

**IMPROVING PLACES SELECT COMMISSION
Tuesday 6 February 2024**

Present:- Councillor Tinsley (in the Chair); Councillors Andrews, Aveyard, Castledine-Dack, Cowen, Ellis, Havard, Jones, McNeely and Mrs. M. Jacques (Co-optee).

Apologies for absence were received from Councillors, Bennett-Sylvester, C Carter, and Wyatt along with Mrs. Kay Bacon (Co-optee).

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

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

48. COMMUNICATIONS

There were none.

49. MINUTES OF THE PREVIOUS MEETING HELD ON 12 DECEMBER 2023

Resolved: That the minutes of the previous meeting held on 12 December 2023 be approved as a true and correct record of the proceedings.

50. DECLARATIONS OF INTEREST

There were no declarations of interest to report.

51. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

The Chair advised that three questions had been submitted to the meeting. These would be responded to in writing.

52. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that there were no items of business on the agenda that would require the exclusion of the press or public from the meeting.

53. IPSC ROTHERHAM MARKETS & LIBRARY REDEVELOPMENT UPDATE

The Chair welcomed Councillor Sheppard, Simon Moss, Assistant Director, Planning, Regeneration and Transport, and Tim O'Connell, Service Manager to the meeting and invited Simon Moss to provide the update.

The Assistant Director, Planning, Regeneration and Transport noted that the Improving Places Select Commission had held a spotlight review of Rotherham Markets which was carried out in 2022 with further reports being submitted to Cabinet in December 2022 and February 2023. The

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spotlight review was a really positive process and the service had taken on board the recommendations which had heavily influenced the approach the project had taken.

The report provided an update and detailed how the service had responded to each of the recommendations. He highlighted that they had prioritised face to face engagement with tenants and market traders. They had reinstated the voice meetings and had prioritised retaining market traders, prioritising their needs for the duration of the construction phase. The recommendations had influenced the design plans in terms of accessibility, usability and attractiveness, particularly to young people. He noted that some of the actions were still ongoing, in terms of working with the college to actively involve students in the new markets to continue to develop and modernise the markets offer.

Recommendation 1A was around face-to-face consultations and prioritising interactions with traders. In response to this the face-to-face one-on-one contact with market traders had taken place at least every two to three months. The voice meetings had been relaunched, which were in-person meetings and the market traders attended those. Those meetings had been really good to maintain that ongoing dialogue as the projects were being developed. There was a tailored markets consultation and engagement plan in place which was managed by the RiDO team.

A number of consultation workshop sessions were held in February 2023 to update traders on plans along with a series of individual meetings with market traders to provide an opportunity to discuss their requirements, particularly around the relocation aspect, during the temporary arrangements. A further round of trader engagements was planned, and these would be ongoing as the build process progressed.

Recommendation 1B was around consulting case studies and liaising with the market traders' associations such as National Association of British Market Authorities (NABMA) and National Market Traders Federation (NMTF), which was really useful. The Council did consult with those organisations which informed the proposals in a number of ways. The most striking of which was that NABMA raised previous case studies where there were issues arising from similar market projects where issues arose from keeping market traders in situ whilst works were carried out. During the consultation with traders, they had been really keen to stay on site however that consultation heavily informed the approach to phasing where a new temporary market had been created in the outdoor covered market, so striking a balance of retaining traders in situ whilst trying to minimise the disruption. He noted that a number of visits to other markets, Barnsley was a relevant one which gave close comparisons, explaining that the Council was working with Henry Boot Construction Ltd who had delivered the Barnsley project.

Recommendation 1C which was around re-evaluating the support offer for

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new vendors. All new traders were now offered an initial meeting and follow up sessions with follow up sessions with RiDO Business Support Advisors which complemented a support package of 50% rent concessions across the Markets portfolio which extended the financial support offer to assist new traders to establish a viable business beyond the six-month introductory period.

Recommendation 1D was around retaining traders through the redevelopment phase which was considered a top priority as without the traders there wouldn't be a market. This had been a key consideration through the planning and design period. He reiterated that the approach was fundamentally altered to accommodate a temporary market option rather than works being undertaken directly in and around traders in the current positions. This change in approach was presented to market traders in the sessions referred to in recommendation 1A and were generally well received and supported by the traders. The report also referred to the rent concessions which was key to mitigating and recognising the impact on the trading position along with mitigating the impacts during construction.

