breadth of the contract. The levels of escalation and accountability are set out alongside basis for contractual scrutiny by members and residents.

The table below outlines the context of risk management.

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Risk Management Matrix Score risk	Future Controls
a) Managing Responsive Repairs	The volume of uncompleted repairs is still 2-3 weeks' worth of work. This impacts the availability of current appointments.	Osborne are stepping up efforts to fill the remaining operative posts and engage with local sub-contractors to catch up with the work.	6 Medium	This remains a key focus of the contract and is monitored weekly.
b) Resident perception of the service	Despite a slight reduction in February and March complaints remain high.	The full effects of Osborne dedicating resource to this is only now being realised. Further resource maybe required to solve this.	12 Significant	Complaint resolution and the timeliness of this resolution remain the number one focus of both SBC and Osborne.
c) Failing KDI's	Whilst Osborne have been able to meet some of the new performance measures and show improvement in others. KDI2, KDI6 and KDI8 remain a real concern.	Osborne are planning to resolve the KDI2 and KDI8 performance by recruiting further operatives and planners, KDI6 will need greater focus from the Osborne team to improve the timeliness of the responses.	6 Medium	The new performance measures form the central part of the monthly operational management board and an improvement plan will be required to be produced by Osborne.
d) Resources	Following the end of the pandemic pressure on labour resources has increased as RSL's catch up on work not done over the previous 24 months.	SBC and Osborne work together to ensure programmes of works are detailed and issued promptly so Osborne can secure continuity of labour to work on SBC projects.	12 Significant	Continued work on developing considered programmes of works making it easy for Osborne to retain labour resources on the contract.

(c) Human Rights Act and Other Legal Implications

The Homes (Fitness for Human Habitation) Act 2018 (the 'Act') adds hazards listed in the governments housing health and safety-rating system (HHSRS) set out in the Landlord and Tenant Act 1985. Tenants will therefore be able to legally compel their landlord to address any of the 29 HHSRS hazards, which ranges from fire safety issues to damp & mould or poor natural lighting and ventilation. The Act came into effect for new tenancies on 1<sup>st</sup> March 2019, but now applies to all existing tenancies.

(d) Equalities Impact Assessment

The contractor routinely carries out equality Impact Assessments as part of operational service delivery.

(e) Workforce

The workforce delivering the RMI are Osborne direct employees or sub-contracted services. The RMI has a contractual payment framework that offers a monthly establishment fee and thereafter payment is based on the work delivered.

5. Supporting Information

5.1 **Overall performance of the Osborne Contract**

The table below gives a breakdown of where the annual £14m is spent on the Osborne contract and the current status of each of these service areas.

<b>Work Area</b>	<b>Value</b>		<b>Status</b>
<b>Responsive Repairs</b> – delivering up to 19,000 responsive repairs annually to the Council's Housing stock each repair priced individually against pre-agreed rates to determine value for SBC and 10% quality and value checked by SBC.	£2.04m	15%	
<b>Void Works</b> – carrying out refurbishment works to approx. 240 empty properties per year, works and rates pre agreed with SBC, and 100% quality and value checked.	£1.91m	14%	
<b>Gas Works</b> – carrying out repairs to gas appliances and annual gas safety inspection. Works checked by an independent regulator.	£1.02m	7%	
<b>Other Compliance Works</b> – Including annual asbestos inspections, lift maintenance, water treatment work and testing, fire equipment checks, fire alarms, communal electrical checks. Works checked by an independent regulator.	£1.15m	8%	
<b>Planned Works</b> – During 2021/22 we have undertaken roofing renewals, gas boiler renewals, kitchen and bathroom replacements, asbestos removal works, fire prevention works, domestic and communal	£7.19m	51%	

electrical upgrades. Works 100% checked by SBC against agreed contract prices.			
<b>Cleaning and Caretaking</b> – carrying out the cleaning and caretaking as per the agreed contract specification. Osborne supply evidence that work is completed according to the agreed schedule.	£700k	5%	
	<b>£14.00m</b>		

## Improvement Areas.

**Responsive Repairs** – Osborne are carrying on the process of reviewing their structure, they have made changes at senior level (new Operations Manager and new Commercial Manager) which have already benefitted in terms of responsiveness to requests for action from SBC. The overall service though is still receiving too many complaints against service, and the backlog of orders is still around 600-800 repair orders above a level where it should be.

There are some signs that the service is improving but both parties acknowledge that signs of concrete improvement are still potentially some way off.

Storm Eunice occurred during February which has the effect of an extra 200 orders being received on that one day, Osborne as always responded well to emergency situations but the storm further hindered their catch up work on the overdue repairs.

Actions Osborne are taking to improve the service

- Recruiting operatives to fill vacant posts and re-training existing operatives where failures in service have been identified through the complaints received.
- Recruiting office staff, Osborne are recruiting to fill vacancies in their planning and supervisory roles within the repairs team.
- Engaging new supply chain partners, Osborne have engaged with new sub-contractors to pick up some of the overdue repairs orders.
- Dedicating resources to manage complaints, Osborne now have operatives specifically working on resolving complaints.

Signs of improvement:

- Reduction in complaints received in February (26), the number received to date in March (10) was also showing a reduction. See table further on in report.
- Improvement in Customer Satisfaction, although based on low survey numbers, this indicates a better satisfaction with recently completed repairs.

**VOIDS** – Osborne have made massive improvement over the previous 5 months to reduce the amount of time a void is taken to turn around. If this improvement is sustained into another 2 months, the service would be classified as green and not amber. This improvement is shown in KDI4 appendix A.

The quality and value of the works Osborne have carried out has always been consistently high, the time element was the only which needed improvement, which Osborne have now nearly achieved.

All void works a pre-specified jointly by SBC and Osborne and SBC has 100% sign off on all the works.

**Caretaking & Cleaning** – The service status is Amber as SBC still receive a small number of complaints and enquiries regarding the specification and scope of the cleaning and in some instances whether Osborne have attended (although this isn't common). The specification and scope of the service is basic and particularly after

periods of bad weather and during winter the estates can require more caretaking or get messier in between visits. SBC need to review whether or not an increased specification and hence increased cost is a possibility within the contract budget envelope.

## 5.2 Overview of Complaints

From September 2021 we have managed new complaints through our own monitoring spreadsheet alongside the corporate complaints system. This has provided us with a greater ability to report on numbers and trends with complaints.

Below table shows the number of new complaints received each month against the number of orders raised.

Month	Orders Received	Complaints Received	%
September	1500	43	2.87%
October	1361	26	1.91%
November	1495	29	1.94%
December	1206	35	2.90%
January	1312	49	3.73%
February	1489	26	1.75%

Osborne recruited 2 new senior managers in January so the effects of this change should begin to show over the following months. Normally complaint levels against order received would be expected to be 1% or less, so levels are still higher than would be considered normal.

From analysing the complaints received these are broadly broken down into 4 categories.

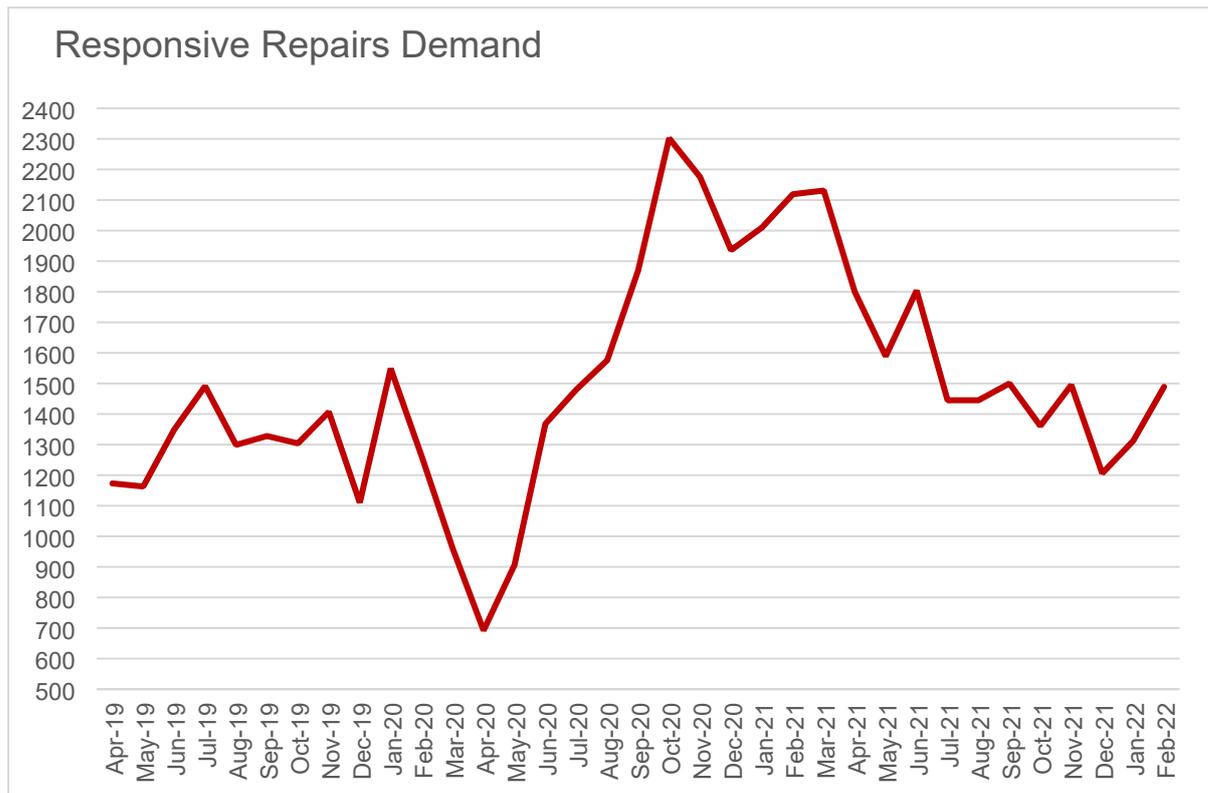
1. **Complaints arising from recent work carried either ineffectively or having to wait too long with a recently reported repair.** These are complaints which are most typical of any well-functioning repairs service. They should be easily resolved, they are principally caused by short term disruption to staffing levels within the contractor, and in this instance we can link this back several Osborne operatives having to self-isolate during the pandemic as a whole and more recently because of the Omicron variant.
2. **Complaints arising from long standing issues which Osborne have failed to address.** These complaints are much more concerning, we are working with Osborne's management to identify and address these issues. There have been 2 issues identified. Firstly the attitude and actions of the Osborne supervisors when dealing with and managing issues and Osborne has fallen short in terms of owning and closing problems through to conclusion. Osborne are mentoring and monitoring these supervisors much more closely now to ensure they manage and own complaints and queries through to conclusion.

Secondly Osborne created an issue by allowing the previous contract management team to close down many uncompleted repairs as complete. SBC have subsequently identified these works and repairs have had to be re-raised, it dates back to June 2020 - December 2020. Osborne did change Contract Manager in March 2021, and a much clearer process

was brought in and we have had no such issues since. This is an historic issue but some of the effects of that culture are still being felt. We have also established an escalation for more serious issues to be resolved through Osborne’s planned works team.

