

IMPROVING PLACES SELECT COMMISSION

Date and Time :- Tuesday 11 July 2023 at 1.30 p.m.

Venue:- Town Hall, Moorgate Street, Rotherham.

Membership:- Councillors Wyatt (Chair), Tinsley (Vice-Chair), Andrews, Atkin, Aveyard, C Carter, Castledine-Dack, T Collingham, Cowen, Ellis, Havard, Khan, McNeely, Reynolds, Taylor.

Co-opted Members:- Mrs. K. Bacon, Mrs. M. Jacques.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

AGENDA

1. Apologies for Absence

To receive the apologies of any Member who is unable to attend the meeting.

2. Minutes of the previous meeting held on 6 June 2023 (Pages 3 - 7)

To consider and approve the minutes of the previous meeting held on 6 June 2023 as a true and correct record of the proceedings.

3. Declarations of Interest

To receive declarations of interest from Members in respect of items listed on the agenda.

4. Questions from members of the public and the press

To receive questions relating to items of business on the agenda from members of the public or press who are present at the meeting.

5. Exclusion of the Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

6. Appointment of Representative to the Health Welfare and Safety Panel

To receive nominations and appoint a representative to the Health, Welfare and Safety Panel for 2023/24.

7. Draft Damp, Mould and Condensation Policy (Pages 9 - 31)

To consider a report outlining the current processes in place to deal with reports of damp, mould and condensation and a Draft Damp, Mould and Condensation Policy.

8. Cost of living and rent arrears in Council Housing (Pages 33 - 43)

To consider a briefing in respect of the impact the cost-of-living crisis is having on Housing Services and the response.

9. Play Procurement and Installation (Pages 45 - 53)

To receive a briefing in respect of the procurement and installation process for recreational playground equipment.

10. Work programme (Pages 55 - 61)

To consider and endorse a draft outline programme of work for the 2023/24 municipal year.

11. Urgent Business

To consider any item which the Chair is of the opinion should be considered as a matter of urgency.

12. Date and time of the next meeting

The next meeting of the Improving Places Select Commission will take place on 19 September 2023 commencing at 1.30pm in Rotherham Town Hall.

IMPROVING PLACES SELECT COMMISSION
Tuesday 6 June 2023

Present:- Councillors Wyatt (Chair), Atkin, Aveyard, C Carter, Cowen, Ellis, Havard, Khan, McNeely, Reynolds, Taylor and Tinsley, and co-optees representing Rotherfed, Ms. K. Bacon and Ms. M. Jacques

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

74. MINUTES OF THE PREVIOUS MEETING HELD ON 9 MAY 2023

Resolved:-

- 1) That the minutes of the previous meeting held on 9 May 2023 be approved as a true and correct record of the proceedings.

75. DECLARATIONS OF INTEREST

There were no declarations of interest.

76. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

The Chair advised that there were no members of the public or representatives of media organisations present at the meeting and there were no questions in respect of matters on the agenda.

77. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that there was no reason to exclude members of the press or public from observing the discussion of any items on the agenda.

78. ENVIRONMENT ACT 2021 UPDATE

Consideration was given to a report presented by the Assistant Director Community Safety and Street Scene and the Head of Environmental Services in respect of the Council's response to changes pursuant to the Environment Act 2021. The Environment Act 2021 (the Act) strengthened the vision of the Environment Act 1995 and set new legally binding environmental targets. These targets would be monitored and enforced by a newly appointed independent body, the Office for Environmental Protection (OEP). Several policies, plans and strategies were in place to ensure these targets would be met. Implementations of the requirements of the Act could result in increased costs to the Council due to increased reporting requirements, increased collection costs, increased disposal costs and increased resource requirements. There were also income streams that could be accessed for complying with the requirements, but to ensure the maximum payment, the Service needed to be efficient and

effective. To ensure that material was managed in compliance with the law, the consultations indicated there would be more emphasis on competent persons and good quality data. This would require ongoing staff training and better data capture systems. Efficient and effective management of waste would contribute to the Council's Carbon Neutral by 2030 target.

In discussion, Members expressed support for a deposit return scheme and requested to know whether the Service were on target to implement such a scheme by the October 2025 target. The response from the Assistant Director affirmed this was in the hands of Central Government. Officers observed that the original target had been 2024, and the response to the formal consultation undertaken in 2021 had yet to be seen, which raised doubts with regard to timescales.

Further clarification was requested around the potential for technological innovation. The response from officers noted the opportunity for reduction in single use items such as coffee cups which could instead be made of fully recyclable materials or materials that could have recyclable use. The deposit scheme focussed on plastic return schemes and cans, with extended producer responsibility regarding packaging.

Members requested more information around the consideration that had been given to pictorial guidance on recycling and waste receptacles. The response from officers noted that pictures offer a quicker reference, but sometimes not with the level of nuance required, for example, in the range of types of plastics. The waste calendar did utilise pictures.

Members noted the very challenging position of Waste Services all over the country where preparation for the future had to be undertaken without the benefit of full information or timelines. In view of this, Members sought clarification of when Rotherham will know if the exemption sought would be granted and the level of risk that the existing contract could become unviable if the exemption were not granted. The response from officers noted that the exemption is included in the Service's risk register, as it is the most significant risk in the short term. DEFRA was supportive of the exemption. The timeline previously posited for ministerial signoff had been during the springtime. Receiving the exemption would mean Rotherham, along with other authorities seeking a similar exemption, would receive specific mention in the legislation that would be laid before Parliament.

The current waste contract had a further seventeen years' lifespan, with the option for a further five-year extension. However, if the Council alter the collection arrangements, this will require entering negotiation. The figure of the disposal costs associated with the Private Finance Initiative was £8 million per year.

The chair emphasised the environmental as well as financial disadvantage that would come about if the contract were to cease. Members sought clarification of costs to the Council in the event that

release from the contract were sought if the risk materialised. Officers noted the hypothetical cost in that circumstance would be in the tens of millions. There would then be significant further costs in terms of infrastructure needs.

In view of the risk, Members sought additional assurances that the Council was working collaboratively with other local authorities to bring about the exemption. Officers described the activity of the jointly funded Barnsley, Doncaster, Rotherham (BDR) Joint Waste Partnership and Board that spearheads the engagement with Government. Rotherham's Cllr Beck had fulfilled a stint this year as Chair on behalf of all three local authorities to lobby Central Government for the needed changes.

Members requested further details of the actions taken by the Council to work efficiently and effectively. The response from officers noted the significant growth in this area and the need to optimise carbon impact and fuel efficiency. Clarity around recycling rates was also an area of importance. Rotherham was one of the best in the region in terms of recycling rates. Fleet replacement had been a further area of work in pursuit of more environmentally friendly ways to run bin wagons. Collection methods, optimisation, and recycling were key. There was a need to be flexible regarding methods and also realistic regarding wider participation.

Members sought more information regarding the potential impact of deposit schemes on recycling. The response from officers noted that currently, the rules would not allow the Council to claim the deposit return for fly tipped or littered items. It was also noted that recycling rates are higher where there are food waste collections. This introduces challenges around how Rotherham keeps the public informed of progress in respect of the recycling agenda. The Service monitored conversations between Government and Scotland regarding the faster implementation than in the rest of the UK. Scotland had also requested to include glass. Scotland had received clearance to bring implementation online ahead of the UK, but Scotland had not been allowed to include glass. It was noted that regarding milk, some communities were returning to the ways milk had formerly been marketed.

Members noted the need for high organic matter content to aid the anaerobic process. Officers confirmed that anaerobic treatment requires the food waste. Because of the way the processing and treatment facility was set up with multiple funding streams, changes in the factors that influence the financial streams can jeopardise these streams. Renewi was regarded as very innovative. There was a need to fully appreciate operational benefits as well as what delivers the best results in terms of environmental impacts.

Members requested more information from the Service about the future of polystyrene use and the collection and processing of mattresses, specifically. The response from officers affirmed that polystyrene in

takeaways should be discouraged. It was felt that the likelihood was high that the scheme would promote seeking out more environmentally friendly solutions to packaging. Mattresses were collected by bulky waste services, and they were incinerated. They could not go to Renewi because the springs jeopardise the mechanical phase of the processing which involves machinery.

Members sought to know whether the Service communicate to residents the local savings achieved by recycling. The response from officers confirmed that Rotherham's recycling rate was comparable to similar authorities who handle waste in similar ways. The service consistently sought opportunities to widen engagement with the public to communicate the benefits of recycling.

Members sought additional information regarding producer responsibility under the Act. The response from officers noted that the scheme administrator was Central Government. The right level of information was not yet available, although it was felt that the Government would not put local authorities in a position of financial harm.

Members sought further clarification around the financial implications around collection of refuse on behalf of people. The response from officers clarified that it was a separate service that collects fly tipped refuse. This service would not receive money. These considerations would likely be reflected in what producers would pay.

