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## KIRKLEES COUNCIL

### GROWTH AND REGENERATION SCRUTINY PANEL

**Monday 25th March 2024**

Present: Councillor Shabir Pandor (Chair)  
Councillor Zarina Amin  
Councillor Harry McCarthy  
Councillor John Taylor  
Councillor Manisha Roma Kaushik

In attendance: Cllr Moses Crook, Cabinet Member Housing and Highways  
Cllr Graham Turner, Cabinet Member Finance and Regeneration  
Edward Highfield, Service Director, Skills and Regeneration  
Naz Parkar, Service Director, Homes and Neighbourhood  
Liz Jefferson, Strategic Partnership Lead  
David Shepherd, Strategic Director for Growth and Regeneration  
Sarah Holmes, Strategic Manager (Homelessness)  
Michelle Anderson-Dore, Head of Partnerships  
Robert Scott, Partnership Strategic Manager

Observers: Cllr Elizabeth Smaje, Chair of Overview and Scrutiny Management Committee  
Sean Westerby, Emergency Planning and Business Continuity Manager

Apologies: Jonathan Milner (Co-Optee)  
Chris Friend (Co-Optee)

**1 Membership of the Panel**

Apologies were received from Jonathan Milner and Chris Friend.

**2 Minutes of the Previous Meeting**

That the minutes of the meeting held on the 26 February 2024 be approved as a correct record.

**3 Declaration of Interests**

No interests were declared.

**4 Admission of the Public**

All agenda items were considered in public session.

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### 5 Deputations/Petitions

No deputations of petitions were received.

### 6 Housing Growth Update

Cllr Graham Turner, Portfolio holder for Growth and Regeneration, introduced the item, advising that, there would be a presentation to the Panel, which would provide a progress update on the housing growth programme. He explained that the information aimed to show the positive aspects, and that officers should be thanked for delivering many positive projects, in very challenging times.

Liz Jefferson, Strategic Partnership Lead, referring to the presentation advised the Panel that the update would cover projects that span the following programmes:

- Strategic Allocations
- Accelerated Construction delivery
- Specialist and Supported Housing
- Affordable Housing
- Registered Providers programme
- Brokerage service
- Pipeline sites

The Panel was informed that in terms of important context, nothing that is delivered in housing growth is done in isolation and is undertaken collaboratively working with many external and internal partners. For example, funding bodies, housing associations and consultants who support this work, as well as a wide range of teams across the Council. This partnership approach is at the heart of everything that is undertaken and is dependent on the resources of both internal and external teams to help deliver housing.

The Panel was provided with an outline of the following projects:

#### Dewsbury Riverside

The Panel was informed that the strategic site at Dewsbury Riverside, is the largest housing allocation in Kirklees and is a key site in the West Yorkshire Strategic place, partnership priorities and there are multiple landowners on this site. Key milestones achieved in the last year include:

- the new allotments have been finished, and work is being undertaken with capital delivery, external partners AHR and Casey, and that site opened in May 2023
- Communities colleagues presented work on Dewsbury Riverside as an exemplar at Homes England national community engagement training in July
- In August 2023, planning permission was granted to create a main access road and deliver the first 350 homes
- Joint working with Homes England, has allowed the undertaking of due diligence, infrastructure costing viability work, master planning, a build to rent market assessment and master developer audit reports

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- In November 2023, Cabinet gave approval to enter into legal agreements with Homes England and Network Rail to undertake an appropriate procurement route for master developer
- Strategic highways work is ongoing to understand the cumulative impact on the highways network and legal advice has been commissioned to inform collaboration and equalisation principles and the appointment of a master developer

### Bradley Park

The Panel was informed that the next strategic site is at Bradley Park. This is also a local plan housing allocation, mostly in Council ownership, and the overall allocation is 68 hectares. £800,000 of capital funding has been secured, which was approved by Cabinet to help progress the site.

Currently being undertaken is detailed highways work on the feasibility of delivering key junctions and discussions has commenced on strategic property acquisitions to help support that highways work. Procurement documents have been drafted, and legal advice has been secured.

### Ashbrow / Ash View Extra Care

The Panel was informed that in terms of Ash View, there will be a 50 bed Council Extra Care Scheme within a wider development of 111 mixed tenure units. Of those 111, 98 will be for market sale and 13 will be affordable homes. External works have been completed on the extra care scheme and there was a topping out ceremony in January 2024. Looking forward, it is expected that the Extra Care Scheme will be completed in September 2024. The fit out and staff training is to be delivered from October to January and for tenants to move in, in February 2025.

