

Crawley Borough Council

Minutes of Housing Associations Scrutiny Panel

Thursday, 23 November 2023 at 7.00 pm

Councillors Present:

T Lunnon (Chair)

M L Ayling, H Hellier, S Piggott and S Pritchard

Officers Present:

Hannah Edwards	Performance, Policy and Project Officer
Heather Girling	Democratic Services Officer
Nick Hobbs	Housing Needs Manager
Amanda Kendall	Head of Crawley Homes
Laura Padgett	NASB Manager

1. Disclosures of Interest & Whipping Declarations

No disclosures of interests were made.

2. Minutes

The minutes of the meeting of the Housing Associations Scrutiny Panel held on 13 September 2023 were approved as a correct record and signed by the Chair.

3. Evidence Gathering Interviews & Witness Sessions

The Housing Needs Manager and Performance, Policy and Project Officer (CBC) provided the Panel with an update since the previous report [SHAP/69](#) and further information with regards to Registered Providers (RPs) operating in Crawley (as set out in Appendix A).

Panel Members raised a number of queries. The issues raised and the key responses included:

- Acknowledgement that the responsibility for governing and regulating RPs lay entirely with the Regulator of Social Housing (RSH). The council expected RPs to be meeting those standards and focused on the property, type of tenancy and then carried out affordability checks prior to accommodation. An information sharing protocol between the Council and RPs was already in place, but work was planned in the next 6 months to update this.
- Confirmation sought and obtained on any contractual agreement between RPs and the council with regards to standards. It was confirmed that nomination agreements existed which detailed the nomination arrangements for the allocation

of social and affordable rental housing ensuring that the Council's statutory duties were met by the housing providers operating within the borough. Service standards and operational processes for social housing providers must conform with their individual regulatory and governance requirements and were thus set at a level which met requirements to protect both tenants and housing stock and which reflected the expectations of their respective tenants.

- Noted that housing played an important role when dealing with financial, health issues and its associated factors and support was offered between various agencies including social care, health and housing authorities.
- Recognition that of the affordable housing built in Crawley over the last 3 years, it was estimated 225 homes were built by registered providers and that over the next two years registered providers were set to deliver approximately 57% of the new build social housing in Crawley, equating to over 270 homes. The nomination rights to registered providers properties secured by the council would play a significant role in helping to meet the demand for affordable and social housing locally and the Panel felt it would be beneficial to receive an update report on how enabling opportunities come forward and development partners were selected.
- Confirmation provided that through nomination agreements with registered provider partners, the council had secured nomination rights to 100% of newly built social housing in Crawley and up to 75% of social housing once it became available for re-occupation with 25% difference potentially equating to registered providers internal transfers.
- Acknowledgement that the majority of applicants placed less importance on the landlord, or on the amount of rent and more on the area in which they wanted to live.
- Noted that of the disrepair complaints received in 2022 to the Private Sector Housing regarding properties owned by housing associates, none had escalated to enforcement action.
- Clarity sought and obtained on the nomination rights secured for schemes outside the town's boundaries (Kilnwood Vale and Pease Pottage). It was noted that new developments and affordable rent was a national challenge and that given the increasing demand for social housing (through rising homeless and housing register applications), and the pressures on the council's temporary accommodation budget, positive engagement with registered provider partners was vital if the borough's housing need was to be met through partnership working.
- Noted that whilst modular housing construction was being considered this was mainly for the provision of temporary accommodation.
- Acknowledgement that the [new consumer standards](#) were currently out for consultation and it was intended the revised standards would apply to all RPs with effect during 2024. This would result in customer satisfaction surveys, performance standards and benchmarking. It was felt it would be beneficial for RPs to provide local data for Crawley following the introduction of the new consumer standards and tenant satisfaction measures.

Following this, the Head of Crawley Homes and NASB Team Leader (CBC) provided the Panel with a general update on anti-social behaviour in relation to RPs and housing (as set out in Appendix B).

Panel Members raised a number of queries. The issues raised and the key responses included:

- Confirmation sought and obtained on Community Protection Notices. Information provided that these were generally served on individuals. There was the Alcohol Consumption PSPO together with the PSPO Car Cruising which were currently in

place. The Panel were informed of the contact details and reporting arrangements for the council's ASB team. It was noted that the council would co-ordinate any ASB information and report to the relevant RP.

