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COMMITTEE:	JOINT OVERVIEW AND SCRUTINY COMMITTEE
DATE:	MONDAY, 13 MAY 2024 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

Members	
<u>Conservative</u> James Caston Brian Riley	<u>Green Party</u> Terence Carter Leigh Jamieson Janet Pearson
<u>Liberal Democrat</u> Keith Scarff John Whyman	Ross Piper Miles Row Laura Smith
<u>Independent</u> Kathryn Grandon Mary McLaren	

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AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

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- 1 **APOLOGIES AND SUBSTITUTES**
- 2 **DECLARATION OF INTERESTS**
- 3 **JOS/23/45 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 22ND APRIL 2024**

To follow in tabled papers.
- 4 **JOS/23/46 TO CONFIRM THE MINUTES OF THE BABERGH MEETING HELD ON 22ND APRIL 2024** 5 - 18
- 5 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

6 **QUESTIONS BY THE PUBLIC**

To consider questions from and provide answers to members of the public on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedures Rules.

7 **QUESTIONS BY COUNCILLORS**

To consider questions from and provide answers to Councillors on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedure Rules.

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10 **FORTHCOMING DECISIONS LIST**

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Please note the most up to date version can be found via the Website:

[Forthcoming Decisions List » Babergh Mid Suffolk](#)

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12 **DRAFT BABERGH OVERVIEW AND SCRUTINY WORK PLAN (2024/25)** 159 - 160

To agree the current Draft Babergh Overview and Scrutiny Work Plan for 2024/25

13 **DRAFT MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN (2024/25)** 161 - 162

To agree the current Draft Mid Suffolk Overview and Scrutiny Work Plan for 2024/25

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Alicia Norman - Committees Services on: 01473 296384 or Email: Committees@baberghmidsuffolk.gov.uk

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27 BOS/23/11 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 18 MARCH 2024

27.1 Councillor Smith proposed that the minutes be approved and signed as a true record of the meeting.

27.2 Councillor Jamieson seconded the proposal.

By a unanimous vote

The minutes of the meeting held on 18th March 2024 be confirmed and signed as a true record.

28 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

28.1 None received.

29 QUESTIONS BY THE PUBLIC

29.1 None received.

30 QUESTIONS BY COUNCILLORS

30.1 None received.

31 BOS/23/12 CALL-IN PROTOCOL FOR BABERGH CABINET ON 8 APRIL 2024

31.1 Councillor Smith proposed that the call-in protocol as detailed in Paper BOS/23/12 be approved.

31.2 Councillor Holt seconded the proposal.

By a unanimous vote

The Call-In Protocol as detailed in Paper BOS/23/12 was approved.

32 BOS/23/13 CALL-IN OF THE DECISION MADE ON ITEM BCA/23/48 AT BABERGH CABINET ON 8 APRIL 2024

32.1 The Chair outlined the scope of the call-in as detailed in the approved procedure.

32.2 The Chair invited the Monitoring Officer to address the Committee ahead of proceedings.

32.3 The Monitoring Officer outlined to Members that the original Cabinet decision did not breach budget or policy framework and therefore the matter could not be referred back to Council for final approval; the alternative options for the Committee were:

- Refer the matter back to the Cabinet for reconsideration, together with the observations of the Overview and Scrutiny Committee. Cabinet will then take a final decision and that decision cannot be called in.

or

- That the decision be upheld and implemented immediately.

32.4 The Chair invited the Lead Signatory, Councillor Dowling, to present his reasons for the Call-In.

32.5 The Lead Signatory made the following representation:

“Good afternoon, councillors, and thank you for giving us the opportunity to explain our grounds for requesting this review. We suggest that Cabinet ignored the substantial weight of legitimate concerns among the communities most directly affected by their decision (Hadleigh, Sudbury, Cornard and Lavenham). Consistently strong opposition to varying car parking charges as proposed was revealed in the council’s own ‘targeted engagement’ consultation, and was echoed in the petition organised by Cllr Clover; in the opinion surveys by Hadleigh and Sudbury councillors; and in the several letters sent in by town and parish councils. We believe that the principles of good decision-making have been breached because Cabinet did not give adequate consideration to views that run counter to the proposal at hand.

We want to divide up our allotted time so that we can cover:

- What the council’s own consultation revealed and what it failed to cover, which Cllr Hendry and I will speak on;
- What councillors’ surveys in Hadleigh and Sudbury revealed, which Cllr Regester will speak on, and;
- What we want to happen as a result of this review, namely a full, fair, and balanced reconsideration of the option to allow one hour free in all Babergh car parks, which you yourselves asked for in your meeting of 18 March.

Firstly, what did the council’s engagement exercise reveal? I do think the survey itself was well designed to collect a range of possible responses via open-ended answers. The data collected were carefully and clearly analysed by the strategic policy team, and I’d like to compliment them on their work.