### Soothill

The site at Soothill is another local plan housing allocation where there are a number of pre-development constraints caused by mining history on the site. A grant of £4.5m was secured from Homes England's Accelerated Construction Programme, which includes an obligation to deliver at pace and incorporate modern methods of construction. The contractors Keepmoat Homes will deliver 319 homes in total, 95 of which will be affordable homes.

In the last year, the achievements have been 86 plots under construction, 46 plots occupied, 65 affordable plots secured via section 106 agreement and an extra 30 plots have been transferred to housing associations in communities.

### Kenmore Drive – Cleckheaton

An 80-bed Affordable Extra Care and Public Open Space, in partnership with Housing 21, is being delivered and this scheme is being supported by Homes

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England's affordable homes programme. In the last year there was a difficult start on site when the contractor became insolvent, however Housing 21 have successfully lined up a replacement, Robertson Construction.

A multidisciplinary team of council officers has worked with Housing Growth to deliver the project, including Public Rights of Way, Planning, Highways and Legal colleagues. A successful resident engagement event took place in December 2023 and a groundbreaking ceremony was held in February 2024. The development is due to complete in March 2026.

### Affordable Housing and Brokerage

In terms of what has been delivered with regard to affordable housing and brokerage, the Housing Growth Team is the first point of contact to advise planning colleagues and developers about the different affordable housing needs across Kirklees. Delivery is secured by s106 agreements as part of the planning process and work is also undertaken with registered providers of affordable homes such as housing associations who are assisted with advice and support. Work is also undertaken in partnership on projects such as the registered providers clusters programme, working with housing associations 13.

In June 2023, Cabinet approved a fee to cover legal and administrative costs associated with processing the sale of first homes, starter homes and discount market sale homes.

The Brokerage Programme aims to increase housing delivery on privately owned sites. The team have created a brokerage brochure of stalled development sites across the district and the team have also supported owners of stalled sites to apply for West Yorkshire Combined Authority (WYCA) Brownfield Housing Fund. This includes Parkwood Mills and Plane Street where 39 affordable housing homes have been delivered by Unity Housing Association, have just started on site.

### Fenay Lane – Almondbury

This is another Council housing allocation, and have used WYCA housing revenue funding to undertake due diligence on the site to inform the preferred disposal route. In November 2023, Cabinet gave approval to dispose of the site to a Homes England registered strategic partner via a competitive land sale. Since then, soft market testing has been undertaken and land sale process has begun to secure a development partner. Further WYCA funding has been secured to support the site disposal.

The Panel was provided with information which outlined the overall position on delivery and advised that there are 767 homes either on site or in various stages of the planning process, of which 445 are affordable homes. In addition, a further 1234 are actively being progressed, this is alongside 173 home secured through s106 agreements in 2023. There are 87 homes that the Council is supporting registered providers to deliver.

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The Panel was shown a slide which highlighted the positive news coverage that the various developments had garnered in the last year.

In response to the information presented, the Panel made comments and asked questions including some of the following:

- On the Bradley Park development, which has been talked about for many years, why has this development not made the same progress that has been made as the Dewsbury Riverside development? What is the major delay on that? Is it potentially a capacity issue in the team?
- The information presented mentioned detailed work being undertaken with highways, does this include Cooper Bridge because it would be good to get a progress update on where things are at, and if there are barriers what the Council is able to do to address any barriers.
- On the Ashbrow Scheme, which is positive, is it possible to give a timeline on when this work started to get an indication of the lapse of time.
- With regard to the affordable housing delivery particularly in respect of the use of language on affordable housing need across Kirklees, how is affordable housing need determined and how does it differ across Kirklees. It would also be interesting to know what the different types of affordable housing needs are across Kirklees and how the different areas across Kirklees are defined. This will enable local ward councillors to understand what the affordable housing need is across their ward.
- It is positive that work is being undertaken on the stalled sites, how many stalls sites are currently being dealt with?
- With regard to the Ashbrow site, are there any measures being put in place to combat the increase in anti-social behaviour?
- It is positive that there are a lot of affordable housing in the pipeline, but how many affordable housing is needed within this year for the strategic housing assessment, how many will be achieved, how many is needed for next year and how many are in the pipeline for next year and going forward?