**3. Complaints arising from long standing issues prior to Osborne starting their contract.** Previously SBC engaged the services of Interserve to carry out the responsive repairs service, this contract worked on the basis of paying Interserve a fixed monthly fee to carry out repairs, irrespective of the scale of repair needed or number of repairs reported. Whilst this type of contract did provide the Council of some certainty around their budget commitments, it also has the very negative effect of a contractor always trying to do the minimum and cheapest solution to every repair request in order to maximise profit. We have directly seen the effects of this in slow leaks which have been papered over and caused significant damage to properties because Interserve would not have been willing to carry out the correct repair because of cost.

**4. The effects of inconsistent repairs demand caused by the pandemic.** The table below shows the demand for repairs over a period of time before and after the first lockdown. The pressure this change in demand caused for the contractor aligned high increased staff absences, interruptions to material supply, increased material costs is only now starting to level out. The increased costs are still a huge issue for the contractor. The fluctuation in demand would have caused some repairs to not be addressed or missed and this is being born out in some of the complaints we receive.



From April, SBC will create a second log of actions alongside our complaints log to monitor separately the repairs required to satisfactorily close complaints. This is to ensure Osborne attend to complaints resolution in a more timely manner, Osborne

have agreed to provide dedicated resources to complete the works and resolve complaints more promptly.

### 5.3 New Performance Measures

The new performance measures came into use on the RMI contract from 1<sup>st</sup> October 2021. The results for February can be found in Appendix A. The new measures carry financial deductions of up to £2,000 per performance measure for failure, to the end of February Osborne have paid back **£30,500** to SBC for failing to hit these new performance measures.

#### Overview of each performance measure:

- 1. The percentage of repairs completed within a single visit to the Property.**

Osborne have continually hit this target, this is in line with most of the feedback we receive. Osborne are efficient at dealing with emergency works and works which are straight forward. The KDI supports our understanding of the current service level and provides re-assurance that the majority of repairs requests are managed and completed successfully.
- 2. The percentage of repairs due in the month which were completed within the prescribed timescale.**

Osborne have repeatedly failed this KDI, this KDI will continue to fail until Osborne can catch up on the backlog of responsive repairs which is currently between 600-800 repairs requests. Because of this backlog they work on both new orders which they receive and the backlog of old orders. This pressure results in some of the newly received orders being pushed back beyond their target date due to the current lack of capacity discussed previously in the report.
- 3. Resident Satisfaction with the most recent repair completed.**

This KDI has shown improvement since October, both SBC and Osborne have been short staffed over the previous 3 months and the 150 survey target has not been met. So the results are based on a smaller sample size. Over the next 2 months we should get to the full sample size so can better gauge if the improvements shown are a true trend.
- 4. Average number of days to complete Voids**

Osborne have really improved the General Needs turn-around time for void works to the point where it is virtually on target now. The temporary accommodation voids have been very small in number, hence the varied results.
- 5. Accuracy of costs submitted for repairs.**

The results of the KDI have fluctuated and no real trend is developing. The results are taken from the 100 post inspections completed by SBC Technical Inspectors each month, although there is no improvement trend the types of failure have changed following the changes Osborne have made to their commercial management team. We are seeing much smaller scale issues in terms of over-claiming but roughly still the same number of issues overall.

6. **Number of complaints escalated from stage 1 to stage 2 in the month.**  
Osborne have struggled and are still struggling to meet this KDI. A complaint is automatically escalated to stage 2 if not responded to within 10 working days under the current process. Osborne are working hard to address complaints but the number of complaints they are still historically managing is directly affecting the turn-around time on new complaints they receive. The number of complaints received has also placed the pressure on the RMI client resource team. Both parties remain focused on improving the KDI.
7. **Average time to answer incoming calls and longest call wait time in the Customer contact centre.**  
Osborne are meeting both the aspects of this KDI despite the staff shortages they experienced during the recent Omicron outbreak.
8. **Average number of days for the first appointment to be attended from the time of reporting the repair.**  
The results on this KDI have fluctuated, recently Osborne have struggled with a shortage of planners working on the responsive repairs and have offered less work as appointed, this results in this KDI increasing. The KDI monitors appointment made in terms of days but only counts appointments which are kept. Any appointments which are missed or no appointment is offered the result for this KDI defers to the repairs due date. It is the lack of appointments being offered which Osborne need to urgently address, they are currently recruiting to have 3 full-time planners working on the responsive repairs.

Now having 5 months data, we can start to see some improvements but also more easily highlight where more work is needed. The KDI's have provided a much more realistic view of the service compared to the previous KDI which showed a picture unreflective of the perception of resident.

We now have a position which is reflective of where the service is at and what needs to be done to improve the service and can track this improvement.

#### 5.4 Planned Works 2021/22.

During 2021/22 Osborne have successfully completed the following planned works improvements.

<b>Works</b>	<b>Number</b>
New central heating boiler	140
Roof renewals	15
Asbestos removal to communal block	86
New front entrance fire doors	600
Full property electrical upgrade	515
Level access shower/wet-room	40
New door entry system to communal block	45

In addition to this we have completed communal electrical upgrades, external works to estates and a small kitchen and bathroom replacement programme.

There have been no formal complaints received about any of this work, the works have provided excellent value to SBC having been completed using the rates

tendered in the contract 4 years ago. All works are jointly inspected and signed off by SBC and Osborne.

<b>Customer Feedback Samples</b>
<i>'the operative was very polite efficient and clean, Darren was very helpful and professional in arranging the works and the follow up'</i>
<i>'All good no need for improvement'</i>
<i>'Service from Osbornes was excellent – wouldn't change anything and love the bathroom. Very informative, punctual and the operatives were clean and amazing'</i>
<i>'Quality of the completed works was excellent – fantastic work by all involved'</i>
<i>'Everything spot on and would not change anything – great communication from Osborne'</i>
<i>'Excellent work by Osbornes and all people involved – I absolutely love my bathroom'</i>

There are a number of improvement works planned for 2022/23, the table below shows the proposed work plans for next year.

<b>Works</b>	<b>Number</b>
New central heating boiler	94
Kitchen and Bathroom replacement	44
Full property electrical upgrade	92
New front entrance fire doors	500
Level access shower/wet-room	70
New door entry system to communal block	61
Roof replacement	30
Window replacement	51
External improvement works to communal block	20

6. **Comments of Other Committees**

None

7. **Conclusion**

The next 3-4 months will be key to improving the standard of the responsive repairs service, there are some signs of improvement but these will only become reality when complaints start to decrease and we can carry out full samples of customer satisfaction. Osborne have made some changes to their delivery team which have certainly improved the responsiveness to issues when managed between SBC and Osborne, the responsiveness in complaints to prevent them escalating is the next key area which Osborne are addressing now.

Osborne continue to improve well in most other areas of the contract and the vast improvement in the turn-around time of voids is a key area where we have seen tangible improvement. The feedback from the planned works and disabled adaptation works have been very positive.

SBC will continue to closely monitor all works, and check all works to ensure the contract continues to provide value for the council.

8. **Appendices Attached**

A – February 2022 Performance KDI

9. **Background Papers**

None

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# Slough Borough Council. Osborne Property Services Ltd.

KDI Performance Measures

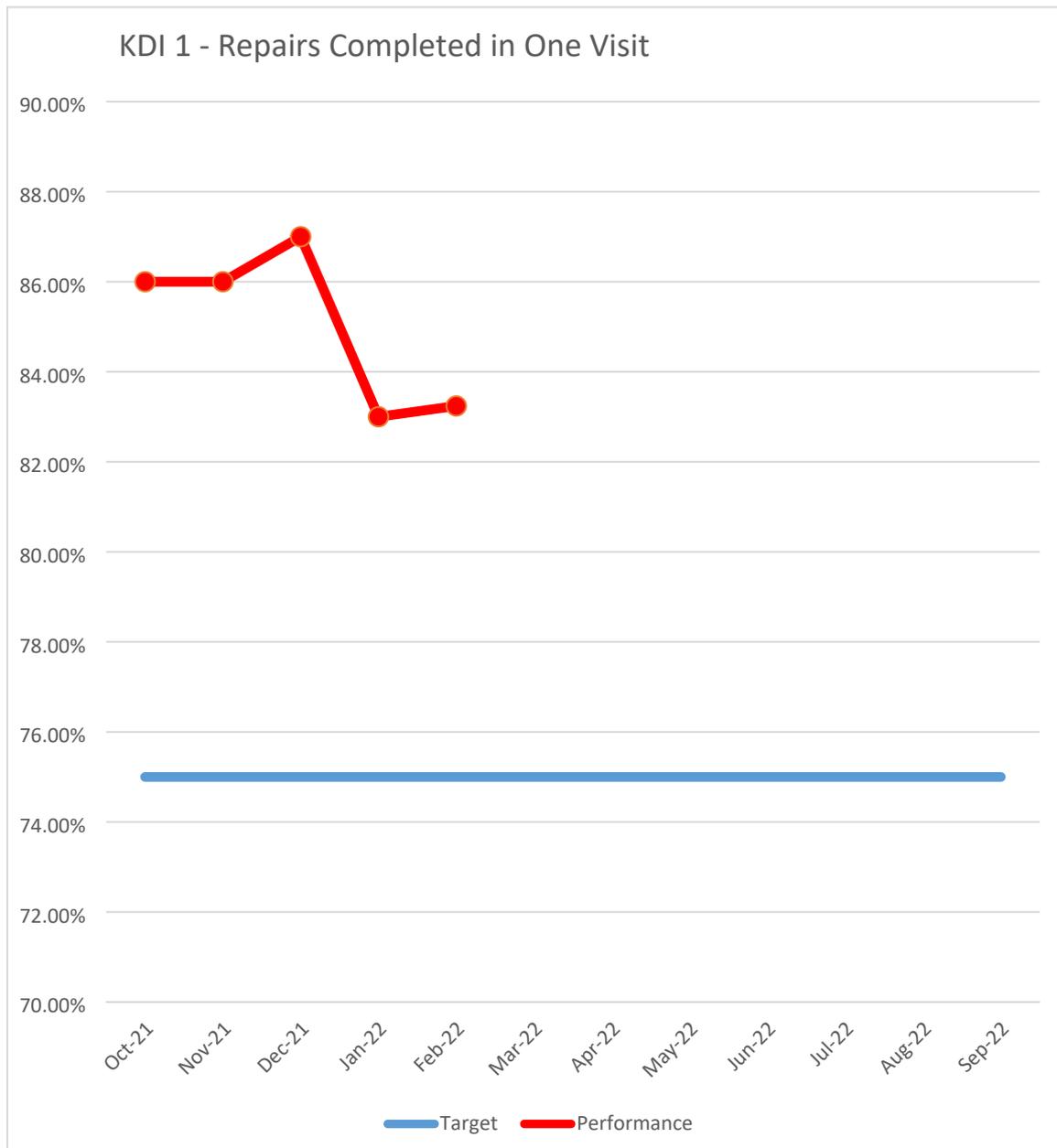
February 2022



# KDI Performance Measure 1

## Repairs completed in one visit –

A repair completed on the first day it was appointed for during that day. The repair needs to be completed on the day, no recall issued for the works. If the operative needs to go and get materials but returns and completes the order in first appointed day then this will count as a repair completed in one visit. Includes all qualifying responsive repairs and gas repairs as per the contract and tenancy agreement and excludes gas servicing.