He referenced the relocation of the outdoor covered market which had now moved out onto the street. There was an ongoing marketing campaign to address the indoor covered market and the footfall in the indoor covered market was being monitored since the relocation of the outdoor covered market to the street.

Recommendation 1E was around the redesign of the market space, in terms of optimising space for inclusivity and accessibility and making them attractive to students and young people. Accessibility was key and was a fundamental design aspect that was considered early in the process. He explained that the brief for the project had a focus on accessibility of entrances to the complex along with movement and usability throughout the complex itself. A lot of detail had been captured in the equality analysis which was presented to Cabinet in December. Rotherham College and young people are highlighted as key stakeholders within the market consultation strategy, which had influenced the design in terms of the proposed area of the market gardens and was designed to invited college student and pedestrians into that market area. The food hub was also key and was again designed to encourage more students and young people to use the complex.

He noted that although the report focused primarily on the markets, it was a markets and libraries redevelopment and the co-location with libraries was fundamental to that approach.

Recommendation 1F was around catering to the needs and interests of the younger generation and references discussions with the college around ideas such as a young trader's scheme. This had influenced the design of the project in terms of opening up the view and access from the college and a potential presence in the food court. These discussions

were ongoing.

Recommendation G was around recognising the markets as a unique and distinct community of buyers and sellers and there was a management resource required to sustain that successfully over the longer term.

He spoke about the success of the Tuesday street market and building on that success to build ideas of how the new spaces could be used for things like farmers markets etc. The design will enable some of that to happen with new equipment and improved electrical supply.

Recommendation H was around modernising the markets with such things as incorporating cashless approaches, linking it to the Council's digital programme. Cashless rental collections had been introduced for traders and an increasing number of indoor traders were paying by direct debit and improved IT network allowed the opportunity to take that further.

The Chair welcomed the update noting there had been a lot of consultation carried out with market traders along with offers of support to retain them.

The Commission noted the recommendations had been approved but the majority were listed as ongoing. It was asked when they would be completed. Clarification was also sought that both cash and cashless options would be available. It was explained that in terms of the way payments were taken from traders, this was a commercial transaction, and the Council was encouraging that to be done digitally however in terms of the customer offer, it was around enabling customers to be able to use multiple payment methods.

There was a batch of recommendations that fed into how the Council planned for the project, design aspect had been completed. How the markets would be used and when they opened were ongoing discussions. The project was due for completion at the back end of 2026. The focus of the project was on the build currently and there was time to develop aspects such as a young traders programme before the project closure.

Concerns were raised regarding the corporate communications plan as it was felt that changes needed to be updated and communicated across all platforms, in particular regarding the closure of access ways. There had been no social media update regarding the Drummond Steet access. It was believed that a number of traders were looking business as part of the redevelopment process. Some access ways had been closed earlier than scheduled. The challenge of managing this during this phase of the construction was noted and it was understood that signage needed to be clear. It was clarified that regular meetings were held with traders and the Council had used media as a communication tool around changes taking place. There was an element of disruption, and it was important that it was recognised, and plans undertaken to address any potential issues.

In response it was explained that bringing in new traders to the market during this time would be difficult and noted that if they joined now, they may not have the best experience. There was a need to retain as many traders as possible and look to bring new traders in over time.

Resolved: That the progress of the Rotherham Markets & Library redevelopment was noted and the update to the Scrutiny Review Recommendations – Markets: Engagement and Recovery provided in Appendix 1, was considered.

54. SOCIAL HOUSING REGULATION UPDATE

The Chair welcomed James Clark, Assistant Director of Housing to the meeting to present a report which summarised the changes to social housing and provided an update of the Housing Services preparedness activities.

The Assistant Director of Housing noted that the report summarised a number of changes that were happening to the way that social housing, including Rotherham's 20,000 council properties, were regulated. The changes largely stem from the Grenfell Tower fire and subsequent public inquiry but all other high-profile event including the death of Awaab Ishak a few years ago from damp and mould. Those changes amounted to a significant reform to the way that social housing was regulated in England.