### Preventing Homelessness and Rough Sleeping Strategy

Sarah Holmes, Strategic Manager, (Homelessness) provided the Panel with a brief update on the timeline for the refresh of the Preventing Homelessness and Rough Sleeping Strategy. The Panel was directed to the slide which outlined the flightpath that will be followed in refreshing the strategy.

Strategy to be refreshed by July 2024. Current flightpath:-

- Growth & Regen SLT 24<sup>th</sup> April – draft revised strategy
- Cabinet Portfolio Holder 24<sup>th</sup> May – draft revised strategy
- Executive Leadership Team – end of May
- Executive Board – mid-June

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- Pre-decision Scrutiny – early July (provisional date)
- Cabinet – mid July (provisional date)

The Panel was informed that it is a statutory duty for every local authority to have one of these strategies and the current strategy runs from 2018-2023 and will be expiring. Therefore, Cabinet will need to sign off the refreshed strategy in the summer 2024. The expectation is to bring the refreshed strategy to the Scrutiny Panel in early July, subject to confirming the dates. The aim is to engage with members during the refresh stage and an invite has been issued to all the political groups for individual sessions at group meetings.

The Panel raised concerns with the timeline for the strategy, as the aim to bring the revised strategy to a scrutiny panel meeting in early July and to Cabinet mid-July does not give sufficient time for any suggested changes made by the Panel to be incorporated. It is likely that the Cabinet papers will need to be published at the same time as it comes to scrutiny. Officers were asked to revisit the timeline to give sufficient time for pre-decision scrutiny and give enough time for any suggested amendments to be made before it goes to Cabinet.

### **RESOLVED:**

- a) That Liz Jefferson and Cllr Graham Turner be thanked for providing an update on Housing Growth and
- b) That Sarah Homles be thanked for providing an update on the timeline for the Preventing Homelessness and Rough Sleeping Strategy
- c) That the timeline for the Preventing Homelessness and Rough Sleeping Strategy being presented to Scrutiny be revisited to give enough time for any suggested amendments to be made before it goes to Cabinet

## **7 Ad Hoc Scrutiny Panel - Health & Safety Compliance in Residential Housing Stock: Detail of Progress And Next Steps**

Cllr Moses Crook, Portfolio Holder for Housing and Highways, introduced the item, advising that the report provides an update on progress to date against the recommendations of the Ad Hoc Scrutiny Panel's health and safety compliance report and recommendations to Cabinet from December 2022. The report has been brought to both the Homes and Neighbourhoods Improvement Board and to Cabinet in September and October 2023, with both agreeing to the officer recommendations going forward. Of the 17 recommendations made by the ad hoc panel:

- two are completed
- six are identified as continuous ongoing issues and are now included as part of best practice
- nine are assessed to be at 50% progress to completion or better

Cllr Crook informed the Panel that the improved recommendation is that, less frequent but regular reporting to the Building Safety Assurance Board is now

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needed in order to provide ongoing assurance since the change and good practice is now embedded. It is positive to have the alignment between the cross-party Homes and Neighbourhoods Improvement Board, officers and Cabinet especially in light of the regulators recent finding. The response needed requires working together constructively across the whole Council to drive improvement and to demonstrate and ensure safety of tenants is and remains collectively the highest priority.

Naz Parkar, Service Director for Homes and Neighbourhoods informed the Panel of some of the key achievements since the Ad Hoc Scrutiny Panel, took its recommendations to Cabinet in December 2022. For the last 12 months there has been focus ensuring that there is a system of safety, and a fire safety system matrix has been put in place, the recommendation from the ad hoc panel has now been completed. As part of that work, focus has been on the management plans for fire safety, asbestos, and lifts, with a review of where things were with gas safety and electricity checks as that is a well-managed risk within the Council.

In March 2024, Cabinet approved the Fire Safety Management Plan, and work is being undertaken to ensure that the process the policy relates to, is robust, particularly in the current context as part of the regulators notice to improve the way fire safety is managed.

There has been good progress ensuring that the processes and the data that falls out of those processes is currently being finalised before being embedded in the teams, ensuring there is training, communication and a good operation of that new management plan. The Asbestos Plan is ready, as is the lift plan which will need to go to Cabinet for approval.

With regard to the asset system implementation, work is currently being undertaken on implementing the housing management system which has been slightly delayed, and Cabinet approved the revised strategy for the delivery of that. That will be the master system for all the homes and neighbourhoods activity and holds unique reference points for all asset data. This needs to be implemented first before scoping out the requirements for the asset management system and that will follow straight after the implementation of the CX, which is the housing management and contact system.