The Chair affirmed the desire Members expressed at the recent Scrutiny Strategy Day to consider how household waste recycling centres might divert reusable things locally through a designated facility where local people could source reusable items. The response from officer noted much potential at this time to work on projects like this.

Resolved:-

- 1) That the risk manager consider moving the departmental risk, associated with the exemption to the requirement of separate food waste collection, to a corporate risk based the potential financial impact.
- 2) That the significant changes proposed through the Environment Act, ongoing uncertainties, and the business operations of community recycling be noted.
- 3) That the next update on implementation of the Council's duties under the Environment Act 2021 be received at an appropriate time.

79. URGENT BUSINESS

The Chair advised that there were no urgent items of business requiring a decision at the meeting.

80. DATE AND TIME OF THE NEXT MEETING

Resolved:-

- 1) That the next meeting of the Improving Places Select Commission will take place on 11 July 2023 commencing at 1.30 pm.

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Public Report
Improving Places Select Commission

Committee Name and Date of Committee Meeting

Improving Places Select Commission – 04 July 2023

Report Title

Damp, Mould and Condensation Update

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

Lynsey Skidmore, Interim Head of Contracts, Investment and Compliance, Adult Care, Housing and Public Health. 01709 334950.

Ward(s) Affected

Borough-Wide

Report Summary

Damp and mould in the home can be a hazard to health, causing respiratory problems and increasing allergies.

The Council adopts a zero-tolerance, pro-active approach to reports of damp, mould and condensation in council owned properties and provides support to private rented tenants to address hazards within their homes.

The Draft Damp, Mould and Condensation Policy has been compiled in response to the Housing Ombudsman reports in relation to damp and mould, and the proposals for Awaab's Law which will require landlords to fix reported health hazards within specified timeframes.

This report provides the Improving Places Select Commission with an update on the current processes in place to deal with reports of damp, mould and condensation and a summary of the Draft Damp, Mould and Condensation Policy.

Recommendations

1. That Improving Places Select Commission note the current processes in place to deal with reports of damp and mould.
2. That Improving Places Select Commission provide feedback on the current approach and Draft Damp, Mould and Condensation Policy.

List of Appendices Included

Appendix 1 Draft Damp, Mould and Condensation Policy

Appendix 2 How to keep your home safe, well and warm- a guide for residents.

Appendix 3 Initial Equality Screening (Part A).

Appendix 4 Equality Analysis Form (Part B).

Appendix 5 Carbon Impact Assessment.

Background Papers

None.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None.

Council Approval Required

No

Exempt from the Press and Public

No

1. Background

- 1.1 The Housing Ombudsman published a spotlight report 'It's not lifestyle' in October 2021 in response to a rising number of damp and mould complaints, high uphold rate and re-occurring reasons leading to maladministration.
- 1.2 In November 2022, the Housing Ombudsman wrote to housing providers to bring renewed focus on the recommendations contained within the report following the tragic death of Awaab Ishak.
- 1.3 A follow up report was published by the Housing Ombudsman in February 2023 which summarises the outcome of the work undertaken with landlords since the previous report. Ten key factors within three priority areas are highlighted within the report as follows:
- Hiding behind legal proceedings- ensuring complaints processes are accessible and that the tone of advice provided to residents is not patronising, insulting or blaming i.e. keeping the heating on all the time.
 - Dignity, respect and fairness- that communications remove the culture of blaming the resident and their lifestyle, ensuring empathy and recognition of the pressures on some households such as fuel poverty and overcrowding.
 - Good governance, knowledge and information management- landlords are encouraged to have a damp and mould policy in place, have knowledge of properties which are at risk and a void standard/mutual exchange so that tenants do not move into homes with damp and mould issues.
- 1.4 Currently, damp and mould features in the Council's Repair and Maintenance policy. This includes information on the Damp Survey Request and Report Procedure. However, there is no separate bespoke policy detailing the Council's approach to dealing with Damp, Mould and Condensation and the Repairs and Maintenance Policy only applies to council homes.
- 1.5 The Draft Damp, Mould and Condensation Policy has been developed in response to the recommendations by the Housing Ombudsman and also includes the Council's wider responsibilities in responding to issues reported within private housing. The policy addresses the issues raised by the Housing Ombudsman with a clear emphasis on taking responsibility and a proactive zero tolerance approach.
- 1.6 It is likely that the policy will require amendment following the introduction of Awaab's Law and the requirements contained within the legislation.

2. Key Issues

2.1 Current Legislation

2.1.1 The Decent Homes Standard sets out the minimum requirements that social homes must meet which are as follows:

- Criteria a) it meets the statutory minimum standard for housing
- Criteria b) it is in a reasonable state of repair (which was replaced by HHSRS in 2006)
- Criteria c) it has reasonably modern facilities and services
- Criteria d) it provides a reasonable degree of thermal comfort

2.1.2 The Housing Health and Safety Rating System (HHSRS) was introduced to the Decent Homes Standard in 2006 and replaced 'Criteria b' detailed above. The criteria states that a dwelling must be free of category one hazards, and the existence of hazards should be a trigger for remedial action. Damp, mould and excess cold may amount to a category one hazard.

2.1.3 The government launched a consultation in September 2022 to improve the current standard for Social Housing and extend to the private rented sector. This has since been deferred.

2.1.4 The Secretary of State for Levelling up, Housing and Communities wrote to all Social Housing Providers in November 2022 following the tragic death of Awaab Ishak. The letter requested that providers go further than the decent homes standard with particular regard to damp and mould.

2.1.5 The Government has tabled amendments to the Social Housing Regulation Bill to introduce 'Awaab's Law', which will require landlords to fix reported health hazards within specified timeframes. Similarly, the Department for Levelling Up, Housing and Communities (DLUHC) has announced that social housing landlords will have to investigate and fix damp and mould in their properties within strict new time limits, with a rapid review of existing guidance on the health impacts of damp and mould, followed by new guidance tailored to the housing sector, to be published by Summer 2023.

2.2 Rotherham's Current Approach- Council Properties

2.2.1 An inspection is undertaken by a Technical Officer in every case where a report is received in relation to damp, condensation and mould in Council properties. During the visit, the officer provides advice and guidance to tenants. Officers treat the mould during the visit where specialist treatments and interventions are not required. An internal and external inspection is undertaken to determine any repairs related issues which may be causing the damp including loft insulation issues, guttering, defective damp course, faulty extractor fans and roof repair requirements.

- 2.2.2 Work requiring mould, damp or ventilation specialists is ordered to specialist contractors where required.
- 2.2.3 In response to a 238% increase in damp and mould referrals (comparing 128 reports in January 2022 to 432 reports in January 2023), the housing service has increased the number of Technical Officers to inspect mould and damp by 50% (from six to nine officers).
- 2.2.4 The increase is reflected nationally resulting in significant demand for mould specialists across the housing sector. The housing service has a contract in place with QEST and has recently appointed a second contractor to deal with the increased number of requests. The target turnaround for starting treatment works is within 7 working days of instructing the work. However, the target turnaround time is not being achieved by the contractors due to unprecedented market demand in recent months. Contract meetings are in place to address the failure to achieve performance and the housing service is pursuing other options to deal with the increased demand. This includes requesting assistance from Facilities Services who are trained to undertake specialist cleans including mould treatment.
- 2.2.5 The Council acknowledge damp and mould complaints are often received via disrepair claims. The following claims were received in relation to damp and mould:
- In 2021/22 68 cases were received, 61 were closed with a total settlement cost of £22,882, 7 remain open
 - In 2022/23 48 cases were received, 13 were closed with a total settlement cost of £795, 35 remain open
 - To date in 2023/24, 9 cases have been received, 1 has been closed with a settlement cost of £50, 8 remain open.

50 cases are currently active.

2.3 Proactive Mould Surveys

- 2.3.1 The Housing Service attempted 247 proactive mould surveys to Council houses in geographic areas identified as having a disproportionately high number of mould-related issues in 2022. This subsequently resulted in mould treatment works being successfully carried out to 63 properties, and 36 new extractor fans were fitted.
- 2.3.2 There are plans in place to undertake a further 400 targeted proactive mould surveys to Council homes in 2023. The methodology for targeting the 400 proactive mould surveys will follow the same principles as the targeted approach for the 247 surveys undertaken in 2022.

2.4 Communications Campaign

- 2.4.1 In December 2022, the Council launched a major programme of communications with residents.

- 2.4.2 In addition, a video focusing on preventing mould in your home and a leaflet ‘How to keep you and your home safe, well and warm’ have been published.
- 2.4.3 The Summer 2022 edition of Home Matters featured information on how to combat damp and mould in homes as well as options available for tenants who may have been struggling due to the cost-of-living crisis.
- 2.4.4 ‘How to report a complaint’ is a standing article in all home matters magazines.
- 2.4.5 The website is being amended to include an option to report damp and mould online.