The problem lies in the fact that the report, and the ensuing decision made by Cabinet, chose to ignore the clear weight of counter-factual evidence that the survey revealed. To take the most obvious example, among the 88 responses received there were 42 mentions of the fear that varying parking charges would be detrimental to local economies. This is by far the most frequently mentioned item for Question 1, and was raised five times more often than the proposal’s chief rationale, that varying charges is necessary to cover costs

and relieve financial pressures: the comparison of item weights is clearly set out in the results table on page 70. Yet the main body of the report does not deal with the dominant concern of respondents about the impact on High Streets, and in the Cabinet meeting on 08 April it was brushed aside. If no work has been done on exploring possible impacts on local economies, and the issue was not fully considered by Cabinet, then that is a failure of preparation leading to poor decision-making.

A second issue raised in the council's own survey is the impact of charges on vulnerable individuals (15 mentions in Q1) and on people who have to use a car because of the district's rural setting and poor public transport (14 mentions in Q1). For Q4 there were 47 mentions of poor public transport, the most frequent item in the entire survey. The point about rural setting and rural poverty was included in the recommendations you made (page 12 point 1.7). But despite these clearly dominant concerns, the main report (in para 10.8 on page 38) has only supermarket home delivery to offer rural dwellers. The Equality Impact Assessment in Appendix E (starting on page 48) makes no mention of this issue, despite your request to do so.

Cllr Carter gave powerful testimony during the Cabinet meeting on the burden that young families in rural villages face in getting children to school and making other vital journeys, but these real concerns were dismissed. Again, this is poor decision-making which ignores a large number of answers to the council's own survey. These major flaws in the consideration of data generated by the consultation process lead us to believe that the Cabinet's decision was made without full understanding of its impact on residents and businesses in the communities most directly affected.

The consultation was also critically flawed in that it missed out some key constituents. I'll hand over to Cllr Ruth Hendry to speak about her ward's experience."

- 32.6 The Lead Signatory called on Councillor Hendry, a signatory of the call-in, to contribute to the statement. Councillor Hendry made the following representation:

"I would like to raise my concerns about Babergh's failure to properly consult with Great Cornard Parish Council. Great Cornard is the second largest ward in the district and arguably the most affected by the decision to bring in parking charges. Cornard residents often have no choice but to travel into Sudbury due to the lack of amenities, it also houses some of the district's most deprived residents.

Initially GCPC were given a link to the survey that gave them just one response, the same as much smaller parishes the other side of the district. They decided that the questions asked on the survey did not give them the opportunity to explain all the issues they felt were relevant so they chose to send an email outlining their concerns, but were eagerly awaiting an opportunity to voice these concerns directly to representatives of Babergh so these issues could be discussed at more length. They were expecting this as

the media release dated 15 December clearly stated 'officers will meet with town and parish councils to discuss local options in the New Year'. This meeting was repeatedly requested. The response I had from the Director of Operations was unless they had something new to add he would 'not be sure of the point in the meeting'. He then explained that it was only ever intended to meet with Sudbury, Hadleigh and Lavenham councils which, I believe, shows a lack of understanding of the local area and a disregard of the opinion of Cornard residents. This was compounded by a later email where he states 'GCPC maintains its opposition to parking charges... I'm struggling to see how we could move past this predetermined position to one of engagement'.

I believe this shows that the consultation has not taken into account the views of all affected and not enough effort has been made to engage with Great Cornard."

32.7 The Lead Signatory called on Councillor Regester, a signatory of the call-in, to contribute to the statement. Councillor Regester made the following representation:

"It probably won't surprise you to hear that the opinion surveys carried out by Hadleigh and Sudbury councillors echo the evidence revealed by the council's 'targeted engagement exercise'.

We carried out car parking surveys in the car parks in Hadleigh and Sudbury. These were done in January over two weeks in Hadleigh and in February in Sudbury on one Saturday. We had 189 responses in Hadleigh in three fee paying car parks and 67 responses in Sudbury in three fee paying car parks. The majority of respondents travelled less than 9 miles and used the car parks at least weekly. Almost all were using businesses or services in each town.

We asked: "*Has the fact that you can park up to three hours for free influenced your choice to visit Hadleigh/Sudbury today?*" In Sudbury and Hadleigh over 80% of responses stated that it influenced their choice a bit or a lot.

We asked: "*If you had to pay to use the car parks at any time and for however long you stay, how likely would you be to use them?*" In Sudbury 53% and in Hadleigh 67% of responses were somewhat unlikely or very unlikely.