He clarified the scope explaining it applied to the landlord services within the Council, so didn't apply to what's know as the Council's strategic housing function, so homelessness for example and private rented sector enforcement and licensing, and some of the Council's new build activity was not covered by the new regulatory framework. It was about how the Council managed the properties that it owned, so relating to the Council as a landlord.

To provide further context housing was already regulated but this was largely a passive regulator at this stage so rarely were landlords investigated and even more rarely was there a regulatory judgement issued due to the thresholds that had to be met in order to trigger it. All of that was being replaced with a proactive inspection regime which would feel similar to the way that schools or social services were regulated in other parts of the Council.

There would be a new set of twenty-two tenant satisfaction measures (TSMs). Roughly half of the measures would be performance statistics that the Council would generate as a landlord with the remainder being information gathered through surveying tenants. There was a defined list of questions that the regulator had published, and the Council had to collect that information by surveying its tenants and share the information with the regulator and published by June. That work was currently underway in the borough.

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The Council had communicated with Members on the changes and communicated with tenants via Home Matters. Many tenants had received a call from the market research company being used and that would generate results that would enable the Council, tenants, and the regulator to compare its performance in the views of the tenants against other landlords across the country in a fair and transparent way.

A new consumer regulatory framework was another change. He explained that the regulator of social housing closed its consultation in October 2023 on the proposed new standards and it was expected that they would be finalised imminently and would be in force from 1 April 2024. The standards were broadly similar to the standards already in existence but there was more emphasis on tenant engagement and empowerment regarding the ability of tenants to hold their landlords to account. As mentioned, there were stronger levers for the regulators to intervene if they felt regulations were not being complied with.

There would be a new inspection regime, with the regulator indicating they intended to inspect large landlords, by which they meant more than 1,000 homes, roughly every four years but would be more often if there were issues. He expected the inspections would be similar to those other areas were given and the Council would be given a number of weeks' notice along with being asked to provide lots of evidence. The inspection team would then attend, talk with the Council, staff, members, tenants, and partners and would make an assessment and would give a grading. In terms of sanctions, the changes would mean that the Council or any landlord could be issued with an unlimited fine, if the regulator felt there had been serious detriment to tenants.

Also, in future if tenants are not satisfied with the way the Council had dealt with a complaint they could go straight to the ombudsman. The ombudsman would also be sharing information with the regulator, so the regulator would begin to build a much stronger picture based on the TSMs from inspections and on intelligence from complaints about how landlords were doing. The regulator would use all of that information to determine when and how they inspect and what their key lines of enquiry would be.

There would be a new requirement under the new framework for all housing managers to have a professional qualification. Work was being undertaken to understand the scope of that and how it could be met.

The recent publication and consultation on what was known as 'Awaab's Law' was not available in full at the time of the meeting so the report only references it. It was a really important change that would introduce statutory timescales for landlords to respond to repairs where they constituted health and safety hazards, so damp and mould was the obvious example but there was a list of twenty-eight or twenty-nine different hazards that would be in scope. The speed at which you had to respond would be determined by the type of hazard and the amount of risk and could range from twenty-four hours to a number of weeks.

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The regulator had given some assurance that Councils would not be inspected during local election cycles as they realised that would be challenging. No intelligence was available at this time as to when Rotherham may be inspected. The main change was that the Council was going to have to report into a proactive regulator. A lot of the work being done was around evidence gathering and being ready to meet with the regulator. The new framework did have more emphasis on sharing information with tenants and giving tenants an opportunity to hold the Council to account. The Council was considering with tenants how it could strengthen some of those mechanisms, how it could strengthen its scrutiny and its involvement mechanisms. The Council was looking at what performance information could be shared with tenants and members and was strengthening some of its central services, such a compliance assurance, IT and digital business improvements.

The HRA business plan noted the Council had earmarked significant funding for 100% stock condition surveys, which would be the first time the Council had done that, and it would enhance the Councils understanding of the quality of its stock and its future investment priorities.