- Noted that 'hotspots' could be compiled from ASB Team, Enforcement Team and Sussex Police, however it was important to liaise regularly and share information. Additional data from RPs would be welcomed to feed into any analysis. The Panel felt it may be beneficial to request additional information from Sussex Police as to whether there was any matter that they would wish RPs could address in relation to ASB.
- Acknowledgement that it would be vital for residents to be aware how and who to report issues to swiftly. Regularly meetings were previously held with RPs to review issues and share best practice. It was felt potentially beneficial if meetings at a strategic level (local where appropriate) could be established.
- Recognition that each registered provider has its own ASB policy which will set out their approach to responding to reports of ASB. It was noted that whilst 'fly tipping' was the tenant's responsibility this could be seen as ASB, and the RP could potentially choose varying activities or charges to deal with this.

RESOLVED

That Panel Members thanked all officers for their attendance and informative contribution.

4. Recommendations

Proposed and potential recommendations to be picked up for future discussion included:

- Establish regular meetings at a strategic level of relevant partners (and local where appropriate eg RSL, ASB Team, PCSO, Ward Cllrs) to inform/review issues, trends and share best practice with particular reference to ASB issues.
- Reporting process for RPs to provide local data for Crawley following introduction of new consumer standards and tenant satisfaction measures.

5. General Update and Actions for Next Meeting

The Head of Crawley Homes updated the Panel that much work would be required as a result of the new legislation and consumer standards that were to come into effect in 2024. The revised standards would apply to all RPs and would then result in performance standards, benchmarking and ultimately league tables. Crawley Homes regularly engaged with tenants and it was anticipating receiving full survey results mid-2024.

It was thought it may be beneficial for the Panel to think and question how the RPs were preparing for the new standards, as well as a reporting process for local data provision.

There was discussion over the potential logistics for the February meeting and whether invited RPs should attend the same meeting or be issued 'time slots' due to any "commercial sensitive" discussions such as individual processes and procedures that may be should not be shared. It was acknowledged the Panel meetings were public, however any sensitive information could result in moving the meeting into exempt session.

Whilst the draft invite was being compiled by officers to be issued to selected RPs, it was recognised that given the work involved in preparing for the new standards, the response rate for requested attendance in February may be low.

Actions:

1. That a briefing/update report be prepared on how enabling opportunities come forward and development partners are selected.
2. That information is sought from Sussex Police requesting any information they would wish RPs could address in relation to ASB to assist Sussex Police.

Closure of Meeting

With the business of the Housing Associations Scrutiny Panel concluded, the Chair declared the meeting closed at 8.57 pm.

T Lunnon (Chair)

Briefing Paper for Housing Associations Scrutiny Panel: Registered Providers operating in Crawley

1.0 Purpose

- 1.1 This report has been produced in response to a request to provide information on the registered providers [housing associations] operating in Crawley. This report is for information purposes and therefore contains no recommendations for further action.

2.0 Background

- 2.1 Registered providers provide homes and services for people in housing need. They are independent organisations, many of which are charitable and are non-profit making (where surplus is used to maintain existing homes and finance the build of new homes). Of the [approx.] 4.5 million social rented homes in England, [approx.] 2.9 million are owned and operated by registered providers.
- 2.2 Registered providers are the country's main provider of new homes for affordable rent. Many also offer shared ownership schemes to help people on lower incomes afford home ownership. Registered providers also provide much of the country's supported housing, with specialist services for vulnerable people such as those with mental health issues, learning disabilities, women fleeing domestic violence and homeless households.
- 2.3 Registered providers fund the development of new affordable homes predominantly through using privately raised finance, together with funding provided by Homes England and their own reserves. They may also receive enabling funding through partnership working with local authorities. They are managed by Boards of Management that comprise of independent people, volunteers, residents, representatives of local authorities and community groups. These boards have overall responsibility for the work and financial management of the organisation and for ensuring compliance with regulatory requirements.

3.0 Crawley Context

- 3.1 As a stock holding authority the Council owns and manages approximately three quarters of all social rented housing in the Borough. The remaining quarter is owned and managed by registered providers. A breakdown of social housing stock by provider is shown in table one.