We then asked: "*How much would it change your attitude to paying if I tell you that Babergh has to pay the government £300,000 a year in business rates for its car parks?*" In Sudbury 88% of responses and in Hadleigh 81% said it would make no difference or make them less willing to pay, only 11% and 18% respectively said it would make them more willing to pay for parking.

We asked: "*If you could park free for one hour and then pay for longer stays, how likely would you be to use the Babergh car parks?*" In Sudbury 59% of responses and in Hadleigh 65% were somewhat likely or very likely to still use the car parks."

32.8 The Lead Signatory concluded the opening statement with the following representation:

“Finally, I’d like to outline what we want to happen as a result of this review. In the recommendations you made to Cabinet in your 18 March meeting, you resolved that “That Officers be requested to set out in the report to Cabinet a proposed range of tariffs that include a free parking period of 1 hour and its associated costs” (page 12 point 1.3). But this was not done. An amendment to include the 1 hour free option was proposed by Cllr Carter during the Cabinet meeting, but rejected. We believe that the concession of a shorter free period than is currently allowed would satisfy many of the objectors to the proposals as they stand – it is a reasonable compromise that would show the council is listening to legitimate concerns and is willing to act on them. Offering a modest subsidy to support our High Streets, and our vulnerable residents who depend on their cars, seems to us to be a valid use of council resources.”

32.9 The Chair invited the Acting Leader of the Council, Councillor Ward, to present the Cabinet’s reasons for taking the original decision.

32.10 The Acting Leader made the following representation:

“Our Consultation

This call-in is to examine whether cabinet considered the various public engagement / consultations sufficiently, amended the proposals accordingly and reflected these in the decision making during the cabinet meeting on 8th April. The request to do this is, in essence, recommendation 2 made by this committee to cabinet at your meeting on 18th March.

I would say now that we really did want to hear from town and parish councils, and others, which is precisely why we undertook the consultation. But I will stress that it was not designed to be a ‘yes/no’ question – rather, it was to determine if the public thinks that there were some things we hadn’t considered and which should be taken into account in the cabinet paper. And there were things we hadn’t considered and we did amend the cabinet paper to include these.

The Information Bulletin supplied as a tabled paper in your agenda pack provides a full explanation of how we incorporated some of the findings of the consultation, thereby addressing recommendation 2 and the reason for this call-in.

We also received a lengthy and detailed email from Lavenham parish council which contained a number of suggestions that cabinet debated. The amendments made to the report as a direct result of the consultation were:

- Reducing the all-day charge from £3 to £2.50 to support workers and visitors
- Not extending the restricted periods to include Sundays and bank holidays as is the case in many of our neighbouring authorities' car parks
- Not removing the ability to pay by cash
- Recognising a desire to separate visitors and residents parking and allowing this to be developed in the future as technology develops
- Looking at a Community Interest Company but deciding this was not viable, with the reasons provide in paragraph 2.5 of the cabinet report. Further administrative complexities were also identified and which would have to be negotiated and agreed with any potential organisation showing an interest in running a CIC.

As a result of the cabinet debate on this consultation and the Lavenham email, we did make further amendments to the report before taking the vote. These were:

- To task officers with investigating how more powers may be devolved to town and parishes – including to revisit the potential use of Community Interest Companies – and report back to cabinet over coming months.
- To ask officers to proceed with further discussion with Lavenham Parish Council around the constructive engagement that had taken place to date.
- To progress a school parking permit scheme.

Petition

The petition initiated by Cllr Clover should, of course, be considered in the wider context of gauging the public's views. It was a simple 'yes/no' question and didn't explore the public's opinion of other options. It was debated, in accordance with our constitution, by full council. Council voted to note it, which was the only realistic option given the narrowness of the question, and council didn't provide any direction to cabinet. There was nothing in the petition that could be reflected in the cabinet decision following the council vote.

Other Surveys

I am aware that other surveys have been conducted by members in Hadleigh and they did, of course, replicate the findings of the petition. However, I conducted my own survey one morning, which was curtailed by the weather. I did ask people about options and what they would be willing to give up. The answers were illuminating and did prove that the results you get from any petition or survey are very dependent on the questions asked.

Other O&S Recommendations

I know that today we are not addressing all of the recommendations made by this committee on 18th March, but I thought it would be helpful to remind committee members that, in answer to a question from Cllr McLaren at the cabinet meeting, I did summarise how we addressed each of your recommendations.

A full response to all the recommendations was sent to this committee following the cabinet meeting and this is included as appendix 1 of your tabled paper. You will see that they have, with minor exceptions, been accepted by cabinet in full.

Free Period

Although not specifically included as part of the validated call-in reason, because it has generated much comment, I do now want to address recommendation 3 from O&S to cabinet: 'that Officers be requested to set out in the report to Cabinet a proposed range of tariffs that include a free parking period of 1 hour and its associated costs'.