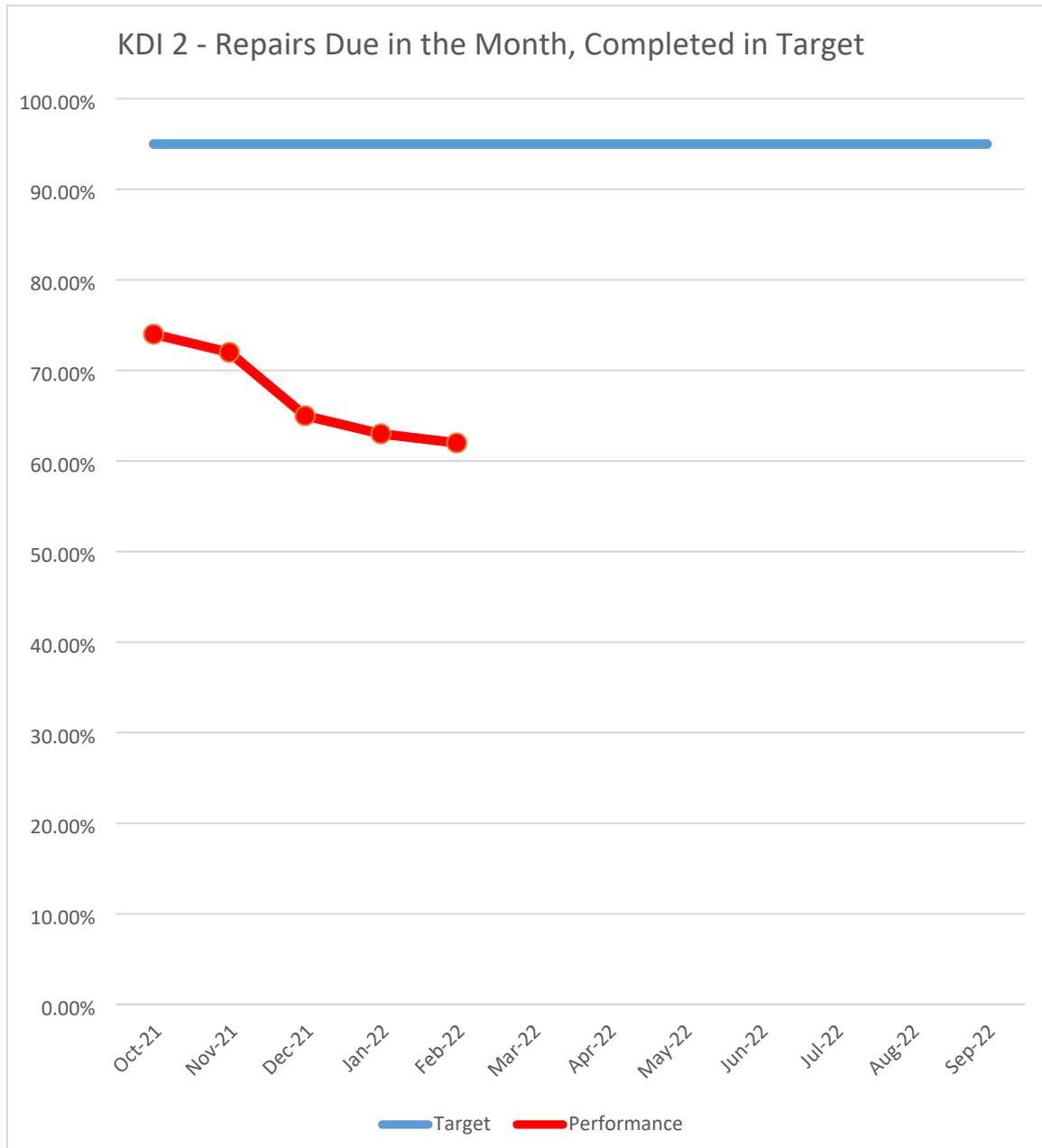
Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%
Performance	86%	86%	87%	83%	83%							

## KDI Performance Measure 2

### Number of Repairs due in the Month that have been completed in target.

The number of responsive repairs due in the month which have a completion within the target date set.

Enables SBC to track overdue orders which haven't been completed and monitor repairs which are taking too long to complete which is the source of a number of the complaints received.



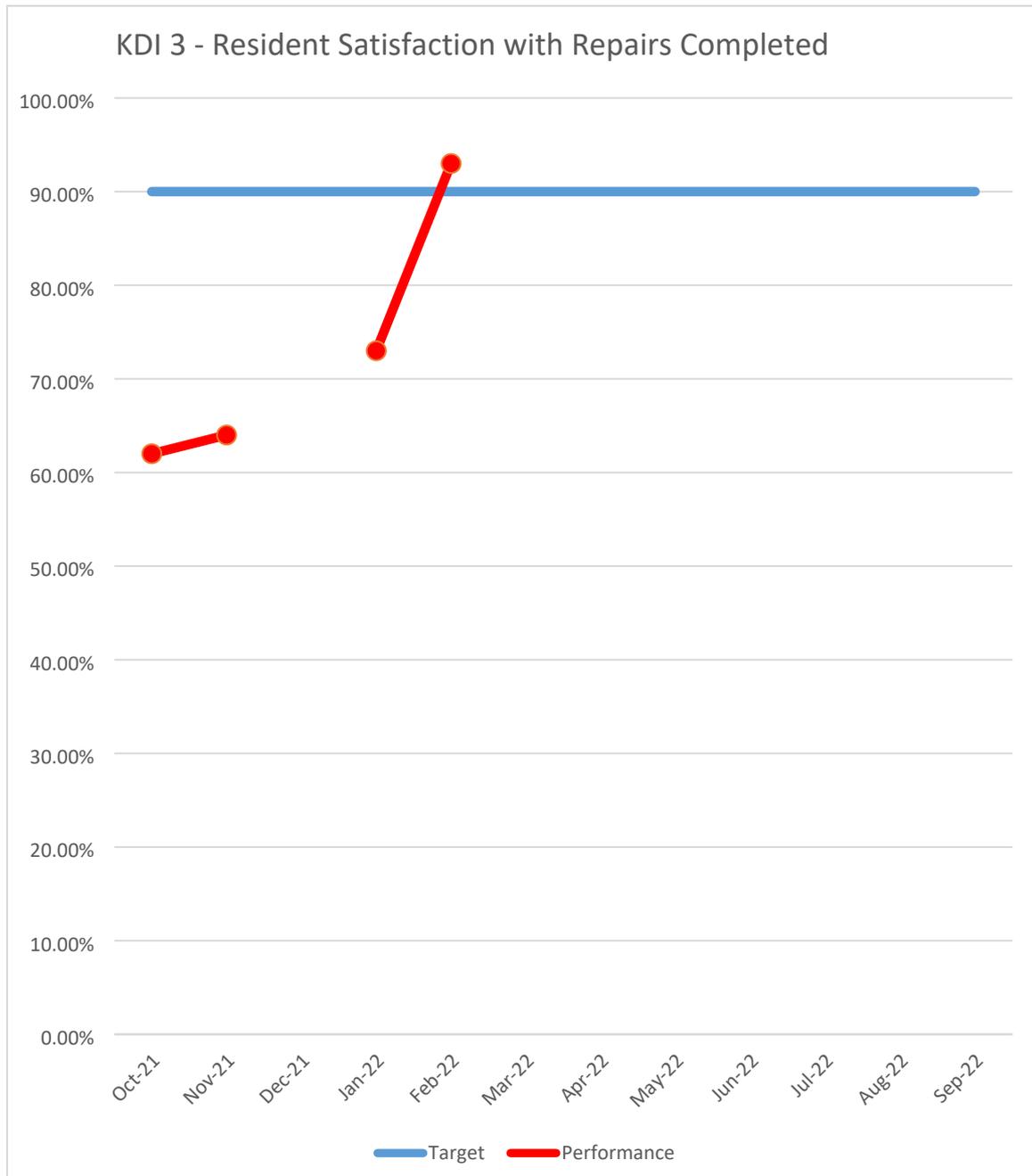
Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Performance	74%	72%	65%	63%	62%							

# KDI Performance Measure 3

## Resident Satisfaction with Repairs Completed.

Need to establish a more balanced assessment of the satisfaction level from residents with the service.

Carry out 150 telephone resident satisfaction surveys each month using the proposed new questionnaire.



Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
Performance	62%	64%	**	73%	93%							

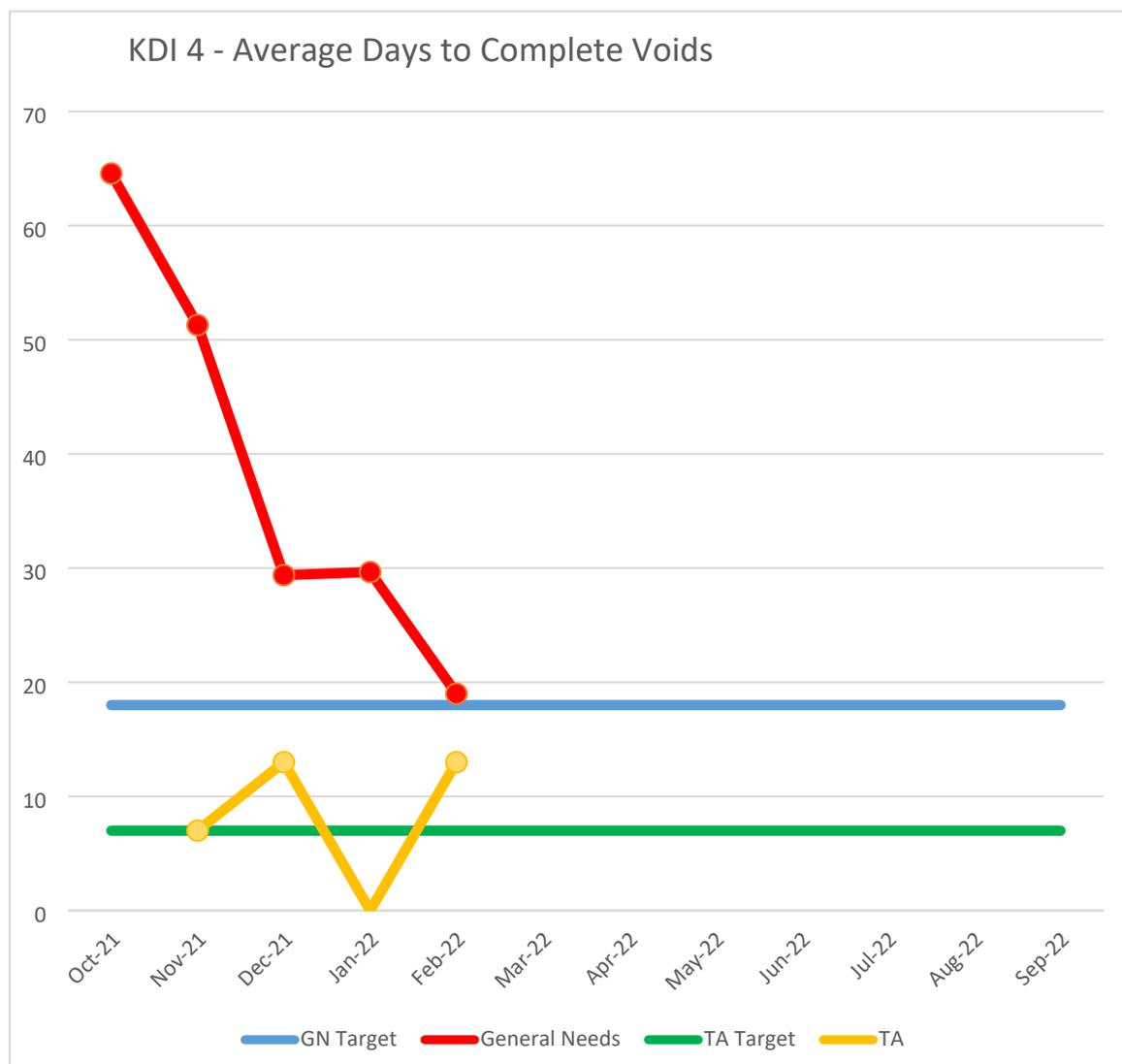
\*\* no surveys done due to staff shortages (Covid).