In terms of data validation, the scrutiny panel did identify this as a key area of focus for the service, to ensure there would be integrity and accuracy in the reports put forward. In terms of the recommendations of the panel, the panel was keen to see a separation between the service doing their business reports and there being a second line of defence to check and scrutinise that the sources of data, methodology were appropriate and accurate so that the assurance mechanisms within the Council could have confidence in the reporting.

A great deal of work was undertaken on data validation post scrutiny, working with colleagues in IT and in Data and Intelligence to ensure that the current system that manages assets which is Asprey was collecting the data.

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An external validation of the data was commissioned particularly on inspections and re-inspections because this was one of the weaknesses identified when transferring assets back into the Council. Savills came in and undertook a robust audit of how data is managed across each of the big six compliance areas and issued a clean bill of health with some anomalies which have now been remedied. There is now confidence in the data around inspections and re-inspections.

Work has commenced with the corporate Data and Insight Team to ensure that there is a robust data governance and management policy, to ensure that everyone is clear about how data is managed within Homes and Neighbourhoods.

The Panel was informed that one of the key issues in progressing some of the actions is capacity and in some pockets of the team capability. The structure and skills gaps have been reviewed and identified where those gaps are, the structure has been agreed, and it has gone through the business case and challenge process and recruitment is being undertaken to that part of the structure.

It is important to stress that recruitment has been tried prior to this, however, the market is challenging for Building Safety type resources as everybody in the social housing sector is looking for that type of skill set. That has been intensified by the advent of the Building Safety Regulator and the Housing Ombudsman being much more emboldened now and the regulator of social housing having new powers, particularly over council housing stocks.

That structure is now being recruited to and also not relying on just permanent recruitment because there is a possibility of not been successful, as there has already been several attempts made to the market. Given the scale of work and the regulatory notice and the urgency and immediacy of some of the work, particularly around fire, recruiting interims has started which will give the chance to get the right capability and the right skill set in place.

A great deal of work has been undertaken around resident engagement, particularly around the most vulnerable residents and doing person centred fire risk assessments. There are 17 fire safety champions across the district who report into the Tenant Voice Panel and regular meetings are held to engage on issues.

Engagement broadly has been good, there is a dedicated team around fire safety to engage particularly around the high-rise blocks and the 66 Storey blocks. There has been quite a lot of communication going out to councillors not as general communications, but where work is being undertaken in council wards, for example, the high rise or the six Storey blocks to enable them to understand what works will be done and they are then able to support residents in their role as councillors.

In response to the information presented, the Panel made comments and asked questions including some of the following:

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- It has been a couple of years since the Ad Hoc Scrutiny Panel looked into this and it is concerning that a number of the recommendations from the panel are still in progress or at amber and that there are only a few of the recommendations that are marked as complete.
- The information presented suggests that the Building Assurance Board will not be looking at this as often, who then will be assuring, and where is the impetus to ensure that the recommendations reach a conclusion as many of the recommendations do fall into what is required for the Council to be compliant.
- Some of the items which have been reported as not complete, could easily be confirmed as complete as marking them as ongoing offers no start or end date and more information is needed. Officers should take this away and think about how the information is being presented because it is presenting a less positive picture than probably the reality is in some instances.

### **RESOLVED:**

That Naz Parkar and Cllr Moses Crook be thanked for providing an update on recommendations from the Ad Hoc Scrutiny Panel, Health and Safety Compliance in Residential Housing Stock.

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### **Complaints Handling in Homes and Neighbourhood**

Cllr Crook introduced the item advising the Panel that the report provides an update on the position with respect to complaints handling performance within Homes and Neighbourhoods, as well as measured outcomes in terms of the tenant satisfaction measures. This is to align with the new requirements on complaints handling for social housing landlords and the updated Ombudsman Complaints Handling Code, which was published on 8<sup>th</sup> February 2024, and requires statutory compliance by the 1<sup>st</sup> April 2024. Ahead of April, a review is needed to identify where the Council remains compliant with the change and work is needed to ensure ongoing compliance. Following implementation, regular self-assessment will be required, and the results will be published annually along with the tenant satisfaction measures.

From 1<sup>st</sup> April, the Ombudsman, has to monitor performance on complaints handling and compliance and homes and neighbourhoods could be inspected on the consumer standards at any time from then. Feedback from this Scrutiny Panel is very much welcomed to support ongoing improvement in tenant satisfaction.