2.5 Proactive investment to prevent damp and mould

2.5.1 Below is a summary of investment in specialist treatments in Council properties over the last 7 years:

Year	Mould and Condensation Treatment	Damp Proofing Works
2016-17	£129,000	£434,000
2017-18	£175,000	£285,000
2018-19	£138,000	£170,000
2019-20	£213,000	£299,000
2020-21	£125,000	£352,000
2021-22	£186,000	£331,000
2022-23 (forecast)	£295,000	£580,000
Total	£1,261,000	£2,451,000

2.5.2 £8.8m of targeted investment to improve ventilation, insulation and thermal efficiency following in-depth stock analysis has been undertaken during the last five years.

2.6 Private Sector Housing

- 2.6.1 Local Authorities have a statutory role to enforce standards on all private rented homes, these powers are extensive but there are still barriers and limitations to councils using these powers to adequately protect people renting private accommodation.
- 2.6.2 Firstly, there can be a lack of knowledge of rights. This can be due to a number of reasons such as tenants, especially those from outside the UK, are not aware of their rights, this makes them unsure how to report issues and who to report them to. There are also language barriers that need to be overcome. There may be a lack of confidence in authorities which leads to a lack of reporting although this does improve when they have other services involved.

- 2.6.3 The limitations in providing protection can be linked to fear, this can be fear of reprisals from rogue landlords, fear of rent increases and also fear of becoming homeless which could be through legal routes or could be due to harassment or illegal eviction. Some tenants are also caught up in exploitation by their landlords or organised crime gangs (OCG), and may be housed in appalling conditions however they are unlikely to approach the Council due to fear of the consequences of doing so.
- 2.6.4 There are limitations for people wanting to take their own actions against landlords who supply properties that are below standard. These are due to the complex renting system, the legislation that is difficult to understand and the costs associated with civil action.
- 2.6.5 The Community Protection and Environmental Health Team, who enforce private sector housing problems within Rotherham, are experiencing challenges regarding capacity of experienced officers within the teams due to difficulties in recruitment, which is a national issue and one we're seeking to address through internal training.
- 2.6.6 It is important that the Local Authority recognises these barriers and take steps to overcome them to the best of their ability: indeed, the Council has a statutory duty to do so. This can be achieved by having a visible presence in the area and cultivating relationships with residents and community groups in the area who offer support to residents, whilst also undertaking robust regulation and enforcement actions. Building relationships with residents and delivering early intervention through schools/colleges as well as providing workshops and presentations regarding tenant's rights and how to report issues will also assist in removing these barriers, together with effective enforcement against landlords.

3. Options considered and recommended proposal

- 3.1 The Housing Ombudsman has developed recommendations for housing providers to follow to provide assurance in relation to the processes in place for dealing with damp and mould requests. The draft policy addresses the recommendations contained within the Housing Ombudsman report.

4. Consultation on proposal

- 4.1 The emerging themes from the draft policy have been discussed at Housing Involvement Panel.
- 4.2 The Cabinet Member for Housing has been consulted.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The Draft Damp, Mould and Condensation Policy is scheduled for submission to Cabinet in September 2023.

6. Financial and Procurement Advice and Implications

- 6.1 There is a total budget in place for dealing with damp and mould issues in council homes of £1.072m in 2023/24. This value represents a 109% funding increase vs 2021/22 outturn and a 21% increase vs the 2022/23 outturn.
- 6.2 The current mould specialist contractors are not meeting their contractual obligations due to unprecedented demand in this sector. There is ability to procure an alternative supplier (and QEST fund any additional cost) until QEST can achieve service standards, or terminate part or all of the contract if there are suitable grounds to evidence that QEST are not delivering to the agreed service standards. However, there are a limited number of suppliers delivering these works.
- 6.3 A formal tender process will need to be undertaken if additional contractors are required to meet demand. The cost of the procurement process will be managed via existing staff and budgets. The potential impact on the cost of works will emerge as the tender progresses. Given the current economical position it is possible that costs will increase. This will be managed via the budget monitoring process and would utilise emerging underspends. If this is not possible there will be a call on HRA reserves, which are in a more favourable position than budget due to the underspend in 2022/23.

7. Legal Advice and Implications

- 7.1 There are legislative requirements for keeping social housing and private sector properties in a reasonable state of repair and free from hazards, which are also applicable to damp and mould. The detail of the relevant legislation is contained within the main body of the report.
- 7.2 In due course the government will introduce Awaab's law which will require landlords to fix reported health hazards within specified timescales. The Damp, Mould and Condensation Policy may require amendment to reflect the criteria within the law.
- 7.3 In implementing the Damp, Mould and Condensation Policy the Council is taking steps to minimise the risk of legal challenge/enforcement action by the Regulator in the future. The Council will be able to demonstrate that they have fully considered the recommendations made by the Housing Ombudsman and are taking their responsibilities as a housing provider seriously.

8. Human Resources Advice and Implications

- 8.1 The housing service has followed due process and increased the number of Technical Officers to reflect increased demand associated with damp and mould.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Damp and mould can negatively impact upon the health and wellbeing of children and vulnerable adults. It is therefore imperative that we address and deal with the issue as soon as possible.

10. Equalities and Human Rights Advice and Implications

10.1 Please see attached Equality Analysis.

10.2 Reports of damp and mould are prioritised based upon vulnerabilities of the tenant i.e. age, ill health or disability.

10.3 Tenants have a right to reside in a home which is fit for habitation.

11. Implications for CO₂ Emissions and Climate Change

11.1 Please see attached Carbon Impact Assessment Report.

11.2 The works undertaken to improve the thermal efficiency of properties positively contributes to the reduction of CO₂ emissions and climate change agenda.

12. Implications for Partners

12.1 QUEST and Mould Doctor are the specialist contractors currently contracted to deliver mould eradication works and are not currently achieving their performance target.

13. Risks and Mitigation

13.1 The key risk is to tenants' health who are living in properties with damp and mould which can lead to respiratory problems, infections, allergies or asthma.

13.2 Failure to comply with HHSRS and the Decent Homes Standard will lead to non-compliance. The Regulator for Social Housing can issue an unlimited fine, enter properties with 48 hours' notice and make emergency repairs where there is a serious risk to tenants, with landlords footing the bill.

13.3 The Draft Damp, Condensation and Mould Policy addresses the requirements of the legislation and Housing Ombudsman recommendations.

Accountable Officer(s)

James Clark, Assistant Director of Housing

Sam Barstow, Assistant Director of Community Safety and Streetscene

Lynsey Skidmore, Interim Head of Contracts, Investment and Compliance

Emma Ellis, Head of Community Safety and Regulatory Services

Approvals obtained on behalf of:

	Name	Date
Chief Executive		Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Jo-ann Sheppard	14/06/23
Assistant Director of Legal Services (Monitoring Officer)	Michelle Scales	13/06/23
Assistant Director of Human Resources (if appropriate)		Click here to enter a date.
Head of Human Resources (if appropriate)	Claire Cox	06/06/23
The Strategic Director with responsibility for this report	Ian Spicer, Strategic Director of Adult Care, Housing and Public Health	29/06/23
Consultation undertaken with the relevant Cabinet Member	Cabinet Member for Housing - Councillor Brookes	29/06/23

Report Author: Lynsey Skidmore, Interim Head of Contracts, Investment and Compliance, Housing and Estate Services. 01709 334950 or lynsey.skidmore@rotherham.gov.uk

This report is published on the Council's [website](#).

Rotherham
Metropolitan
Borough Council



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**Damp, Mould &
Condensation
Policy**

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1. INTRODUCTION

Damp and mould in the home can be a hazard to health, causing respiratory problems and increasing allergies.

The Council is committed to making sure your home is free from damp, mould and condensation and treats all reports very seriously.

There was a 338% increase in reports of damp and mould in January 2023 following the tragic death of Awaab Ishak and the cost-of-living crisis. The Council have committed to providing a pro-active and responsive service and have increased staffing and financial resources to reflect demand.

The key aim of the policy is to raise awareness of damp, mould and condensation, provide advice to residents, and to detail our approach to dealing with reports of damp in mould in Council owned and private sector properties.

The policy is underpinned by some principles:

- All residents should expect to be able to live in a safe and healthy home environment free of damp, mould and condensation.
- Residents should be empowered to spot, treat and prevent damp, mould and condensation in their homes where it is safe, practical and reasonable to do so.
- There is a clear and accessible way to report cases of damp, mould and condensation available for all residents.
- Council staff and contractors should always treat residents in a fair and empathetic manner, taking into account individual circumstances including language barriers, age, health conditions, and any contributing factors such as fuel poverty, insulation defects and overcrowding.
- Landlords, including the Council, should take responsibility and be proactive. A data driven, risk and solution focused approach should be adopted to identify and prevent damp and mould quickly.