# KDI Performance Measure 4

## Average number of days to complete Voids

Purpose is to establish a measure for monitoring the overall performance of the voids service which allows for the differences in the nature of the void works.

All voids categorised as V1, V2 and V3 which have been completed in the month to be measured. Measurement is taken from the date the void is cleared by SBC and passed back to Osborne and to the date the voids is agreed as completed and handed back to SBC. There will be 2 distinct and separate measure one for General Needs Voids and one for Temporary Accommodation Voids.

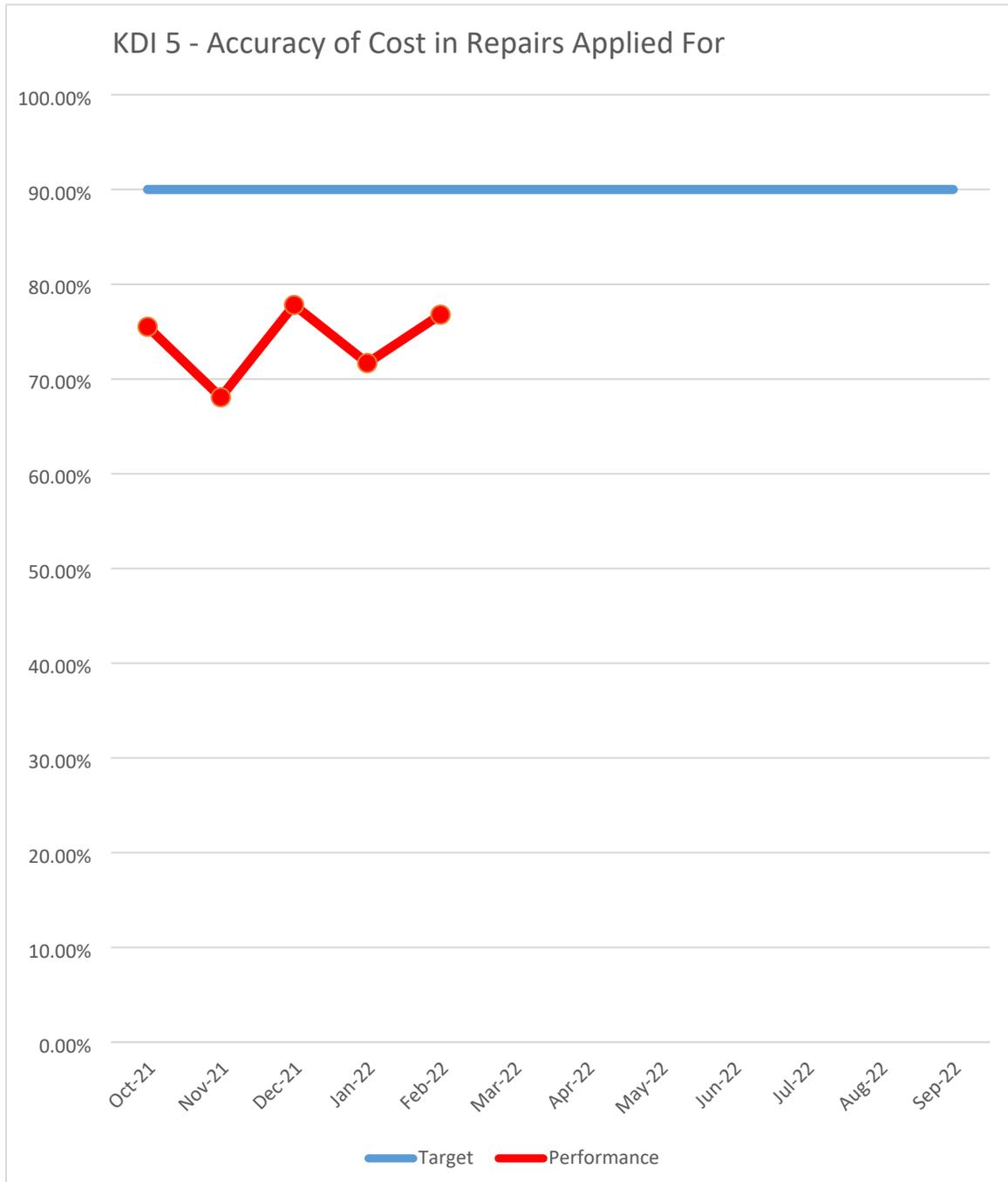


Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	18day											
Performance	64.57	51.30	29.38	29.66	19.00							
Target	7day											
Performance	N/A	7.00	13.00	0.00	13.00							

# KDI Performance Measure 5

## Accuracy of Cost in Repairs applied for.

SBC’s technical officers will carry out post inspections of 100 repairs from the previous month’s applications, and provide the outcomes back to Osborne who will have 7 days to challenge the results.

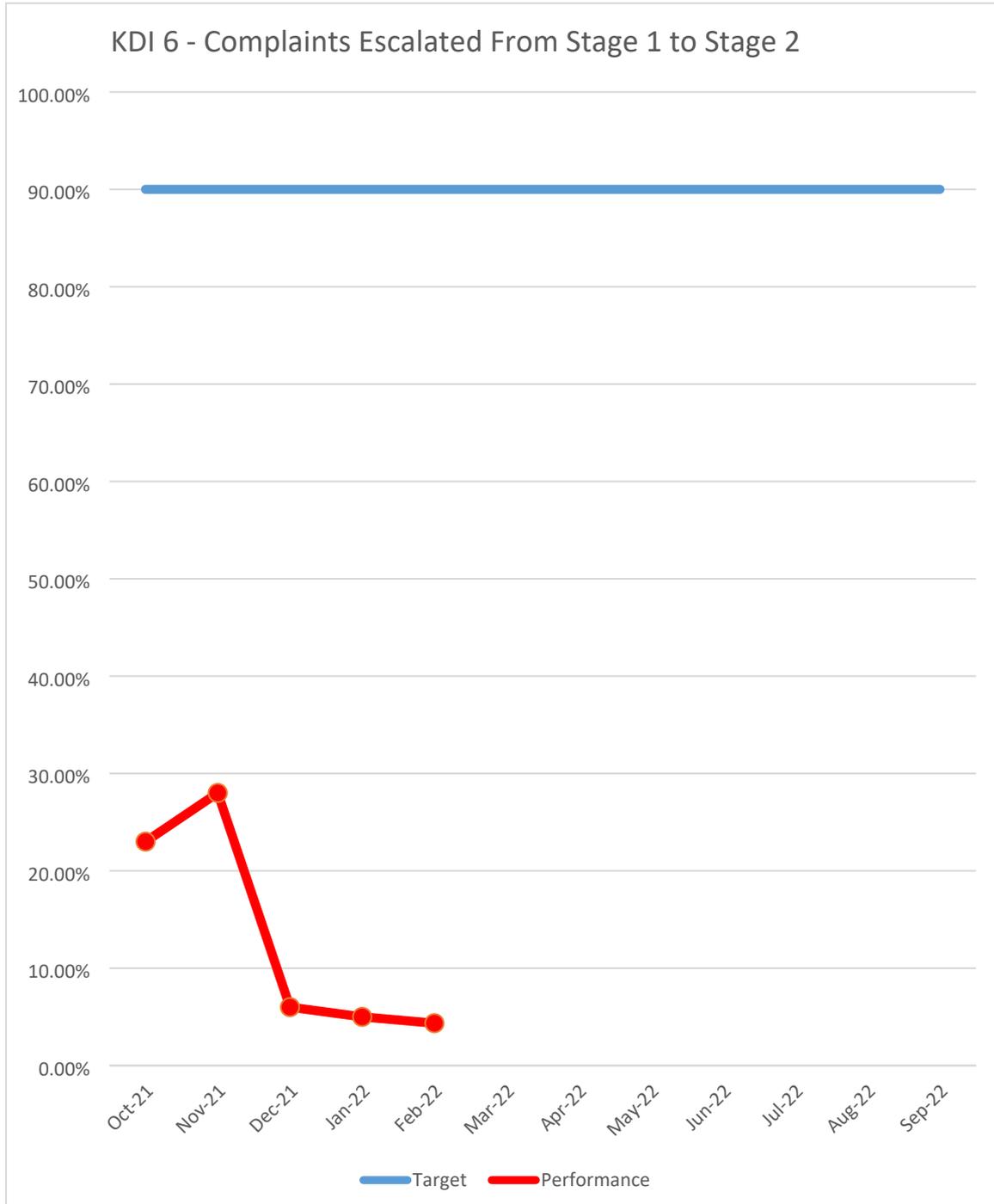


Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
Performance	76%	68%	78%	72%	77%							

# KDI Performance Measure 6

**Percentage of complaints not escalating from stage 1 to stage 2 in the month.**

This indicator will examine the quality of both investigation and handling of the complaint at stage 1. The focus is on resolution at stage 1 wherever possible.



Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
Performance	23%	28%	6%	5%	4%							