This report also provides a contemporary update on complaints handling which shows that overall numbers are up on the previous period, however this forms part of a more complex picture with response times continuing to improve. The number of cases referred to the Ombudsman has also increased slightly, however remains low and with no severe maladministration findings. There is an opportunity to interrogate this data in detail to learn from trends and to improve both broader services, and complaints handling.

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Michelle Anderson-Dore, Head of Partnerships informed the Panel that there is a new regulatory framework in relation to complaints handling, however, in terms of background from December 2020, all social landlords, including Kirklees Council, were mandated to undertake a self-assessment to measure performance in terms of complaints handling. That was against the original Housing Ombudsman Complaints Code.

In 2022, also in line with the Complaints Handling code at the time a new complaints handling strategy was published and that was with support from the Housing Quality Network that included a new policy updated the compensation procedures to ensure it was fully in line with the code.

The latest version of the code becomes statutory from April 2024, and work is now ongoing to ensure that all mandatory requirements are met, which will align with the new inspection regimes which will follow from April, led by the Regulator for Social Housing.

The latest consultation that informed the new code was launched last September and concluded in February. Initially, during the consultation there was proposals around a joint code for local authorities which was joining the Housing Ombudsman Code and Local Government and Social Care Ombudsman Code. The government has moved away from a joint code and the focus is now on alignment where possible with both codes and that will be effective from 2026.

This will be useful for local authorities because it will support the Council's longer-term aim to have one corporate approach in how complaints are handled in whatever aspect of local authority business.

As part of the new regulations, an annual self-assessment will be completed, and the first one will be submitted by June 2024, as part of the submission of the tenant satisfaction measures and this will be published and will be in the public domain from autumn. It is a measure that will ensure that there is consistency across the sector in how complaints are reported.

The complaints handling does form part of the new consumer standards, in particular the transparency, influence and accountability consumer standard, which is about the voice of the tenant and the opportunities and accessibility for tenants as customers to be able to tell their landlord how they are doing.

The Panel was referred to section 2.2.3 of the report which provided a summary of complaints handling performance for January to December 2023 and advised that there were 979 formal complaints which was a 100% increase on the previous year. The primary reasons for that is a lot more work is undertaken to make tenants aware of their ability to complain. The Ombudsman has also been doing its part in making tenants aware nationally, about complaints as a way of telling their landlord how they are performing.

The top three reasons for complaints in Kirklees during 2023 were:

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- 1) 49% poor information supplied (no clarity on when works will be carried out)
- 2) 27% lack of communication (e.g failure to keep in contact)
- 3) 24% Further work required/repair not worked

Last year, despite a lot of good work, 60% of complaints were upheld, which means that there is still a lot more work that needs to be done to improve tenant satisfaction and drive up standards. Because if complaints have been upheld, that is saying the tenants are right.

Last year the Housing Ombudsman made three maladministration determinations against the Council. There have been no severe maladministration which are the ones that have to be made public, and where there is a major hazard or risk of significant harm, negligence or incompetence.

Robert Scott, Partnership Strategic Manager, informed the Panel that over the last 18 months, from a complaints handling perspective, a great deal of work has been undertaken in Homes and Neighbourhoods to ensure compliance with the code. There is work that needs to be done to address the number of complaints that have been upheld and to improve services.

One of the key things since the code was introduced, is the need to move away from tackling the volumes of complaints to addressing why complaints are being made. In essence reducing the number of complaints in the first instance, and preventing the escalation to stage one, stage two and even to the Ombudsman and provide more clear timescales of when action is to be taken and prevent timescales drifting.

As the new code is introduced in April there will be a new suite of training for managers, investigating managers and staff to ensure they are aware of the requirements around the code and the policy and also in terms of learning from complaints.

The way information is gathered is also changing, from next week data gathering will be different to help to focus in on the themes of what people are complaining about. There is a need to align the approach with the 500 pinnacle properties as the Council is still the landlord, as any judgement will be against the Council as the landlord.

In response to the information presented, the Panel made comments and asked questions including some of the following:

- Is it possible to get information that shows the trends?
- In respect of the training that will be provided as the new code comes out, it was mentioned that the training would be with managers, what advice and training will be given to the frontline staff who are dealing with the tenants one-on-one.

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### **RESOLVED:**

That Michelle Anderson-Dore and Robert Scott be thanked for providing an update on complaints handling in Homes and Neighbourhoods.