Policy scope

The scope of the policy covers our approach to working with residents to prevent and eradicate damp, mould and condensation. The policy includes:

- The definitions and causes of condensation, damp and mould, and steps that can be taken prevent and treat it.
- The role of the Council as a landlord.
- The role of the Council as the enforcement body for private sector homes.

The council, housing associations and private landlords operate under different legal and regulatory frameworks, but all bare responsibility for ensuring tenants' homes are habitable and safe.

2. CAUSES AND DEFINITIONS OF DAMP, MOULD AND CONDENSATION

The three main types of damp that may lead to mould are rising, penetrative and condensation. Damp can be caused by a variety of factors and there can be more than one type of damp present at any time.

Condensation

Condensation is the most common cause of damp and mould within properties, particularly during winter months.

Condensation occurs when moisture held in warm air meets a cold surface and then condenses producing water droplets, or when levels of humidity inside the property are too high. Condensation can take the form of:

- Surface condensation, arising when the inner surface of the structure is cooler than the room air.
- Condensation inside the structure (interstitial) where vapour pressure forces water vapour through porous materials (such as walls), which then condenses when it reaches colder conditions within the structure.

It is often seen as water on windows and is more noticeable when the weather gets colder and the outside temperature drops. Moisture in the air can cause mould growth on walls and ceilings as well as on furniture and possessions.

Condensation can be caused by:

- Inadequate heating within the property
- Poor ventilation and lack of circulating fresh air
- High humidity levels resulting in excessive water vapor in the air
- Poor insulation and building design
- Overcrowding within the property leading to additional levels of condensation and humidity

The risk of condensation can be reduced through:

- Adequate ventilation such as, opening windows and trickle vents, air bricks, ensuring space around furniture to assist air flow and mechanical extractors
- Adequate heating such as, energy efficient boilers and radiators which maintain an appropriate heat level

- Adequate thermal insulation such as, wall and loft insulation.
- Reducing levels of water vapour in the air.

Damp

Rising Damp: Rising damp is the movement of moisture from the ground rising through the structure of the building. This can be caused by a missing or defective damp proof course, or where ground levels, access ramps, etc. breach the damp proof course.

A damp proof course is a barrier, usually formed by a membrane, built into walls of a property, typically 150mm above ground level, to prevent damp rising through the walls.

The presence of rising damp can create or add to an existing condensation problem.



Picture 1: Rising damp to side of kitchen unit on external wall.

Penetrating Damp (including internal leaks): Penetrative damp is caused by water penetrating the external structure of the building or internal leaks causing damp, rot and damage to internal surfaces and structure. The cause can be the result of, for example:

- Water ingress - When water from outside makes its way into a building through defective components such as roof coverings, flashings and external doors and windows;
- Defective or blocked rainwater gutters and pipes
- Leaking internal water pipes, defective wall tiles to shower area.



Picture 2: Defective overflow pipe

Picture 3: Penetrating damp to internal wall with defective wall tiles to shower area at other side

Mould

Mould is a fungus that grows and spreads on damp or decaying matter. It grows best in damp and poorly ventilated areas and reproduces by making spores. It is important that your home has good ventilation to minimise internal moisture and prevent mould growth.

Condensation and damp in homes can lead to mould growth. Mould spores are potent airborne allergens. Exposure to high concentrations of allergens over a prolonged period can cause allergic type reactions, the development or worsening of asthma, respiratory infections, coughs, wheezing and shortness of breath.

Living in a cold home can worsen asthma and other respiratory illnesses and increase the risk of heart disease and cardiac events. It can also worsen musculoskeletal conditions such as arthritis.

Cold or damp conditions can have a significant impact on mental health, with depression and anxiety more common among people living in these conditions.



Picture 4: Black spot mould following condensation to walls and ceiling.

3. WHAT YOU CAN DO TO PREVENT DAMP, MOULD AND CONDENSATION IN YOUR HOME

There are a number of simple steps that you can take to help keep your home free of damp and mould. It is recommended that you:

- **Air your property regularly** – opening windows regularly, even in winter, allows some moisture to escape.
- **Keep doors closed** – when having a shower or bath or cooking keep the room door closed. This will stop moisture spreading to other parts of the property.
- **Wipe away condensation** – use a cloth or towel to wipe away condensation from windows and frames each day. This will minimise the development of mould.

- **Turn your heating on** – this can dry out damp and reduce your chance of getting mould.
- **Keep an eye out for leaks** – if you see a leak report to your landlord as soon as possible to avoid further damage to your property.
- **Dry clothes in a ventilated room** – dry clothes on an airer in a well-ventilated room keeping the door shut to minimise the spread of moisture to other rooms.
- **Dehumidifiers and damp traps** – these will help take moisture out of the air.
- **Use extractor fans** – always use when having a bath, shower or when cooking to allow moisture to escape.
- **Don't overfill your home** – leave a gap between furniture and the wall and avoid overfilling wardrobes. Check regularly for signs of damp, mould and condensation.
- **Grow moisture loving plants** – some plants absorb moisture and pollution from the air, for example, peace lilies, tillandsia, palms and ferns.

If mildew or mould is seen to be forming it can be cleaned off with a damp cloth, making sure to ventilate the room afterwards to allow the area to dry.

If damp and mould persist, then you should report the problem to your landlord who has a duty to ensure that properties are fit for human habitation. Properties need to be free from hazards and damp and mould and excess cold could amount to a category 1 hazard under the Housing Health and Safety Rating System (HHSRS).

4. OUR APPROACH TO DEALING WITH DAMP, MOULD AND CONDENSATION

Tenants of housing associations or private landlords

Tenants of housing associations or private landlords should first contact their landlord about any damp and mould issues.

Tenants can request an inspection by a Community Protection Officer/Environmental Health Officer (EHO) if their landlords have failed to carry out appropriate repairs. If a severe 'category 1' hazard is identified the landlord must take action to remove it. If the landlord fails to comply, then the Council will take enforcement action.

On receipt of a complaint about damp and mould, the Council will aim to contact you within five working days. The team will ask you some questions regarding the severity of the issue. This may include asking for photographs. This information will then determine how the team deals with your complaint.

Where low or medium risk is identified, the matter will be dealt with informally with your landlord unless they refuse to rectify the issue.

Where a high or severe risk is identified, or your landlord has refused to carry out work at the informal stage, the team will organise a full inspection of your property and will take appropriate enforcement action to ensure work is carried out to rectify the issue. Timescales for the works to be completed will be discussed as this can vary between individual cases.

Council tenants

The Council's responsibility is to ensure our tenants' homes are safe and healthy. All council homes must comply with the Decent Homes standard, which includes being free of serious hazards like damp and mould.

The Housing Service are utilising business intelligence, geographic information systems (GIS) and data referencing, to target areas which have a disproportionately high level of damp and mould referrals. Proactive mould surveys are being undertaken in these areas to identify damp and mould followed by treatment works.

Preventive measures to ensure that council properties are kept in good repair, free from damp and mould are also being undertaken. This includes capital investment including re-roofing schemes (where loft insulation top-ups beyond 300mm is required), new heating installations, ensuring baths, sinks etc are properly installed (kitchen and bathroom refurbishments), well maintained rainwater goods and planned ventilation improvement works.

The Council recognises the impact that damp, mould, and condensation can have on our tenants, including distress and concerns about health and wellbeing. We will take prompt action to remedy issues and support our tenants by offering guidance, advice, and assistance throughout the process.

In dealing with damp and mould in our homes, the Council adopts the following principles:

- Our tenants should be listened to and treated in a fair and empathetic manner.
- All Council officers and contractors have a role to play in identifying and reporting damp and mould adopting an 'eyes and ears' approach
- We will embed a culture where Council officers and contractors are trained to see safety as their responsibility and do not blame lifestyle as the cause of damp, mould and condensation.
- A data driven, risk and solution focused approach to deal with damp, mould and condensation. We will seek to understand what is causing damp and mould in our homes, and we will ensure this intelligence informs our investment plans for the future.
- We will utilise our tenant communications and engagement channels to adopt a pro-active marketing campaign so that tenants are aware of how to spot damp and mould issues in their home and how they can report them.

Pro-active approach

We want to make sure that our tenants know how to spot and report issues, and that we are proactive in our approach to prevent damp and mould issues in our properties.

We have undertaken proactive mould surveys to Council houses in geographic areas identified as having a disproportionately high number of mould-related issues. This has subsequently resulted in mould treatment works and extractor fans being fitted. In addition to this, proactive checks are also undertaken for damp and mould during the mould process where all necessary damp proofing and mould treatment works are carried out.