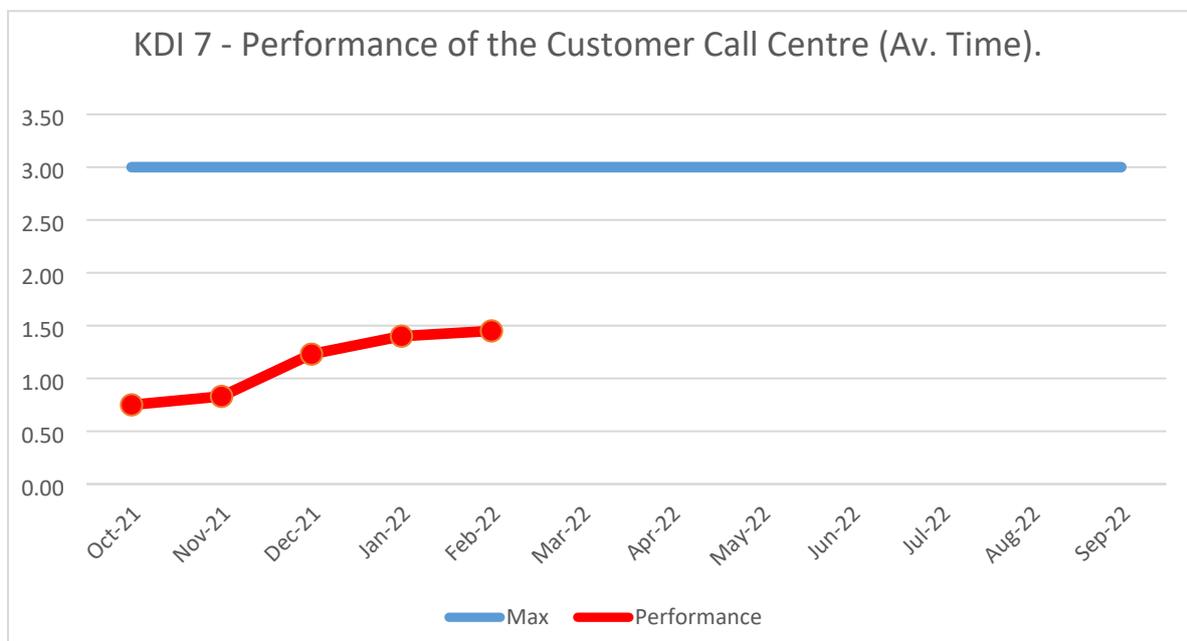
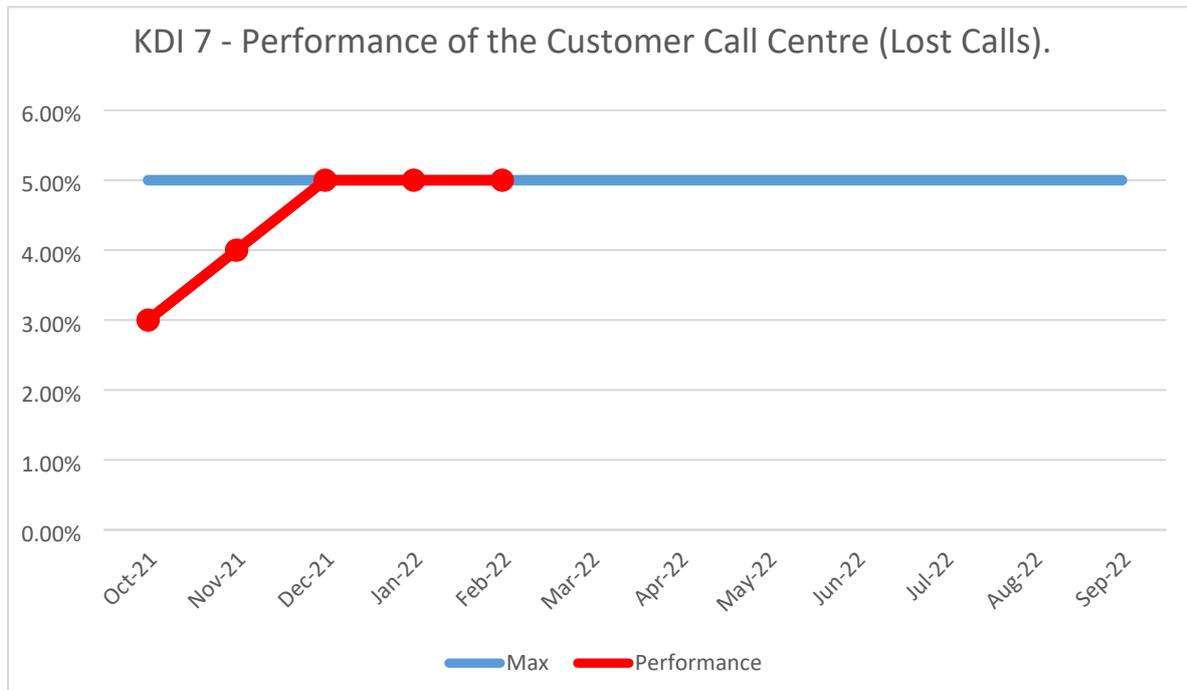
# KDI Performance Measure 7

## Performance of the Customer Call Centre.

There will be 2 measures to monitor the performance of the contact centre.

Measure 1 will be the percentage of calls answered and not lost:

Measure 2 will be the average time it takes to answer calls.

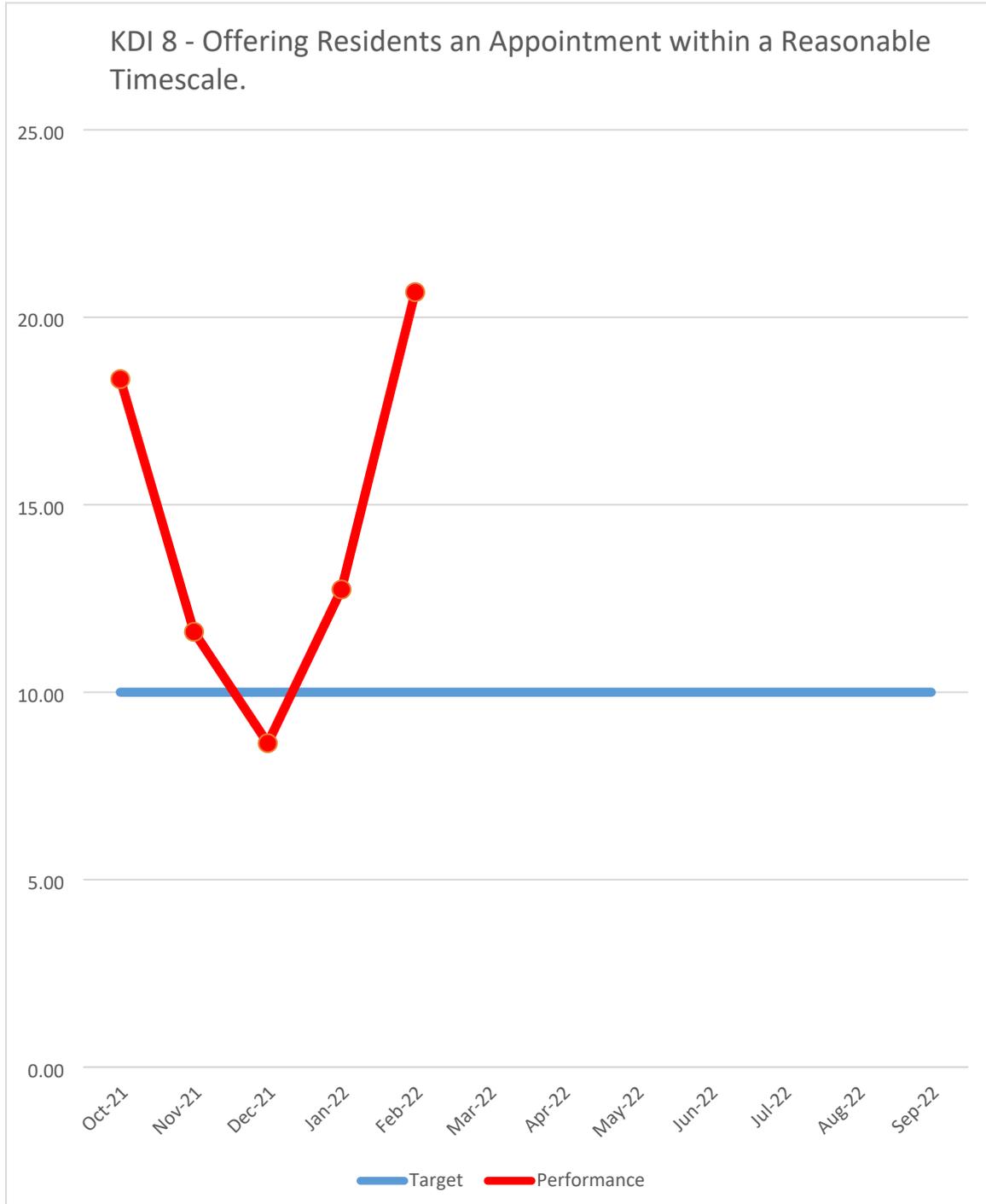


Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	5%	5%	5%	5%	5%	5%	5%	5%	5%	5%	5%	5%
Performance	3%	4%	5%	5%	5%							
Target	3min											
Performance	45sec	50sec	74sec	84sec	87sec							

# KDI Performance Measure 8

## Offering the residents an Appointment within a reasonable timescale.

This performance measure will assess the average number of days Residents are offered a first appointment for urgent and routine repairs.



Month	Oct21	Nov21	Dec21	Jan22	Feb22	Mar22	Apr22	May22	Jun22	Jul22	Aug22	Sep22
Target	10day											
Performance	18day	12day	9day	13day	21day							

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## Slough Borough Council

<b>Report to:</b>	Customer and Community Scrutiny Panel
<b>Date:</b>	06 April 2022
<b>Contact officer:</b>	<i>Rhian Richards, housing regulation manager Garry Tallet, group manager community safety, housing regulation and enforcement</i>
<b>(For all enquiries)</b>	(01753) 477396
<b>Ward(s):</b>	<i>All</i>

### Part I

#### For Information

#### **Progress update on borough wide licensing of houses in multiple occupation (HMOs) and licensing of other houses in area designated for selective licensing**

##### **1. Purpose of report**

To provide to the Committee a progress report on the implementation of the Houses in Multiple Occupation and Selective Licensing schemes introduced in spring 2019 under the Housing Act 2004

##### **2. Recommendation(s)/proposed action**

The Committee is requested to note the summary of progress made so far in implementing the Licensing Schemes, offer constructive challenge and to make any recommendations they deem appropriate to improve the efficacy of the schemes.

The Panel is also requested to highlight any data or information they may wish to review at future sessions.

##### **3. The slough joint wellbeing strategy, the JSNA and the Five year plan**

##### **3a. Slough Wellbeing Strategy Priorities**

Housing is widely recognised as a key determinant of health and wellbeing. The Local Authority Health Profile for Slough published early in 2020 by Public Health England highlighted a number of areas where the health of people in Slough is worse than the England average. Research suggests that a number of these areas can be linked to poor housing conditions:

- Early deaths from cardiovascular disease- damp and cold homes have been linked to an increased risk from respiratory and cardiac conditions and in turn to excess winter deaths.
- Rate of hip fractures- Falls are most likely to occur in the home. Disrepair in residential properties for example to floors, stairs and handrails can increase the risk of falls on level surfaces, stairs and those associated with baths and showers
- Hospital admissions for violence- Research by the Police Federation identified a link between the levels of violence in communities and prevalence of houses in multiple occupation
- Rates of T.B. which are almost 4 times the UK average- TB and other infectious diseases can spread more easily where conditions are overcrowded and/ or unsanitary.

In addition there is emerging evidence of a link between an increased risk of Covid 19 and over-crowded housing.

As well as the impact on health, unsafe, unsuitable or insecure housing can also have a long term impact on a child's academic attainment and life chances. Shelters report 'Chance of a lifetime- The impact of bad housing on Children's lives' (2006), highlighted that children who grow up in poor housing are more likely to be unemployed or to experience poverty in adulthood.

The impact of housing on health and well-being is recognised in the Slough Wellbeing Strategy 2020-25 which makes the improvement 'of the life chances of residents by focussing on areas such as housing...' a key ambition under

### **Priority 3: Strong, healthy and attractive neighbourhoods.**

The thorough and effective licensing of HMOs and other privately rented properties can directly support this ambition by providing a proactive regulatory framework for identifying and improving poorly maintained and badly managed privately rented homes.

## **4. Other implications**

### **(a) Financial**

The financial implications of the licensing regime were discussed in detail in the report to Cabinet dated 18th March 2019. The Licensing fees in Slough are lower relative to other English authorities and were set based on a range of assumptions concerning the cost of various licensing activities. It's possible that the assumptions did not accurately reflect the reality and as described later in the report work has begun to collect evidence of the true costs of the schemes.

### **(b) Risk Management**

This report makes no specific recommendations. However the table below highlights recently identified risks associated with the delivery of the schemes.