Table One – Registered provider housing stock in Crawley as of 31st March 2023

Registered provider	Location	Properties
A2 Dominion	Southgate/Northgate	128
Abri	Pease Pottage	14
Anchor Hanover Group	Tilgate	71
Clarion Housing	Various Neighbourhoods	141
Guinness Trust	Broadfield	476
Housing 21	Southgate	104
Hyde Housing Association	Various Neighbourhoods	392
Keniston Housing Association	Southgate	67
London and Quadrant	Broadfield	286
Moat Housing Association	Various Neighbourhoods	475
Mount Green Housing Association	Langley Green	44
Raven Housing Trust	Various Neighbourhoods	223
Southern Housing Group	Various Neighbourhoods	300
Stonewater	Southgate	47
Town and Country Housing Association	Broadfield	39
Transform Housing Association	West Green	62
Aster Housing Association	Kilnwood Vale	8
Orbit	Kilnwood Vale	5
YMCA Downlink	West Green	40

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Rosebery	Various Neighbourhoods	68
	Total	2,990

Source: <https://www.gov.uk/government/statistics/registered-provider-social-housing-stock-and-rents-in-england-2022-to-2023>

3.2 Of the affordable housing built in Crawley over the last 3 years, 225 homes were built by registered providers. Over the next two years it is estimated that registered providers are set to deliver approximately 57% of the new build social housing in Crawley, this equates to over 270 homes, much of which will become available at social rents via the housing register. The nomination rights to registered providers properties secured by the Council play a significant role in helping to meet the demand for affordable and social housing locally.

4.0 Nomination Rights and Preferences

4.1 Through nomination agreements with our registered provider partners, the Council has secured nomination rights to 100% of newly built social housing in Crawley and up to 75% of social housing once it becomes available for re-occupation. When properties become available, they are let via the Council's housing register. The Council operates a choice-based lettings scheme. This means that households on the housing register (including those threatened or who are homeless and living in expensive temporary accommodation) choose which properties they bid for. Property adverts clearly state who the landlord is (the Council or one of the registered providers), giving applicants the ability to choose who they want as a landlord.

4.2 Of the social tenancies that started between 1st January to 31st December 2022 in Crawley, a quarter (113 in total) were with registered providers, with the factor most heavily influencing the bidding (along with the size of the property and any adaptations needed) was the area in which the property was situated. The majority of applicants placing less importance on the landlord and more on the area in which they want to live. 40% of those properties went to homeless households in temporary accommodation, without which those 45 households would have remained in temporary accommodation at significant cost to the Council.

4.3 At present of the 838 households on the housing register who have applied to transfer to another property, only a quarter (211) are registered provider tenants. The most common reasons for wanting to move being overcrowding and having a medical need to move, suggesting that households are not (as a rule) moving into registered provider properties with a view to transferring to a Council owned property.

5.0 Regulation and Governance

5.1 The responsibility of governing and regulating registered providers lies entirely with the Regulator of Social Housing (RSH) and not Crawley Borough Council. The RSH's role is to:

- protect social housing assets
- ensure providers are financially viable and properly governed
- maintain confidence of lenders to invest into the sector
- encourage and support the supply of social housing
- ensure tenants are protected and have opportunities to be involved in the management of their housing
- ensure value for money in service delivery

5.2 The RSH take a co-regulatory approach. This means boards who govern providers' service delivery are responsible for ensuring that their organisation is meeting the RSH standards, and for being open and accountable in how their organisation meets its objectives. Co-regulation also requires providers to support tenants in the shaping and scrutinising of service delivery and in holding boards to account.

5.3 The RSH expect providers to identify problems and take effective action to resolve them. If a provider takes responsibility and it is concluded that they are able to respond to the problem, the RSH work with the provider to help it deliver the necessary corrective actions. If the provider is unable or unwilling to respond positively, the RSH may use their regulatory enforcement powers.

5.4 The RSH do not carry out surveys of registered provider tenants, however registered providers do carry out customer satisfaction surveys and some provide a limited summary of results on their websites. For the

purpose of this report, the data obtained from their websites indicates good levels of customer satisfaction amongst registered providers who own and manage housing stock in Crawley and across the UK.