In response to a query, he acknowledged that the rate at which the Council was conducting surveys with tenants was not fast enough in Rotherham. The current expectation was to do a survey every five years and the Council was not achieving that. The planned investment would enable the Council to catch up so he anticipated that over the course of two to three years the Council would get round to all of its properties.

A query was raised regarding the regulatory fees, the report mentioned they were around £7-£8 per unit, was that on an annual basis? The Assistant Director of Housing explained the exact fee level was being consulted on but clarified it was annual and housing associated paid those fees now, but local authorities did not. In future, local authorities would have to pay fees if they had more than 1,000 homes. He clarified that the Council had earmarked some of the budget to pay those fees although the exact amount was not yet known.

It was queried if the Council had considered if Rotherfed, who were representatives of tenants could do the market research or was it assumed there would be a conflict, and would it be something that Rotherfed could look to do in the future? The Assistant Director of Housing indicated he couldn't comment on behalf of Rotherfed but from the Councils point of view there would be a conflict but the main reason the Council did not go to them was that it was a very specialist function, and a lot of people would be needed to carry out the surveys.

It was noted that inspections would be introduced for social landlords with more than a thousand properties and queried how many landlords were there in Rotherham excluding the Council have that had more than a thousand properties? The Assistant Director of Housing explained that if

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a landlord had a thousand properties nationally then they would be inspected. Most of the housing association landlords that members would be familiar with in the borough that had general needs stock would have more than a thousand properties. A list of those organisations could be provided if requested.

In response to a query the Assistant Director of Housing explained that in terms of the consultation the company would take a representative sample of tenants and the information gained would start a wider conversation. It may reveal some strengths but may reveal areas for improvement that provided the Council with a view on where further engagement was needed. He provided assurance that there were lots of mechanisms to enable tenants engage with the Council. He believed that there would be a specific standard in relation to the speediness of repairs for tenants and 'Awaab's Law' could attach statutory timescales to some repairs.

It was acknowledged that it was important to try to reach all tenants as not everyone could travel to Council buildings to be involved in consultation events therefore some should be held in the locality.

It was noted that a lot of sanctions would be available for the inspectorate to choose from, such as they could look to stop local authorities applying for government grants, they could also look to intervene and get a repair completed and recharge the landlord for costs if they felt that was the right outcome.

In response to a query, he noted that the Council different to housing associations as the Council also had homelessness duties and the need to build more homes due to the size of the waiting list and it could not afford to stop investing in those functions. Some housing associations for example could stop building if they wanted to focus on managing their stock. The regulator would need to understand the additional requirements placed on Council and take that into account when considering possible sanctions.

The Assistant Director of Housing said he was really proud the Council had been able to introduce tenancy health checks and would aim to do them every four years.

It was noted that it would be a challenge to ensure the borough was ready for the new standards from April when the expectations had not yet been clarified by Government.

The Assistant Director of Housing provided assurance that the rents were set in line with the Rent Standard, which was a deadlocked government function and not a regulator of social housing function. There was no provision in the new framework, that he was aware of, for the regulator to increase rents.

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Resolved: That the Improving Places Select Commission:

1. Note the content of the report.
2. Requested that further information on the impact of 'Awaab's Law' be provided once available.
3. Requested that a full list of the larger landlords who had stock within the borough of more than 1,000 properties nationally be provided.
4. Requested information on the methods available on how tenants can engage with the Council outside of the meeting.

55. IMPROVING PLACES SELECT COMMISSION - WORK PROGRAMME 2023-2024

Consideration was given to the Work Programme circulated with the agenda. The Chair noted officers from the green spaces team had contacted the Commission to advise that no further changes to the Allotments annual update item schedule for the March meeting therefore they were seeking approval to defer this item to a future meeting.

Resolved: That the Improving Places Select Commission:

1. Received and noted the contents of the Work Programme.
2. Agreed to defer the Allotments Annual Update item to a future meeting.

56. URGENT BUSINESS

The Chair advised that there were no urgent items of business requiring the Commission's consideration.

57. DATE AND TIME OF THE NEXT MEETING

Resolved: That the next meeting of the Improving Places Select Commission will take place on Tuesday 19 March 2024 commencing at 1:30pm.