<i>Recommendation from section 2 above</i>	<i>Risks/Threats/ Opportunities</i>	<i>Current Controls</i>	<i>Using the Risk Management Matrix Score the risk</i>	<i>Future Controls</i>
	<p><b>Health and Safety:</b>  <i>The effective enforcement of the schemes necessitates unannounced visits to properties of unknown occupation. If there is resurgence of Covid infection in the population there is a risk of transmission between staff and residents. However this risk must be balanced against the risk to residents from unsafe property conditions and poor property management and the Council must fulfil its statutory functions under the Housing Act 2004 as well as its general safeguarding responsibilities</i></p>	<p><i>Comprehensive risk assessments are in place and are kept under regular review to ensure risks to residents and staff are minimised. Vulnerable staff undertake a personalised risk assessment with their manager.</i></p> <p><i>Current members of staff are all fully vaccinated and as far possible, residents are interviewed about the health status and vulnerability prior to officers entering properties. Team take a risk based approach to their interventions ensuring that properties most likely to present serious risk of harm are inspected first.</i></p>	<p><i>6 Marginal impact- low probability</i></p>	<p><i>Continue to regularly review risk assessments in light of new Government guidance and levels of infection.</i></p> <p><i>Where it is not feasible to carry out a physical inspection of a licensed property the housing regulation team will employ alternative methods of auditing compliance including requesting safety certificates and other documentation from licence holders. .</i></p>

	<p><b>Legal/Regulatory</b>  <i>Licensing by its nature poses regulatory and legal risks as the implementation of the schemes necessitates enforcement action, which in turn places pressure on legal and support services. There is also a risk of successful legal challenges against action taken by the Council.</i></p>	<p><i>Enforcement decisions taken in line with statutory and local guidance and protocols and signed off by manager at level commensurate with the risk associated with the decision. E.g. prosecution signed off at Group Manager/AD level.</i></p>	<p>8  <i>Marginal Impact-significant probability</i></p>	<p><i>A new suite of policies and protocols, designed to improve enforcement decision making and transparency have been drafted and are currently being reviewed by HB Law. Committee will be asked to scrutinise the policies and protocols in advance of presentation to Cabinet.</i></p>

(a) Human Rights Act and Other Legal Implications

All policies and procedures introduced in relation to the licensing schemes have been formulated in accordance with relevant Legislation which has regard to Human Rights and is subject to legal scrutiny.

(b) Equalities Impact Assessment

An equalities impact assessment (EIA) was carried out in the final quarter of 2018/19, prior the approval of the licensing schemes. The housing regulation team does not routinely gather equalities information from clients or landlords making it difficult to provide an update here. However, the housing regulation team is examining ways it might collect equalities monitoring data as it undertakes licensing compliance activity, with a view to evaluating how licensing is affecting the delivery of the Council's equalities objectives.

**5. Supporting information**

5.1. Following an extensive public consultation between November 2018 and January 2019 Slough Borough Council approved the proposal to implement two property Licensing Schemes under Parts 2 and 3 of the Housing Act 2004 to compliment the UK wide Mandatory Licensing scheme for Houses in

Multiple Occupation which has been in place since 2006. The rationale and legal justification for introducing the schemes were set out in detail in the report to Cabinet in March 2019.

**5.2.** The following licensing schemes are currently in operation in Slough

- Mandatory Licensing- This is a UK wide scheme that requires most HMOs with 5 or more occupants to be licensed.
- Additional Licensing- This scheme applies to the whole of Slough borough and includes all HMOs which are not covered by the Mandatory Licensing Scheme.
- Selective Licensing- This applies to a specifically designated area (most of Chalvey and Central Wards) and covers all accommodation rented via and Assured shorthold tenancy or licence to occupy which is not an HMO i.e. let to one household.

**5.3.** The stock modelling exercise that supported the introduction of the licensing designations generated certain estimates about the size and nature of the private rented sector in Slough, specifically that:

- Slough has **3500** HMOs
- In the area designated for selective licensing there are approximately **3700** rented properties eligible to be licensed.

**5.4.** It should be noted that confidence in the estimates relating to the number and location of HMOs is lower than for private rented sector estimates.

**5.5.** On 2<sup>nd</sup> March 2022 there were a total of 3218 licences listed on the Public Register of property licences. This includes 2849 selective licences and 369 HMO licences; 92 Additional and 277 Mandatory. The public register can be accessed via <https://slough.metastreet.co.uk/public-register> . The public register lists only those properties currently subject to a valid licence and does not include properties subject to an application but not yet licensed; nor does it contain expired or revoked licences.

### **Licence applications**

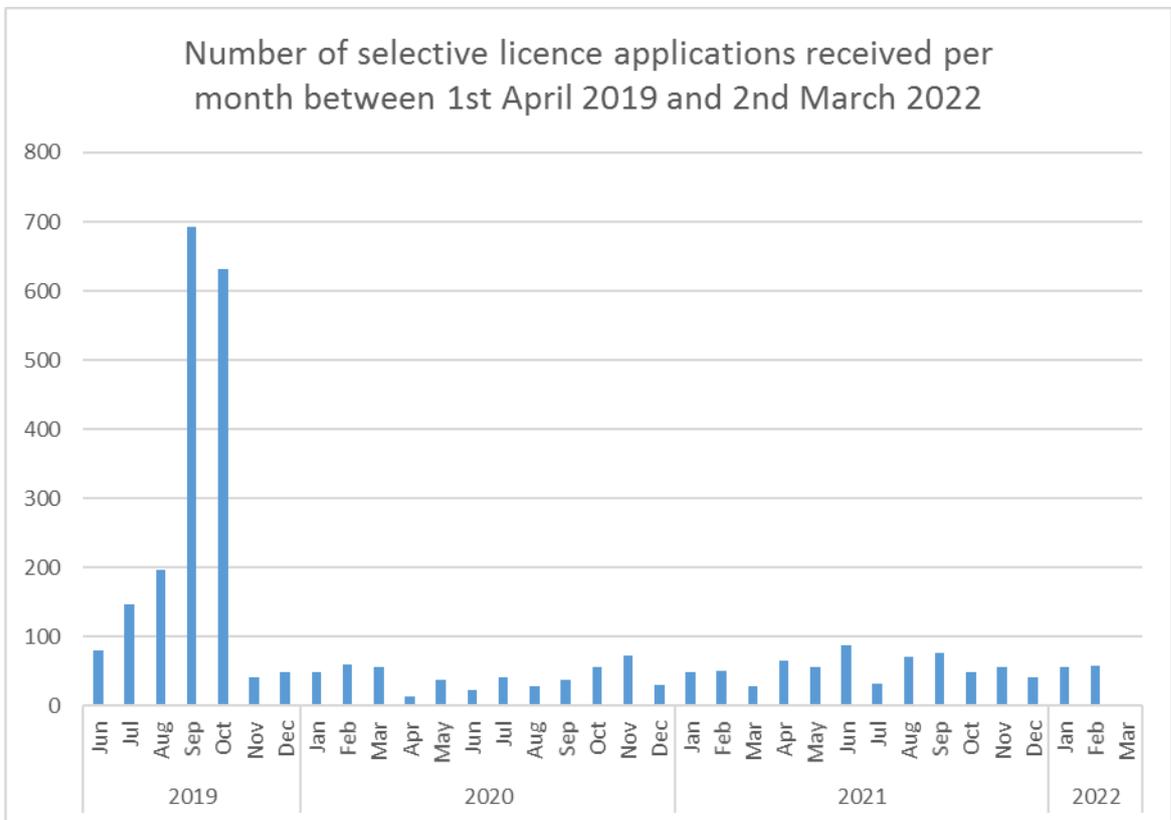
**5.6.** Between 1<sup>st</sup> April 2019 and 2<sup>nd</sup> March 2022 the Council received a total of 3546 licence applications; including 427 HMO licence applications and 3124 selective licence applications. Not all applications result in licences being issued, some are refused, others may be withdrawn.

**5.7. Table 1** includes a breakdown of the number of licence applications received per year for the Selective and HMO Licensing schemes since April 2019, compared with the projected number of applications for the same time period. The projections were made in February 2019, prior to the commencement of the schemes and were predicated on the housing regulation team having a full complement of staff and additional resource recruited to assist specifically with the delivery of the schemes. The projections were revised in January 2020 to reflect the numbers of applications received in the first year and in recognition of the slightly lower than expected resource within the team. The revised projections are included in brackets.

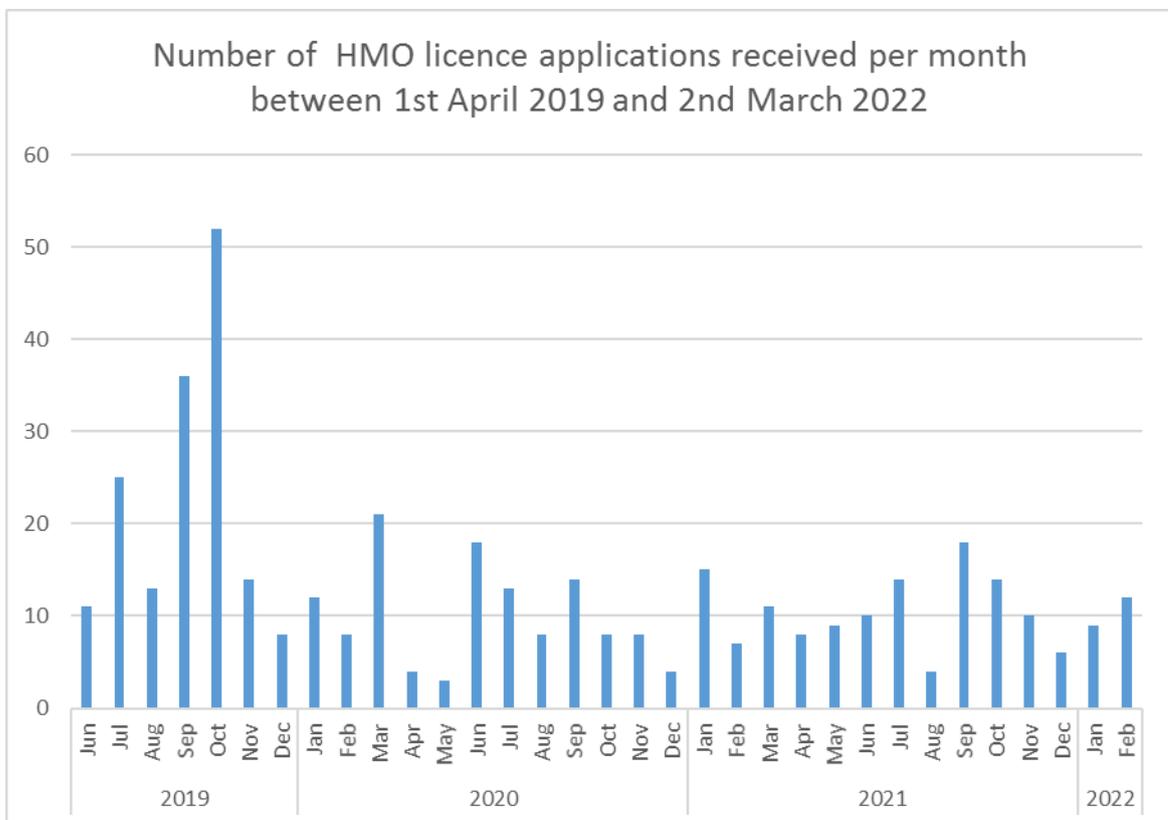
	Projected number of selective licence applications	Actual number of selective licence applications	Projected number of HMO licence applications	Actual number of HMO licence applications
<b>2019/20 (year 1)</b>	550	2002	400	200
<b>2020/21 (year 2)</b>	450 (150)	470	450 (350)	113
<b>2021/22 (year 3)</b>	200 (150)	652	450 (400)	114
<b>2022/23 (year 4)</b>	200 (150)		350 (300)	
<b>2023/24 (year 5)</b>	200		150	
<b>Total to date</b>		<b>3124</b>		<b>427</b>

**5.8. Figures 1 and 2** shows the number of Selective and HMO licence applications received over time since April 2019. The large number of applications received in the autumn of 2019 was largely due to the early bird discount on fees which was available until the end of October 2019. The pool of unlicensed properties in the area designated for Selective licensing is finite and the higher than expected numbers of applications in the first 3 years of the scheme will naturally mean fewer applications will be received over the remainder of the schemes.