Resources have also been increased so that we can pro-actively respond to reports of damp and mould.

Our ongoing pro-active approach includes:

- Identifying the prevalence of hazards including damp and mould through stock condition surveys and predictive modelling. Using this information to plan and deliver pro-active investment in 'hotspot' areas and poorly designed properties.
- Analysing complaints data to identify potential trends, themes and learning opportunities ensuring processes are re-engineered based upon the learning.
- Undertaking thorough damp and mould inspections when properties are vacant, ensuring the necessary damp and mould treatment works are completed before a property is re-let.
- Identifying damp and mould issues during mutual exchange inspections to ensure it is rectified prior to the exchange taking place.
- Providing annual training to Council officers on Customer Care and how to spot damp, mould and condensation. Regular 'toolbox talks' with Council contractors will ensure operatives entering properties are trained to an appropriate level.
- Each room within a property is checked during a programme of Tenancy Health Check visits to identify damp, mould and condensation.
- Undertaking spot checks (MOT) of properties where tenants have not reported a repair within a 12-month period.
- Reviewing information provided to customers to raise awareness around damp, mould and condensation on an annual basis e.g., through publicity in Home Matters, the Council's webpages, and all social media platforms.

- Providing all new Council tenancies the leaflet 'How to keep you and your Home, Safe, Well and Warm - A guide for tenants and leaseholders' in their starter pack. They will also be shown how to use their heating and ventilation systems, and will be provided with up to date running costs of the appliance for their information.

Zero tolerance when damp and mould occurs

Following a report of damp, mould or condensation the repairs service will:

- Check who is living in the property to see if works and necessary support needs to be escalated due to vulnerabilities of tenant(s) e.g., age (both young and old), ill health or disability that may make the tenant or family member more vulnerable.
- Arrange appointments to visit 100% of all damp, mould and condensation requests, prioritising those where the tenant or family member has been identified as being at increased risk.
- Triage against the three stage process which includes a more in-depth inspection and assessment at each stage of the process dependent upon whether damp and mould has been reported previously.
- Attend and investigate within 10 working days to determine the cause of damp, mould and condensation through a robust and extensive internal and external inspection of the property and, if appropriate, neighbouring properties.
- Diagnose the cause of damp and deliver effective solutions, dealing with the cause of the damp, not just the symptoms and wherever possible, "fixing first time" and looking beyond the mould approach, i.e., cause of mould issue beyond the surface, for example, loft insulation rolled back away from edge roof space, leak, inadequate ventilation, poor heating system etc.
- Technical Officers will remove low levels of mould for tenants on the first visit; this may not require any further works at this time, and advice will be left with the tenant to manage low levels of mould.
- Refer to a specialist damp contractor where there is evidence of defective damp proof courses or decayed timberwork and explain what will happen next, i.e. contact will be made by specialist contractor to book in survey or works.
- Refer to a specialist mould contractor where there is evidence of severe black spot mould and explain to the tenant what will happen next, i.e., contact will be made by specialist contractor to book in survey or works.
- Depending on the extent of works and tenant's circumstance (health conditions), alternative temporary accommodation may be required in severe cases. The Council will support the tenant through this process.

Tenant Responsibility

The Tenancy Agreement states that tenants must keep their homes in good, clean condition and immediately report any faults, damage or repairs. It is therefore the shared responsibility of tenants and the Council to make sure that incidents of damp and mould are reported and acted upon in a timely manner, in a collective effort to minimise damp and mould in Council homes.

Tenants should regularly check their homes for damp and mould and ensure they report an issue as soon as it is noticed so that necessary actions can take place to prevent it from getting worse. Access must be provided to the Council or its contractors so that relevant works can be undertaken.

Tenants should try to reduce condensation damp by ensuring their homes are well ventilated and adequately heated. Where this is not possible, for example because of the costs of heating, tenants should get in contact with the Council for advice.

Leaseholder responsibility

Leaseholders are responsible for managing and maintaining their own properties including damp, mould, and condensation, in accordance with their lease agreement. Leaseholders are responsible for any repairs to their own flat which are due to their actions or inactions.

As the freeholder the Council is responsible for all repairs to the fabric of the building, such as roof repairs, and we will conduct appropriate repairs to rectify any issues. We are only responsible for repairs to a leaseholder's property if we have not complied with this obligation. Any neglect by the leaseholder to manage or conduct repairs for which they are responsible, and that has a direct impact on the condition of a Council owned property, will be dealt with in accordance with the lease.

5. HOW TO REPORT AN ISSUE

Private and housing association tenants

If your landlord has failed to deal with your report of damp and mould in your home you should report the issue to the Environmental Health team who can be contacted on 01709 823118, by email env.health@rotherham.gov.uk or through our website www.rotherham.gov.uk

If your landlord is a housing association, they will have their own complaints procedure and you have the option of seeking a referral to the Ombudsman if you feel your complaint has not been handled appropriately. Check your landlord's website for more information.

Council tenants

Please report the issue via email repairs@rotherham.gov.uk or telephone 01709 336009.

How to make a complaint

If the Council has failed to provide a service or if you are unhappy with the service you have received, then we welcome this information and feedback. In most cases we hope to be able to resolve problems with the member of staff that you have dealt with. We will use all feedback to help make improvements. When this is not possible, we have a formal complaints procedure to manage complaints.

If you have a complaint, suggestion or compliment you can contact us in a number of ways:

Via the online form on the Council website: www.rotherham.gov.uk/complaints

Email: complaints@rotherham.gov.uk

By post: Using a complaint form or by letter. No postage is required for posting forms or letters to us, as you may use our freepost address below.

The Complaints Manager
Rotherham Metropolitan Borough Council
(FREEPOST RTCT-XKLS-ZHAZ)
Riverside House
Main Street
Rotherham
S60 1AE

By telephone: Our contact number is (01709) 382 121. The customer service representative handling your call will direct you to the appropriate department.

By text: Our contact number is 07860 021 447

In person: At one of our Customer Service Centres or any Council reception point.

If you are not satisfied with how we have handled your complaint then you may wish to complain directly to the Housing Ombudsman Service. The Housing Ombudsman will not act until any complaint has been considered under the Council's complaint procedure and after more than eight weeks have elapsed since the completion of the Stage 2 complaint. During the eight week waiting period you have the choice of taking your complaint to a Designated Person. A designated person can be a MP, a local Councillor or a Tenant Complaint Panel.

The designated person may resolve the complaint directly, refer the complaint to the Housing Ombudsman or may decline doing either. If they decline you may approach the Housing Ombudsman directly if more than eight weeks have elapsed since the completion of the Council's internal complaint procedure.

The Housing Ombudsman service can be contacted as follows:

- Address: Housing Ombudsman Service 81 Aldwych London WC2B 4HN
- Phone: 0300 111 3000
- Email: info@housing-ombudsman.org.uk

6. FURTHER INFORMATION AND GUIDANCE

Further help and guidance can be found within the 'How to keep you and your home safe and well' guidance leaflet, along with a video the Council has produced on preventing mould. Both are available on the Council's website:

Information for tenants – Rotherham Metropolitan Borough Council

Link to the 'How to keep you and your home safe and well' leaflet

The Council recognises that many residents are struggling to pay household bills, including for heating, which can add to the issue of damp and mould. You can access information and support to help at:

Money matters – Rotherham Metropolitan Borough Council

Energy Crisis Support Scheme – Rotherham Metropolitan Borough Council

You may also receive support by contacting your energy provider. Contact information can be found on your most recent bill.

Citizens Advice may provide support and advice by visiting your local branch in Rotherham or on the website at **www.citizensadvice.org.uk**.

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Public Report
Improving Places Select Commission

Committee Name and Date of Committee Meeting

Improving Places Select Commission – 11 July 2023

Report Title

Cost of living and rent arrears in Council housing

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

Paul Elliott, Business and Commercial Programme Manager
Paul.elliott@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

Provide a briefing on the impact the cost-of-living crisis is having on Housing Services and our response.

Recommendations

That Improving Places Select Commission:

1. Note the content of this briefing.
2. Provide feedback on issues contained within the briefing.

List of Appendices Included

Not applicable

Background Papers

Rent Setting and Service Charges 2023-24

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Not applicable

Council Approval Required

No

Exempt from the Press and Public

No

Cost of living and rent arrears in Council housing

1. Background

- 1.1 The UK is facing the highest inflation rate in over 40 years leading to significant price increases in the cost of day-to-day essentials such as food, heat and clothes. Inflation peaked at 11.1% in October 2022 and still remains high. This has subsequently resulted in what is being termed a 'cost of living crisis' where many households that have traditionally been able to manage on their incomes are no longer able to afford the costs of day-to-day life.
- 1.2 Rent is often the largest single outgoing residents face and the Council is a major landlord in its own right. In this context, the Council is keeping under review whether the current housing service offer meets the evolving needs and priorities so that resources can be targeted effectively. This briefing provides an overview of the current position and changes we are making to our approach.