6.0 Tenancy Policy and Strategy

- 6.1 Each social housing provider, whether a registered provider or stock holding local authority is required to develop its own Tenancy Policy setting out its service standards. In doing so the social housing provider must meet legislative requirements, which includes a requirement to “have regard” to Local Authority Tenancy Strategies.
- 6.2 Tenancy Strategies were a requirement of the Localism Act 2011 and are intended to guide housing associations and stock holding Council’s on matters such as rent levels, length and type of tenancies, and local housing needs.
- 6.3 As the majority of registered providers operate on a regional, if not national basis, their Tenancy Policy will be regionally rather than locally based and as such will need to “have regard” to the Tenancy Strategies of the range of local authorities across their operating areas. This inevitably serves to dilute more local needs and, as such, Tenancy Strategies carry little weight in the development of Tenancy Policies.

7.0 Service Standards

- 7.1 *Accessing Information* - All residents of social rented housing should have quick and easy access to information they may need during their tenancy. Tenants will want to know about repairs standards (detailing how they go about requesting a repair and the timeframe in which it will be dealt with) and complaints procedures (detailing how they go about making a complaint and what will happen when they do). Information, documents, policies, and procedures for use by tenants should be clear, concise and easy to understand.
- 7.2 The websites of social housing providers with a presence in Crawley were checked to see whether this information was quick and easy to find and understand. All complaints procedures and repairs processes viewed clearly outlined what was expected of the customer and in turn, how the association would respond.
- 7.3 *Rent Levels* - Social housing providers set social rents in line with government guidelines and the Rents Standard. Social rent is set using a formula from which a ‘target rent’ is calculated. Each year the Government and the Regulator for Social Housing adjust the formula to the new annual Consumer Price Index to calculate rent increases. A search was carried out of rent levels of housing association properties let via the housing register in 2022 and all were at or under the LHA rate and considered affordable.
- 7.4 *Standards and Disrepair* – Registered providers have certain responsibilities to maintain their stock (with a particular focus on issues such as gas safety, electrical safety and the structural fabric of the building for example). Complaints about disrepair are dealt with internally using the association’s own procedures in the first instance. Where this does not result in a satisfactory outcome, tenants have the right to request that the matter is investigated by the Housing Ombudsman. The Council’s Private Sector Housing Team may become involved where tenants have been through the complaints procedure and contacted the Council for advice.
- 7.5 Both the Council and registered providers work to a ‘standard’ of repair. Whilst all social housing must (as a minimum) meet the decent homes standard, providers of social housing are able to set their own repairs standards. Whilst there is no mechanism for requiring consistency, it is not a matter of which standard is ‘best’, but of whether they are being adhered to.
- 7.6 Approx. 14% of disrepair complaints (around 20 per annum) coming into the Private Sector Housing Team are regarding disrepair in properties owned by housing associations. Of the complaints made in 2022, none escalated to the point where enforcement action was considered necessary, and the landlord satisfactorily resolved the issues.

8.0 How do service standards compare?

- 8.1 Service standards and operational processes for social housing providers must conform with their individual regulatory and governance requirements and are thus set at a level which meets requirements to protect both tenants and housing stock and which reflects the expectations of their respective tenants. Service standards and operational processes will inevitably vary between individual registered providers and between registered providers and the Council as there is no requirement for consistency.
- 8.2 Registered providers are not under any obligation to provide data on performance or customer satisfaction to the Council and in many cases this is collected on a sub-regional rather than a local authority basis and therefore does not necessarily reflect the local picture. However, the data that was obtained for the purposes of this report reflects good levels of performance and customer satisfaction within registered providers who operate within Crawley.
- 8.3 In April 2023 the RSH introduced tenant satisfaction measures standard, requiring registered providers to annually collect and publish information to support effective scrutiny by tenants of their landlord's performance in managing their homes and neighbourhoods. This will allow for easier monitoring and comparison of tenant satisfaction in the future.