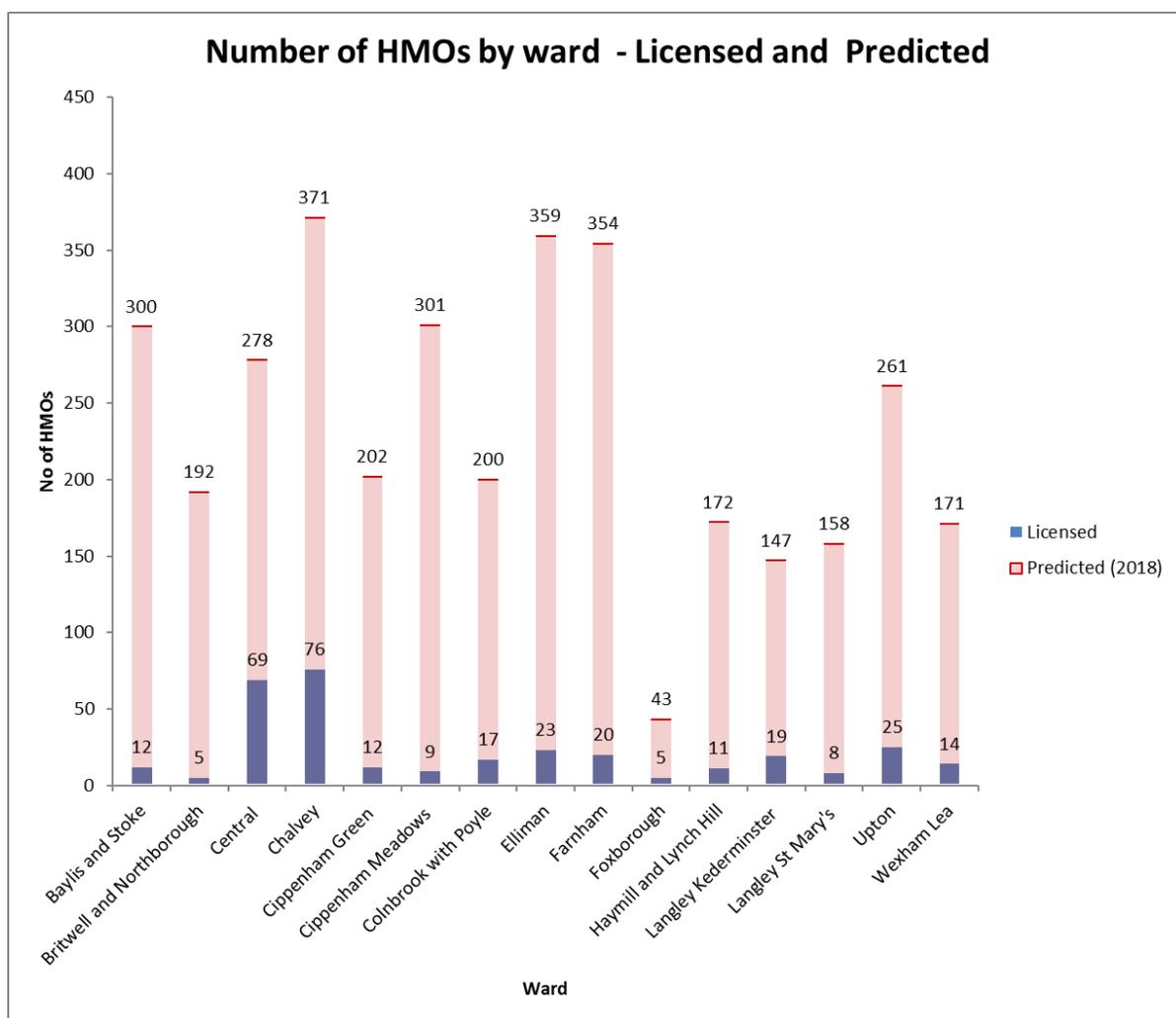
**5.9. Figure 3** shows the number of HMO licence applications received between April 2019 and 2<sup>nd</sup> March 2022 as a proportion of the number of HMOs estimated to exist in each ward



**Figure 1**



**Figure 2**



**Figure 3**

**5.10.** The impact of the Covid pandemic on the activities of the housing regulation team has been significant. Visiting the homes of residents during lockdown or when the prevalence of the virus in the community was high, presented a significant risk to both officers and residents. It was important to balance the risk of Covid with the risk posed by poor housing conditions and consequently the housing regulation team limited visits to those that were necessary for preventing imminent or serious harm. Alternative methods of assessment such as video calls were adopted where the risk of harm was perceived to be moderate; and officers took a pragmatic approach to enforcement, trying as far as possible to resolve disrepair issues remotely through negotiation.

**5.11.** This approach, though necessary and consistent with government guidance and corporate codes of practice on health and safety, did impact the ability of the team to proactively enforce the requirement for HMOs to be licensed. Carrying out unannounced visits to suspected HMOs occupied by an unknown number of persons, whose health status could not be determined in advance, conferred an unacceptable risk to staff and residents in all but emergency situations.

**5.12.** Operating a property required to be licensed without a licence is a criminal offence punishable by civil financial penalty of up to £30000 or unlimited fine in a Magistrate's court. Before taking either of these courses of action the Council must be satisfied the case meets the 'evidential test' as set out in the Code for Crown Prosecutors. Without visiting an unlicensed HMO and interviewing occupants it is

impossible to collect sufficient evidence to meet this test and consequently enforcement of regulations relating to HMOs has been challenging.

- 5.13.** The lack of proactive HMO inspections throughout the lockdowns inevitably resulted in a lower than projected number of HMO licence applications, and the challenge faced by the housing regulation team in 'catching up' is obvious from the data presented in **Table 1** and **Figure 3**
- 5.14.** Despite the many challenges posed by the pandemic officers were able to attract a steady flow of selective licence applications. Properties that require a selective licence are far easier to identify via council tax records than HMOs as it is sometimes impossible to distinguish HMOs from owner occupied properties. Furthermore, as tenants of rented properties occupied by a single household are generally liable for council tax, it is also far easier to obtain their contact details and engage with them from a distance, without the need to visit their home. Officers took advantage of this during lockdown and used council tax data to conduct their investigations remotely.
- 5.15.** Following the relaxation of restrictions in summer of 2021 officers from the housing regulation team, supported by colleagues from the resilience and enforcement team, undertook 3 operations focussing on the identification of unlicensed properties. The operations were undertaken in the Foxborough, Central and Chalvey wards. Participating officers visited hundreds of properties, interviewing occupants and informing residents about the licensing requirements.
- 5.16.** As a result of both their remote investigations during lockdown, and the onsite operations, officers have identified hundreds of unlicensed properties and officer interventions led to the submission of 543 applications between April 2020 and March 2022.
- 5.17.** The operations were warmly welcomed by members of the local community and responsible landlords alike, some of whom commented to officers directly that they were reassured by the high visibility nature of the operations. One resident commented that since seeing officers in Chalvey, a local landlord that he knew had rushed to his rental property to tidy up the garden and the front of the house.
- 5.18.** The amount of follow up work generated by the ward based operations necessitated a pause in rolling out the approach to the other parts of the borough. It is the intention of the housing regulation team to schedule in further operations in the remaining wards however the allocation of resources must be balanced between activities aimed at enforcing the requirement to licence, with those focussing on the auditing of already licensed properties to ensure compliance with conditions.
- 5.19.** The Council has made the formal decision to refuse only one application to date on the basis that the proposed licence holder is not 'fit and proper'. However, the housing regulation team have issued 9 reduced term licences reflecting concerns about the management of those properties; 5 related to HMOs and 4 to houses licensed under the selective scheme.
- 5.20.** The housing regulation team have revoked 53 property licences and in the majority of cases this was done with the agreement of the licence holder, however some were revoked without the licence holder's agreement following Council intervention.

## Impact of licensing schemes to date

### ***Property Conditions***

- 5.21.** Evidence collected prior to the introduction of the discretionary schemes indicated that HMOs in Slough, and privately rented properties in Chalvey and Central wards were more likely than properties in other wards to contain serious category 1 hazards as defined by the housing health and safety rating system (HHSRS). Further information on the HHSRS can be obtained here: [Housing health and safety rating system \(HHSRS\): guidance for landlords and property-related professionals - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/housing-health-and-safety-rating-system-hhsrs-guidance-for-landlords-and-property-related-professionals)
- 5.22.** Since 1 April 2019, 225 licensed or licensable properties were identified as having either category 1 or category 2 hazards that were worse than average for the age and type of dwelling, 70 of those contained category 1 hazards.
- 5.23.** The safety of 59 HMOs and 72 licensed family homes have been improved since April 2019 as a result of the removal or reduction of 179 hazards; including 65 Category 1 hazards and 114 category 2 hazards. 61 of the 131 properties that were improved were visited because of licensing and not in response to complaints from residents and it is therefore reasonable to assume that the 77 hazards removed from those 61 properties would remain were it not for the existence of property licensing.
- 5.24.** The most commonly identified hazard types across all properties in Slough since 2019 have been excess cold, damp and mould, fire and electrical hazards; and this trend is mirrored in licensed properties and properties eligible to be licensed.

### ***Property management and anti-social behaviour***

- 5.25.** The housing regulation team has used HMO and selective licensing to tackle nuisance and anti-social behaviour resulting from poor and negligent property management.
- In 2019 in Chalvey, a small HMO eligible to be licensed under the additional licensing scheme was reported to the housing regulation team due to complaints about noise, ASB and criminal activity. An intervention by housing regulation and subsequent involvement of third sector partners resulted in the identification of a victim of modern slavery, who was supported to find alternative accommodation. The main perpetrator of the ASB was evicted and the property, which had been poorly managed for some time was sold.
  - In 2019 in Baylis and Stoke serious criminal activity was uncovered through the execution of a warrant of entry obtained from the Court on the basis that property in question was suspected to be an HMO requiring a licence. Arrests were made and the property was subsequently subjected to a Closure Order under ASB Crime and Policing Act 2014. The property has now been refurbished and is let as a family home.
  - In 2021 a licence holder of an HMO in Langley was warned that his licence would be revoked due to persistent ASB and criminal activity associated with the property. The licence holder was also advised that he would not be issued with a further licence and that the property was of at risk of being placed

under an interim management order. An Interim Management Order involves the Council taking over control of the property and tenancies. In response, the landlord voluntarily surrendered his licence and the property is now fully controlled by another licence holder who was deemed fit and proper to hold a licence. There has been no recurrence of the ASB since the new licence was issued.

- The housing regulation team are currently working alongside a local management company to tackle anti-social and nuisance behaviour at a block of flats in Central ward with a large number of licensed flats. The management company has been struggling to deal with a range of issues particularly the inappropriate storage and disposal of bulky and household waste which can present a serious fire safety risk where the waste causes an obstruction. The Council is writing to all licence holders to remind them of their legal responsibilities and will continue to monitor the situation on site, taking enforcement action if appropriate.