2. Key Issues

- 2.1 The Housing Service supports some of the most vulnerable residents in Rotherham who will be affected to varying degrees by the cost-of-living crisis. There are three key stages on the tenant's journey as described below.

2.2 Housing allocation and pre-tenancy support

- 2.2.1 The team undertakes affordability assessments of potential tenants but also offers low level support for customers with vulnerabilities. This is done by effective signposting to services and cross directorate working to ensure customers are offered support at the earliest opportunity.

2.2.2 The team:

- Provides residents with access to support to help to maximise income, receive welfare benefit advice and provide referrals to other appropriate partners.
- Identifies barriers for customers and works with them to break these down.
- Empowers customers to take control of their financial wellbeing and sustain a tenancy.

- 2.2.3 At the current time affordability assessments are only undertaken once a customer has been matched to a property, with the team undertaking circa 40 detailed Income & Expenditure checks and 40 'light touch' Income & Expenditure checks per week.

- 2.2.4 In light of cost of living pressures, the Council is in the process of amending this approach in order to concentrate resources where they are most needed. Since the beginning of June:

- Everyone now gets a light touch check at the point at which they present or join the waiting list (previously this didn't happen)
- We triage those matched to a property, with only some receiving an in-depth check (previously everyone received that check).

2.2.5 This will allow further time for the customer to get tenancy-ready earlier in the process, including through assistance in maximising income, benefit claims and referrals to support agencies. When a customer on the housing register is matched to a property the case would be checked, with some receiving an in-depth check prior to proceeding with the letting. The in-depth assessments will be targeted at customers who have had failed tenancies and customers who have never held a tenancy.

2.2.6 It is the intention to offer 75 Income and Expenditure check appointments per week. The length of time these checks take will vary based on customers' circumstances and the referral route.

2.2.7 In addition, it is proposed that in future a further 25 appointments will be offered to referrals from the homelessness team. Re-introducing in-depth Income and Expenditure checks for homeless households at the point they approach for assistance would assist the service in discussing accommodation options, such as the private rented sector, and help to manage customer expectations. This is growing in importance as we receive more presentations due to the cost of living pressures.

2.3 **Income Collection**

2.3.1 Income collection for housing rents has been top quartile in national benchmarking for several years following the service transformation which took place in 2017. The service has to balance the fact that we are often the housing provider of last resort against the need to maintain a healthy Housing Revenue Account to fund vital services to tenants and investment in housing growth.

2.3.2 Income collection is undertaken in accordance with the Ministry of Justice Pre-action Protocol. The Council has a twelve-stage process for the escalation of rent accounts in arrears (see Appendix A). Over the past five years, there has been a significant reduction in the number of tenancies failing due to rent arrears which is reflected in the relatively small number of evictions. Appendix B is a summary of evictions since 2018-19.

2.3.3 Arrears recovery commences when an account is three weeks net rent or more in debt (and minimum arrears balance of £30). The recovery processes continue on a weekly basis until a Notice Seeking Possession would be served at week five unless the arrears balance is less than £355 (proportionality of debt vs costs). This is on the assumption the tenant has failed to engage with the Council, e.g. to put in place an agreed payment plan. A payment plan would start at a minimum payment of £5 per week + rent due. It will generally take at least one year to secure an eviction for a secure tenant, by which time an average arrears balance of £3,384 will have

accrued. Where a tenant is at risk of losing their tenancy a referral to the Tenancy Support team is made who provide holistic support to tenants.

2.3.4 The table below shows the collection rates of the Income team and current tenant arrears balances, which has reduced over the last 5 years, with current average arrears being less than half of that in 2018.

Year	Income collection rate %	Current tenant arrears as at 31 March each year £
2018-19	99.67	3,889,397
2019-20	101.75	2,993,293
2020-21	101.83	1,909,860
2021-22	99.36	1,725,309
2022-23	100.13	1,698,528

2.3.5 Nevertheless, given the increase in rents and service charges, alongside the significant increase in the cost of living, it is thought likely that income collection rates will deteriorate, and current tenant arrears balances will increase during 2023-24. That said, similar deterioration in performance had been expected in 2022-23, which to date has not materialised.

2.3.6 It is anticipated the following targets will be achievable for 2023-24:

- Income collection rate – 99.05%
- Forecast arrears balance at 31.03.24 - £2,646,277

2.3.7 Given the success of collection and the extensive support that is provided to tenants through the rent recovery process, it is not intended to adjust the current process.

2.4 Credit Balances

2.4.1 There are currently 5,450 accounts with a credit balance of £80 or more. Total credits on rent accounts stand at c. £1.631m. A degree of this is expected as it is in line with the tenancy agreement which states rent is payable one week in advance. At the current time there is a rolling programme of refunding credit balances over £340. Other credit balances have been left to protect the rent account from any sudden deterioration of tenant’s ability to pay their rent.

2.5 Tenancy Support

2.5.1 The Tenancy Support team offers holistic support to Council tenants, addressing barriers to tenancy sustainment such as debt, mental health, and substance misuse issues. Their interventions help to stabilise tenancies and prevent evictions by establishing a rent first culture, arranging utilities, dealing with arrears, and assisting with income maximisation through support with benefit applications. The team provides this holistic support to vulnerable tenants for as long as required and specific to their needs.

2.5.2 Referrals into the Team have increased by 10% over the previous year with an expectation of approximately 1,418 referrals by end of the 2022-23 financial year. Alongside the increase in referrals there has been a marked increase in time spent on each referral resulting in a longer waiting time from referral to first appointment. As the cost of living pressures continue we expect referral numbers and the complexity of cases to continue to rise.

2.5.3 Tenancy Support officers currently receive 5 new referrals per week and the waiting time from receipt of referral to first appointment is currently around four weeks with an average of 30-40 customers waiting for a referral at any time. We are currently in the process of expanding the team by three members of staff to meet the increased demand. The recruitment process is complete and staff will commence by the beginning of August 2023.

2.6 Tenancy health checks

2.6.1 There is a rolling programme of tenancy health checks undertaken by Housing officers. One aspect of this visit is to understand the financial well-being of the tenant and offer referrals to the financial inclusion team for further support. To date in 2022-23 there have been 78 referrals to the team.

3. Options considered and recommended proposal

3.1 Options are detailed in the main body of the report.

4. Consultation on proposal

4.1 No consultation as taken place as the report is for information purposes only.

5. Timetable and Accountability for Implementing this Decision

5.1 The report is for information purposes only.

6. Financial and Procurement Advice and Implications

6.1 There are no financial implications arising from this report.

7. Legal Advice and Implications

7.1 There are no legal implications arising from this report.

8. Human Resources Advice and Implications

8.1 There are no direct human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The Housing Service funds two Early Years Support workers who meet bi-weekly with the team to review any cases where families are in rent arrears and there is a high risk of the tenancy failing. Provision of this wrap around

support helps to stabilise the tenancy and secure the family in their home near to their support network of family, friends, school and support agencies.

10. Equalities and Human Rights Advice and Implications

10.1 There are no implications arising from this report.

11. Implications for CO₂ Emissions and Climate Change

11.1 There are no implications arising from this report.

12. Implications for Partners

12.1 Given the cost of living crisis and the increase in referrals to tenancy support there has also been an increase in onward referrals to partners providing specialist services. These referrals are to agencies supporting mental health, debt advice and support with alcohol, gambling and drug addiction.

13. Risks and Mitigation

13.1 The key risks associated with the cost of living crisis have been the ability to sustain tenants in their homes. Given the work of the Housing Income and Financial inclusion team this has been mitigated with the year in year reduction in arrears continuing.

13.2 Given the increase in rent, service charges and District heating it is anticipated that this trend may reverse during 2023-24 but actions to mitigate this as detailed in the report are ongoing.

Accountable Officer(s)

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

James Clark, Assistant Director of Housing

Approvals obtained on behalf of:

	Name	Date
Chief Executive		Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Assistant Director of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.
Assistant Director of Human Resources (if appropriate)		Click here to enter a date.
Head of Human Resources (if appropriate)		Click here to enter a date.
The Strategic Director with responsibility for this report	Please select the relevant Strategic Director	Click here to enter a date.