9.0 Conclusion

- 9.1 Registered providers play a critical role in the delivery of social housing and meeting local housing need. A quarter of social housing let via the housing register in 2022 was owned by registered providers, and over half of new build social housing to be delivered over the coming two years will be built by registered providers.
- 9.2 The Council receive low levels of complaints about housing standards within properties owned by registered providers, and no enforcement action has been necessary over the previous year. The introduction of tenant satisfaction measures will soon allow for easier and more effective comparison of how housing standards are implemented in registered providers across the Borough.
- 9.3 Given the increasing demand for social housing (through rising homeless and housing register applications), and the pressures on the Council's temporary accommodation budget, positively engaging with our registered provider partners is vital if we are to meet housing need in the borough through partnership working.

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**ASB BRIEFING PAPER FOR HOUSING ASSOCIATION SCRUTINY PANEL:
REGISTERED PROVIDERS OPERATING IN CRAWLEY**

1. Purpose

1.1 The briefing has been prepared in response to concerns raised with Registered Housing Provider's response to reports of ASB.

2. Registered Provider's approach to dealing with ASB and impact on Crawley Borough Council

2.1 Each registered provider will have their own ASB policy which will set out their approach to responding to reports of ASB.

The ASB Policy for each registered provider operating in Crawley can be accessed via their website listed below:

A2 Dominion	How do I report anti-social behaviour? - A2Dominion
Abri	Anti-social behaviour (abri.co.uk)
Anchor Hanover	Neighbour disputes and anti-social behaviour Anchor
Clarion	Dealing with antisocial behaviour Personal wellbeing Clarion (myclarionhousing.com)
Guinness Trust	What is anti-social behaviour? – The Guinness Partnership Report anti-social behaviour – The Guinness Partnership How we can help – The Guinness Partnership How we can help – The Guinness Partnership
Housing 21	https://www.housing21.org.uk/media/15202residents-handbook-2023-digital.pdf
Hyde Housing	Antisocial behaviour The Hyde Group (hyde-housing.co.uk) Report ASB The Hyde Group (hyde-housing.co.uk)
Kensington	Anti-social behaviour Royal Borough of Kensington and Chelsea (rbkc.gov.uk)
London & Quadrant	Antisocial behaviour L&Q Group (lggroup.org.uk) L&Q Help & Advice What is L&Q's antisocial behaviour (ASB) policy (lggroup.org.uk)
MOAT	Moat Report an issue
Mount Green Housing Association	Anti Social Behaviour Mount Green Housing Association in Surrey and West Sussex Complaints Policy (mountgreen.org.uk)
Raven	Anti-social behaviour (ASB) policy - Raven Housing Trust (ravenht.org.uk) Neighbourhood issues (ASB) - Raven Housing Trust (ravenht.org.uk)

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Southern Housing	Anti-social behaviour (shgroup.org.uk) How we tackle anti-social behaviour (shgroup.org.uk)
Stonewater	Anti-Social Behaviour (ASB) (stonewater.org) Anti-social behaviour (stonewater.org)
Town & County Housing Association	Working to keep our communities safe - Town & Country Housing (tch.org.uk)
Transform Housing Association	Anti-social behaviour - client leaflet 0.pdf (transformhousing.org.uk)
Aster Housing Association	Anti-Social Behaviour Aster Group
Orbit	Report Anti-Social Behaviour Orbit Customer Hub
YMCA	https://www.ymca.org.uk/wp-content/uploads/2016/07/YMCA-England-Residents-Handbook.pdf

2.2 If a resident of a registered provider was to contact the ASB team to report issues with their neighbour, we would encourage them to contact their landlord in the first instance. We do not hold specific data in relation to the number of resident's contacting us who are a tenant of a registered provider as we would not log a case if we were informing a resident to approach their landlord. We would only log cases where we are actively involved in a case, this may involve supporting the tenant in contacting their registered provider, and/or supporting the registered provider in taking enforcement action, carrying out joint visits and installing our sound recording equipment. We do have a statutory duty to investigate reports of noise nuisance, therefore if a case involved noise and was possibly a statutory nuisance, we would have a duty to work with the registered provider to help resolve the issue.

3. Contact from residents of Registered Providers

3.1 Although we cannot evidence through data the impact of registered provider's resident's contacting the Council in concern with ASB issues, in speaking to staff members in the ASB Team they do feel there is an increase in the number of calls from registered providers residents. The residents express their frustrations of not being able to speak to someone from their registered housing provider, or they are unhappy with the lack of response they have received.