## ***Enforcement***

**5.26.** In line with the Council's enforcement policy as well as Government Guidance and protocols the housing regulation team reserve formal sanctions for the most serious and persistent offenders. The Housing Act 2004 and associated legislation created a range of criminal offences, many of which relate to property licensing and houses in multiple occupation. The Housing and Planning Act 2016 gave Local Authorities the power to issue Civil Financial Penalties as an alternative to prosecution for certain offences including operating a property required to be licensed without a licence. Where an offence is identified that meets the threshold for sanction the Council must decide, in line with its policies whether to issue a civil penalty or to take proceedings to the Magistrate's Court.

**5.27.** The Council has issued 7 civil financial penalties in total, the majority of which relate to licensing:

- In August 2018 a landlord was issued a civil financial penalty of £22.5K for operating a property required to be licensed without a licence and breaches of management regulations relating HMOs. The landlord was allowed to pay in instalments. Unfortunately in this case further enforcement action became necessary and eventually the landlord was prosecuted.
- In November 2018 a £37K civil financial penalty was issued to landlady for breaching multiple management regulations relating to HMOs. The Council pursued the payment through the County Court, eventually recovering the full amount plus costs when the property was sold.
- In October 2019 a Company was fined £5000 for failing to comply with an Improvement Notice. Although the offences is not directly related to licensing the property to which the improvement notice related was a licensed flat. The landlord subsequently carried out the required repairs and the fine has been paid in full.
- In June 2020 a managing agent was fined £8500 for operating a property required to be licensed under the selective scheme, without a licence. The property was subsequently subject to a licence application and the fine was paid in full.
- In October 2020 a landlord was fined £6500 for operating a property required to be licensed, without a licence. A licence application was subsequently

made and improvements were also made to the dwellings. The fine has been paid in full.

- In August 2021 the landlord of an HMO was fined £5250 for operating the property without a licence. A licence application has since been made and the fine is being paid in instalments by agreement with the Council.
- In March 2022 a landlady was fined £7500 for operating a property required to be licensed without a licence. This matter is yet to be concluded.

In total £92,250 of Civil Penalties have been issued by the Council since 2019. In accordance with statutory guidance, all income from civil financial penalties issued for offences under the Housing Act 2004 is retained by the Council and used to support the regulation of the private rented sector in Slough

**5.28.** Since April 2019 the Council has prosecuted 2 individuals for offences under the Housing Act 2004:

- In 2021, following a significant fire at 345 Uxbridge Road, Nadeem Khan of Warwick Avenue was ordered by Magistrates to pay £3990 for operating an HMO without a licence and for breaches of HMO management regulations. The landlord later handed over management and control of the property to a reputable agent and the property has been renovated and is now licensed.
- In January 2022 Mr Faheed Alam Choudhry was convicted of 11 offences under the Housing Act 2004 including operating an HMO without a licence and 10 breaches of HMO management regulations. He was fined £55k by the Magistrates Court, and with costs the total amount Mr Choudhry was ordered to pay was £57,577.92. The landlord has been refused a licence and has appointed a reputable agent to manage the property on his behalf. The Council is currently considering whether it would be appropriate to add Mr Choudhry to the Rogue Landlord Database.

It is important to note that fines issued on conviction in the Magistrates Court are paid to the Treasury and not to the Council.

**5.29.** Following a previous Scrutiny Committee meeting on 22nd October 2020, information was requested regarding the Council's activities in relation to sub-letting. Sub-letting is a civil matter between a landlord and tenant. It is not a matter that the housing regulation team can regulate against. The recourse for landlords unhappy with their tenant's sub-letting is through the Civil Court. Where a tenant has sub-let a property, and in doing so has created an HMO, the Local Authority will investigate and take the appropriate action in accordance with relevant legislation, guidance and policy.

**5.30.** The Housing Act 2004 sets out the licensing offences and defines the offenders in each case and Council officers are duty bound to follow all lines of enquiry relating to an offence in the course of their investigation. Before prosecuting or fining a person under the provisions of the Housing Act 2004, the Council must satisfy itself that the evidential and public interest tests set out in the Code for Crown Prosecutors have been met. This will mean that in certain circumstances the Council will choose not to take enforcement action even where they suspect offences have been committed.

## **Activity in 2022/23 and beyond**

- 5.31.** The most significant challenge to the successful delivery of the licensing schemes is resourcing. In order to ensure that the Council can continue to fulfil its statutory obligations as well as delivering the wider objectives of the licensing schemes, the housing regulation team has put in place interim 'Acting Up' arrangements and will be submitting a business case seeking approval to recruit to the existing housing regulation officer vacancies as soon as reasonably practicable. If the business case is approved it is anticipated that new officers will be in post by autumn 2022.
- 5.32.** Given the time remaining before the current licensing designations expire the housing regulation must pivot its activities towards the inspection and audit of properties already licensed. The housing regulation team will not be able to inspect every property licensed under the selective scheme. Consequently an alternative means of auditing compliance is being devised which will involve licence holders submitting certain documentation and completing an online questionnaire. The response to the questionnaire will be used not only to assess compliance, but to establish which properties may need a full physical inspection. In any event where a licence holder or manager controls multiple properties, the Council aims to carry out at least one full property inspection per landlord.
- 5.33.** In addition, the housing regulation team will prioritise the physical inspection of certain properties licensed under the selective scheme. Prioritisation will be based on stock modelling data relating to the likelihood of a property containing category 1 hazard.
- 5.34.** The Council still aims to inspect every licensed HMO within 5 years of an application being submitted and is prioritising its inspection programme on the basis of risk. The level of risk is determined by the size and nature of the property and the licence holder's or manager's history of compliance.
- 5.35.** All licensed or licensable properties subject to a complaint about conditions or poor management will be inspected by a housing regulation officer.
- 5.36.** In order to ensure that the enforcement of the requirement to licence is not neglected as the team focusses on compliance, the housing regulation team is considering carrying out a new tranche of communications to local agents who may be able to disseminate information about the licensing requirements to a large number of landlords at once. We have had some recent success in attracting new applications by liaising with building managers in blocks of flats who often know which flats are rented and which are owner occupied.
- 5.37.** In addition and as mentioned earlier, the team will be scheduling further high visibility operations in localities around the borough with a view to identifying unlicensed properties alongside tackling the wider issues associated with poor property management. Such operations will be supported by officers from the resilience and enforcement team and where appropriate other council departments such as planning enforcement; and other agencies such as Thames Valley Police, Royal Berkshire fire and Rescue Service and others will be invited collaborate. After Chalvey and Central the wards with the highest estimated number of HMOs is Elliman, which will be the subject of the next operation to take place in the first quarter of 2022/23.

**5.38.** The housing regulation team have been working on an improved set of policies and procedures relating to all elements of private sector regulation including a new enforcement policy, a revised protocol for issuing civil financial penalties and a licensing decisions policy. All have been, or are currently being reviewed by HB Law and will be presented at a future committee meeting for scrutiny so that the final iterations can be escalated for approval. These policies and protocols will make decisions relating to enforcement easier for officers, speeding up the process of holding rogue landlords to account. They will also improve transparency and accountability and will assist landlord's to better understand how and why certain enforcement decisions have been taken, thus helping them to challenge the Council if they deem they have been treated unfairly.

**5.39.** Finally with a view to the future, the housing regulation team have commenced a time and motion study to obtain evidence of the true cost of implementing the licensing schemes. Anecdotally, it appears that the time and resource involved in delivering the licensing schemes may have been underestimated, but no data exists to support this assertion. The quality of the licence applications received by the Council varies substantially and consequently a great deal of effort is required to educate landlords and to obtain the information necessary to determine an application.

**5.40.** In order to ensure that a useful cost benefit evaluation will be possible, reliable estimates of the time and resource involved in delivering the schemes are required. Furthermore, as fees are designed to recover the cost of administering the schemes, for any future schemes to be cost neutral it is essential that the Council understands their true cost. The Council may be able to create a fairer fee structure and engender behaviour change all at once by setting a tiered fee structure, where applications which lack essential information attract a higher fee.

**5.41.** A full evaluation of the schemes will be carried out in 2023/24 and the findings of the evaluation; alongside data about the housing stock will be used to inform an options appraisal for the schemes when the current designations expire in 2024. It is important to note that in accordance with Licensing of Houses in Multiple Occupation and Selective Licensing of other Residential Accommodation (England) General Approval 2015, in the case of selective licensing any designation that includes more than 20% of the private rented stock or more than 20% of the Borough's geographical area, requires approval from the secretary of state. Colleagues from other local authorities have reported the application process is labour intensive and a number of Local Authorities have had applications for licensing schemes rejected, including Liverpool City Council in 2020 and Croydon in 2021.

**5.42.** It is clear that if there is to be an expansion of selective licensing beyond the current designated area, the Council must ensure it has robust evidence to support an application to the secretary of state and it must also conduct a thorough public consultation; both of which are likely to require upfront investment and some specialist data and insight support.

## **6. Conclusion**

**6.1.** It is rational to assume that all regulatory teams across the Council will come under increased pressure in coming months as the cost of living crisis begins to take effect and landlords and tenants struggle to pay their bills and maintain their properties. As demonstrated by the number of hazards removed from licensed

properties, licensing presents a fantastic opportunity to proactively target poorer quality accommodation and to root out landlords who are persistently failing to manage their properties. Licensing also provides an opportunity for better engagement with landlords and letting agents who are encouraged through licensing, to approach housing regulation for advice on how to comply with their legal requirements. However, like all departments across the Council, the housing regulation team will need to focus its resources where the risk of harm is greatest, and this will inevitably lead to some cases being deprioritised and residents being asked to seek alternative means of redress against their landlords, for example through property redress schemes, and third sector partners such as Shelter and Citizen's advice.

**6.2.** Formal enforcement, though resource intensive may hold the key to improving the property management culture in Slough. The conviction and fine in January 2022, referenced earlier in this report represents a genuine disincentive to poor management and demonstrates to responsible landlords that the Council are using licensing to root out the rogues. The suite of new policies and protocols currently being developed by the team, together with the lifting of final Covid restrictions should make robust enforcement more achievable in the coming months.

**6.3.** The next step for housing regulation is to bring the new policies to scrutiny ahead of Cabinet and Council approval; date to be agreed.

## **7. Background papers**

There are no background papers accompanying this report.

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**MEMBERS' ATTENDANCE RECORD 2021/22**  
**CUSTOMER & COMMUNITY SCRUTINY PANEL**

<b>COUNCILLOR</b>	<b><u>08/07/21</u> <b>CANCELLED</b></b>	<b><u>21/10/21</u> <b>MOVED TO</b> <u>09/11/21</u></b>	<b>09/11/21</b>	<b><u>08/12/21</u> <b>Joint with</b> <u>O&amp;S</u></b>	<b>25/01/22</b>	<b>02/03/22</b>	<b>06/04/22</b>
Begum (Chair)			P	P	Ap	P	
Muvvala (Vice-Chair)			P	P	P	P	
Ajaib			P	Ab	P	P	
Ali			P	P	P	Ap	
Hussain			Ap	Ap	Ap	Ab	
Kaur			P	P	Ap	P	
Minhas			P	P	P	P	
Mohammad			P	P	P	P	
Sandhu			P	P	P	Ab	

P = Present for whole meeting    P\* = Present for part of meeting    Ap = Apologies given    Ab = Absent, no apologies given

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