Consultation undertaken with the relevant Cabinet Member	Cllr Amy Brookes	28/06/23
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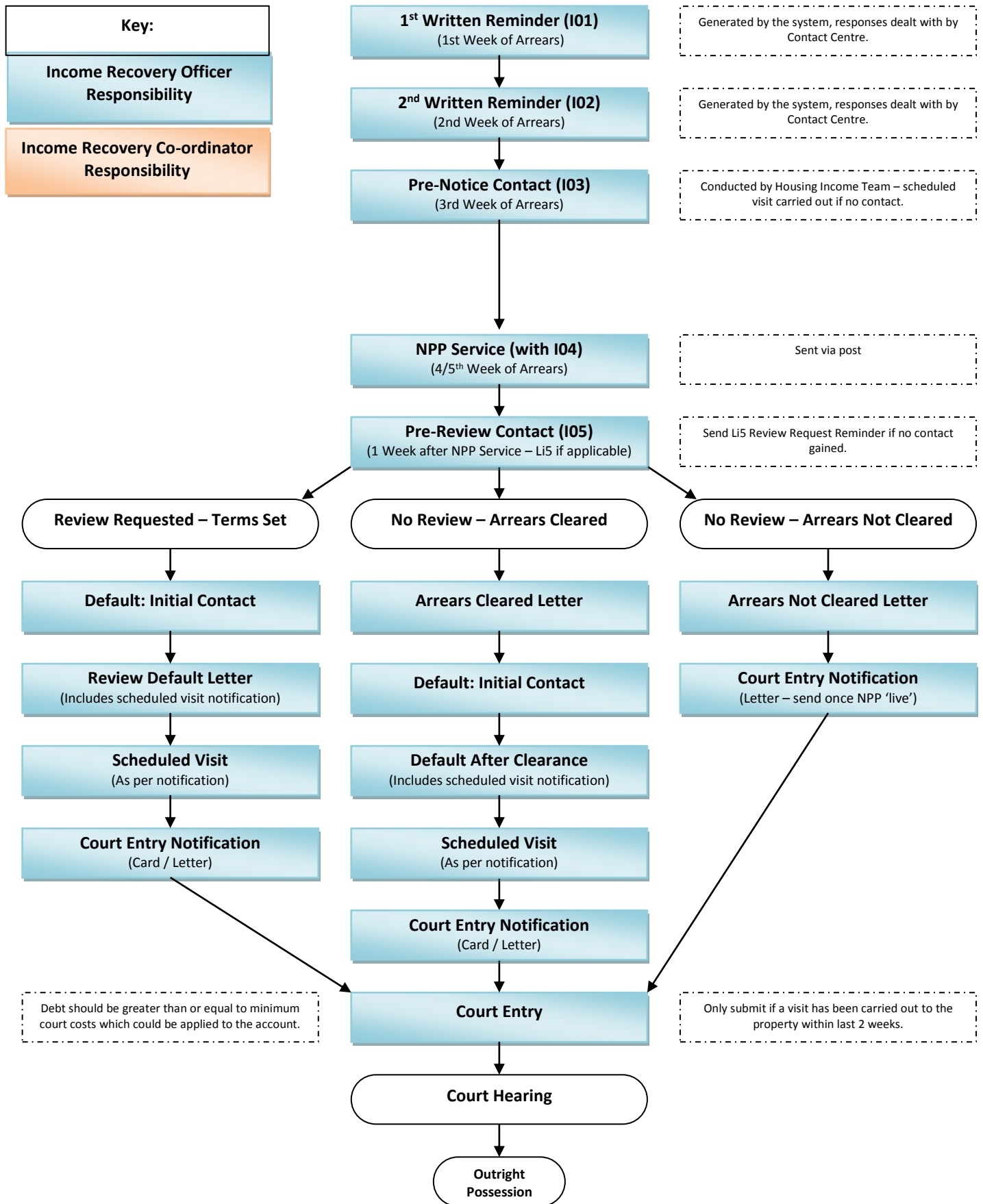
Report Author: Paul Elliott, Business and Commercial Programme Manager
Paul.elliott@rotherham.gov.uk

This report is published on the Council's [website](#).

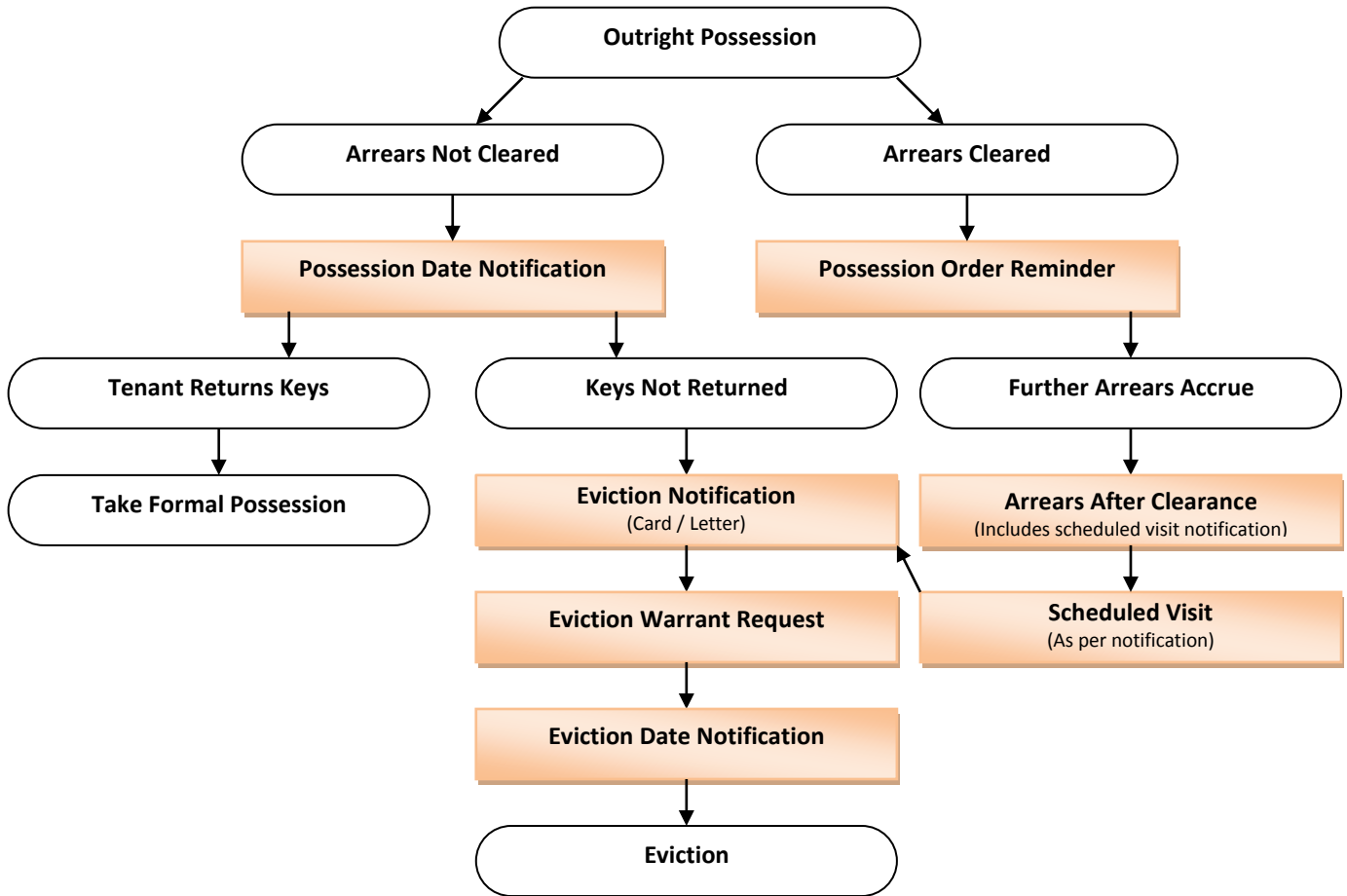
Arrears Process Flowchart – Introductory Tenancies

The standard minimum procedural steps relating to the introductory tenancy arrears process are outlined below.

Section 1: Initial Arrears to Court Entry



Section 2: Outright Possession Order Granted



Appendix 2 – Summary of Evictions**Summary of eviction for 2022-23**

Organisation	Number of evictions for rent arrears 2022/23 to 31 Dec 22	Stock size
Rotherham MBC	8	19,807
St Leger Homes of Doncaster	19	c 20,000
Sheffield CC	29	38,243
Hull CC	8	23,215
Wakefield District Housing	28	30,884
North Tynside	21	14,167
Your Homes Newcastle	15	24,719

RMBC Historic evictions 2019-20 to 2022-23

Year	RMBC Number of evictions for rent arrears	RMBC Number of evictions for tenancy breach	St Leger Homes evictions for rent arrears	St Leger Homes evictions for tenancy breach
2018-19	97		-	-
2019-20	64		40	11
2020-21	2	0	0	0
2021-22	13	2	16	4
2022-23	18	2	19	5

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Improving Places Select Committee

11 July 2023

Play – Procurement & Installation

Green Spaces Play Maintenance Team

- Green Spaces provides play inspection and minor maintenance through its small play team, for equipment belonging to Green Spaces, Housing Services and some Parish Councils.
- The Play Manager is also able to advise services regarding options available to them when equipment requires repairing or replacing.
- Responsible for:
 - 34 Green Spaces play areas
 - 26 Housing sites and
 - 30 Parish Council sites with which we have an SLA to carry out monthly inspections.