3.2 We have assisted some local registered providers in the following case type issues:

01 November 2022 – 02 November 2023

ASB Issue Type	Registered Provider	Ward
Noise	Rosebury Housing Association	Bewbush
Use of Communal Areas	Guinness Trust	Southgate
Noise/Intimidation	MOAT	Forgewood
Noise	Kensington Housing	Southgate
Noise/Drugs	MOAT	Three Bridges

3.3 Tenants of registered providers can raise an ASB Case Review directly to the Council, and we encourage residents to do so if they are unhappy with the lack of action/response from their registered provider, this is a separate process from the provider's complaint procedure. Since 2019 we have been involved in six ASB Case Reviews involving registered

providers, whereby recommendations have been made. The ASB Case Review requires all agencies involved in the case to meet and review reports of ASB and actions to date and agree an action plan to progress the case, it gives the victim an opportunity to voice their concerns.

The ASB Case Reviews we have been involved in have related to the following types of ASB nuisance:

- Noise & intimidation
- Noise
- Intimidation/harassment x 2
- Noise & Drug use
- Noise & Verbal Abuse

3.4 If residents of registered providers are unhappy with the way their case has been managed, they can raise a complaint through their providers complaint process and escalate to the Housing Ombudsmen Service.

4. Partnership working with Registered Providers.

4.1 We have contacts for the various registered providers operating in the area and would contact the Housing Officer/ASB lead if we wanted to discuss a particular issue with one of their properties. Previously we have held quarterly meetings with registered providers operating in the area to talk about ASB Issues, share learning and best practice but these were poorly attended as it was pre-covid and attendance was in person at the Town Hall.

4.2 The Police chair a monthly Hate & Anti-Social Behaviour Risk Assessment Conference (HASBRAC) for Crawley, registered providers would have the opportunity to refer medium-high risk ASB Cases. The meeting is attended by the Police, ASB Team Manager for Crawley and other external partners who have a shared interest in the cases being discussed.

4.3 In the Governments ASB Action Plan registered providers are to be given powers to apply for their own closure orders, currently only local authorities and the Police can apply for closure orders for properties in more severe ASB cases and the Police lead on registered providers ASB Cases. It is thought registered providers would have to consult with their local authority and the Police prior to the application for the closure order.

5. Regulation

5.1 The Social Housing Regulator have introduced a Tenant Satisfaction Survey which will give an indication on how resident's feel their landlord responds to ASB and how safe they feel in their community. The results will make landlord's performance more visible to tenants, help tenants hold their landlords to account and will indicate whether residents feel their landlord is doing well or whether improvements need to be made.

5.2 Social Housing providers will also be required to report on new Tenant Satisfaction Measures. All social Housing landlords are required to report on the following:

- Anti-social Behaviour cases relative to the size of the landlord
- Number of Hate related incidents reported.
- Proportion of respondent satisfied that their landlord makes a positive contribution to neighbourhoods.

- Proportion of respondents who are satisfied that their landlord keeps communal areas clean and well.
- Proportion of respondents satisfied with their landlord's approach to handling anti-social behaviour.

5.3 The current consumer standard in relation to ASB states that registered providers of social housing are to keep the neighbourhoods and communal areas associated with the homes they own clean and safe. They must co-operate with relevant partners to promote the wellbeing of the local area and help prevent and tackle anti-social behaviour.

The Social Housing Regulation Act 2023 introduces new consumer standards which place more emphasis on the safety and energy efficiency of social housing, and the transparency of landlords. The new consumer standards relating to ASB are: -

- Consult with tenants in developing a policy for maintain and improving their neighbourhoods.
- Co-operate with relevant partners to help promote social environmental and economic well-being in their areas.
- Work in partnership with other public agencies to tackle anti-social behaviour.

6. Hotspot Locations

6.1 The ASB team does not retain hot spot areas with regards to registered providers properties, we do not hold sufficient data to be able to identify problematic areas. Registered providers will hold specific data concerning their own stock which would identify any "hot spot" locations/ issues.