Maintenance costs

Parish Councils pay a fixed cost per play area for inspections, and pay for repairs by agreement or undertake them themselves.

Housing pay a fixed cost per play area for inspections, but cover the revenue cost for repairs within Housing Service budgets.

Play Inspections

All Council play area receive:

- Routine visual inspections at least monthly.
- Routine maintenance inspections quarterly.
- Annual inspection by an external inspector.

All 'faults' are risk assessed and priority for maintenance is given to the highest risk faults. The highest scored risks carried by the Council, have seen a steady reduction over the last 10 years and continue to reduce.

If a fault cannot be rectified within budget or within a reasonable timescale, often temporary or permanent removal of the faulty equipment is the only available option to ensure children's safety.

Play Team Resources

- 1 FT Play & Horticulture Manager
- 1 FT Play Maintenance Operative
- 0.8 Play Inspector (0.8 FTE)

- Annual revenue budget is: £114,484
 - Income: £19,536
 - Salaries and other fixed costs: £90,580
 - Maintenance budget for Green Spaces Play Areas: £43,440

Other Variable Funding

- One off internal capital investment 2021-23
- Section 106
- Housing Revenue Account (Housing Play Areas)
- Ward Capital
- Community Infrastructure Levy
- External Funders (eg Landfill Tax Credits)

Play Equipment Repair & Replacement

Green Spaces Play Team will undertake minor works such as replacing parts, as well as ordering small scale new and replacement works up to £10,000.

Works over £10,000 tend to be more complex in nature with regard to procurement and management (owing to Construction, Design and Management (CDM) regulations).

The Role of Landscape Design

Landscape Design have the capacity and experience to undertake medium and large scale play improvement projects.

All such improvement projects have been undertaken by Landscape Design as a standard method of delivery for many years.

Decision Making

Budget allocation for repairs is based on a risk management approach.

Ward members are made aware, where possible, before equipment is removed, and involved through Neighbourhood Co-ordinators if new capital investment in play equipment is being made.

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Public Report
Improving Places Select Commission

Committee Name and Date of Committee Meeting

Improving Places Select Commission – 11 July 2023

Report Title

Work Programme

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Katherine Harclerode, Governance Advisor
01709 254532 or katherine.harclerode@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

To provide an updated outline schedule of scrutiny work.

Recommendations

1. That the report and proposed schedule of work be noted.
2. That authority be delegated to the Governance Advisor in consultation with the Chair and Vice-chair to make changes to the schedule of work as appropriate between meetings, reporting any changes back to the next meeting for endorsement.

List of Appendices Included

Appendix 1 Work Programme – Improving Places Select Commission 2022/23

Background Papers

Minutes of Improving Places Select Commission meetings 2022/23

Minutes of Improving Lives Select Commission meetings 2022/23

Minutes of Overview and Scrutiny Management Board meetings 2022/23

Minutes of Council meetings 2022/23

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

IPSC – Work Programme 2023/24

1. Background

- 1.1 The remit of the Improving Places Select Commission (IPSC) is to undertake scrutiny activity in respect of all matters pertaining to the borough of Rotherham as a place. In broad terms, this remit relates to business and economic development, employment, emergency planning, environment, housing, climate change, leisure, culture and tourism, transport and highways, as well as regulatory services such as trading standards and environmental health. The breadth of functions and services that fall within the Commission's remit is significant.
- 1.2 The way in which the Commission discharges its scrutiny activity is a matter for itself, having regard to the provisions of the Constitution and any direction from the Overview and Scrutiny Management Board. The IPSC has chosen to scrutinise a range of issues through a combination of pre-decision scrutiny items, policy development, performance monitoring, information updates and follow up to previous scrutiny work.
- 1.3 The IPSC has eight scheduled meetings over the course of 2023/24, representing a maximum of 16 hours of scrutiny per year – assuming 2 hours per meeting. Members therefore must be selective in their choice of items for the work programme. The following key principles of effective scrutiny are considered in determining the work programme:
 - Selection – There is a need to prioritise so that high priority issues are scrutinised given the limited number of scheduled meetings and time available. Members should consider what can realistically and properly be reviewed at each meeting, taking into account the time needed to scrutinise each item and what the session is intended to achieve.
 - Value-added – Items had to have the potential to 'add value' to the work of the council and its partners.
 - Ambition – the Programme does not shy away from scrutinising issues that are of greatest concern, whether or not they are the primary responsibility of the Council. The Local Government Act 2000 gave local authorities the power to do anything to promote economic, social and environmental wellbeing of local communities. Subsequent Acts have conferred specific powers to scrutinise health services, crime and disorder issues and to hold partner organisations to account.
 - Flexibility – The Work Programme maintains a degree of flexibility as required to respond to unforeseen issues/items for consideration during the year and to accommodate any further work that falls within the remit of this Commission.
 - Timing – The Programme has been designed to ensure that the scrutiny activity is timely and that, where appropriate, its findings and recommendations inform wider corporate developments or policy development cycles at a time when they can have most impact. The Work Programme also helps safeguard against duplication of work undertaken elsewhere.

2. Key Issues

- 2.1 Members are required to review their work programme at each meeting during the 2023/24 municipal year to give focus and structure to scrutiny activity to ensure that it effectively and efficiently supports and challenges the decision-making processes of the Council, and partner organisations, for the benefit of the people of the borough.
- 2.2 An updated draft work programme for Improving Places Select Commission is appended to this report.

3. Options considered and recommended proposal

- 3.1 Members are recommended to discuss potential areas of scrutiny work to be added to the work programme.

4. Consultation on proposal

- 4.1 The work programme is subject to consultation with the Chair and Members of the IPSC. Regular discussions take place with Cabinet Members and officers in respect of the content and timeliness of items set out on the work programme.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The decision to develop a work programme is a matter reserved to the Commission and will be effective immediately after consideration of this report.
- 5.2 The Statutory Scrutiny Officer (Head of Democratic Services) is accountable for the implementation of any decision in respect of the Commission's work programme. The Governance Advisor supporting the Commission is responsible on a day-to-day basis for the Commission's work programme. Members are recommended to delegate authority to the Governance Advisor to make amendments to the programme between meetings.

6. Financial and Procurement Advice and Implications

- 6.1 There are no direct financial or procurement implications arising from this report.

7. Legal Advice and Implications

- 7.1 There are no direct legal implications arising from this report.
- 7.2 The authority of the Select Commission to determine its work programme is detailed within the Overview and Scrutiny Procedure Rules and Responsibility for Functions parts of the Constitution. The proposal to review the work programme is consistent with those provisions.

8. Human Resources Advice and Implications

- 8.1 There are no direct human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people or vulnerable adults arising from this report.

10. Equalities and Human Rights Advice and Implications

- 10.1 Whilst there are no specific equalities implications arising from this report, equalities and diversity are key considerations when developing and reviewing scrutiny work programmes. One of the key principles of scrutiny is to provide a voice for communities, and the work programme for this Commission has been prepared following feedback from Members representing those communities.

11. Implications for CO2 Emissions and Climate Change

11.1 There are no implications for CO2 emissions or climate change directly arising from this report. Members will have regard to the Climate Emergency when selecting potential items for scrutiny and in developing recommendations.

12. Implications for Partners

12.1 The membership of the Commission includes co-opted members from RotherFed who contribute to the development and review of the work programme. Where other matters are being considered for inclusion on the work programme, relevant partners or external organisations are consulted on the proposed activity and its timeliness.

13. Risks and Mitigation

13.1 There are no risks directly arising from this report.

14. Accountable Officer(s)

Emma Hill, Head of Democratic Services and Statutory Scrutiny Officer

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This report is published on the Council's [website](#).

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Appendix 1: Improving Places Select Commission – Work Programme 2023-24

Meeting Date	Agenda Item
06 June 2023	Cost-of-Living and Rent Arrears (deferred) Environment Act 2021
11 July 2023	Draft Damp, Mould and Condensation Policy Cost-of-Living and Rent Arrears Playground Equipment: Procurement and installation
19 September 2023	Homelessness and Rough Sleeper Update
24 October 2023	Scrutiny Review Recommendations: Nature Recovery Neighbourhood Working Annual Report
Review	Household Waste Recycling: Reusable Items
12 December 2023	Bereavement Services Annual Report Road Safety and Cumwell Lane Update
6 February 2024	Markets Redevelopment Update
19 March 2024	Allotments Annual Update Tenant Communications Update

Items to be scheduled:

Planning White Paper

Anti-social behaviour workshop

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