This was addressed in the cabinet paper at paragraph 2.6, which included a summary of the financial impact, and cabinet did debate it. An amendment was proposed and defeated as part of that debate. But, to fully satisfy the request in the O&S recommendation, we have provided the detailed costs as option C in appendix 2 of your tabled paper.

Paragraphs 2.6 and 6.6 of the cabinet report also address some of the non-financial impacts of a free period:

- It directly and significantly reduces available income to fully recover costs.
- The reduced income would mean that our parking and sustainable travel strategy aims would be unaffordable.
- It complicates off-street enforcement, which can negatively impact on-street enforcement productivity.

For all of these reasons – financial and others – we are unable to accommodate this suggestion. With the very low charges we have agreed, it really isn't necessary.

Summary

The cabinet debate on 8th April was comprehensive and, as the minutes clearly show, we did include all the evidence available to us. I consider that we have addressed this committee's recommendations, the feedback from the consultation and also suggestions made by the one parish that really made an effort to engage with us.

The consultation was a valuable exercise and it, along with this committee's recommendations following its scrutiny of the cabinet report, have been effective contributions to the decision-making process. The thoroughness of the cabinet report and the debates that this committee, council, and cabinet have had should leave everyone reassured that this matter has had extensive consideration and thought, even if we don't all agree on the decision."

- 32.11 The Chair invited Members to ask questions of the Lead Signatory and the Acting Leader.
- 32.12 Councillor Jamieson asked the Acting Leader to explain the reasonings behind engaging with town and parish councils rather than conducting a full public consultation. The Acting Leader responded that a decision was made by Cabinet on 9 January to consult with all town and parish councils in Babergh concerning car parking charges and that these councils would be able to provide a response on behalf of their area.
- 32.13 Councillor Parker asked the Acting Leader why tariff option C, which included a free-hour parking period, was "ruled out" despite not being presented in the Cabinet papers. The Acting Leader responded that initial discussions had taken place at a Cabinet briefing but that a summary of tariff option C had been included in the Cabinet papers and discussed in debate at the Cabinet meeting.
- 32.14 Councillor Parker asked the Acting Leader where the details of tariff option C were in the Cabinet report. The Acting Leader responded that the summary of this option was detailed in paragraph 2.6 of the Cabinet report but that full details were not provided as this was deemed unnecessary at a Cabinet briefing.
- 32.15 Councillor Holt asked the Acting Leader why the decision to formally dismiss option C was taken in private and who was involved in this decision. The Acting Leader responded that it was discussed as part of standard Cabinet briefing procedure and that option C was still fully debated and voted on at the Cabinet meeting on the 8 April. The Acting Leader confirmed that the whole of Babergh Cabinet were at this briefing alongside the Director for Operations and Climate Change.
- 32.16 Councillor Grandon asked the Lead Signatory what impact would have been made had Great Cornard been consulted with. The Lead Signatory responded that Great Cornard had been denied the opportunity to meet with officers ahead of a decision being made by the Cabinet and that engagement that was against parking charges would likely be discounted.
- 32.17 Councillor Grandon asked the Acting Leader whether the fact a majority of Cabinet members were elected to represent rural wards influenced the decision taken as it was perceived to not impact their patches. The Acting Leader responded that the decision taken affected all residents across Babergh and that it would arguably have an increased impact on residents in rural areas who had no alternatives to driving in order to access key towns,

subjecting them to parking charges.

- 32.18 Councillor Jamieson asked the Acting Leader if the modelled reduction in income from implementing a free parking period had been assessed against the possible loss in income to the council from a reduction in business rates due to a loss of businesses. The Acting Leader responded that most businesses in Babergh's key towns already received significant business rates relief and that business rates were not considered as part of the decision taken.
- 32.19 Councillor Jamieson asked the Lead Signatory if decisions made by the Council should be made based on public opinion. The Lead Signatory responded that there was a need for Local Government to consult widely on key issues and due consideration given to all opinions and feedback.
- 32.20 Councillor Smith asked the Acting Leader whether the public consultation had been retrospectively rebranded as an "engagement" study due to the lack of alignment between public opinion and the decision that had been made. The Acting Leader responded that the consultation had not been rebranded and that the aim of the exercise was always to gather community information on the topic.
- 32.21 Councillor Grandon asked the Acting Leader if members of the Cabinet were pre-determined on the amendment to incorporate a free hour parking period due to the previous decision made to dismiss this option at the Cabinet briefing. The Acting Leader responded that Members were not pre-determined on this issue and that it was fully debated at the Cabinet meeting.
- 32.22 Councillor Holt commented that the decision made at Cabinet briefing to dismiss tariff option C lacked appropriate transparency and gave the impression of pre-determination to the public.
- 32.23 Councillor Parker asked the Acting Leader if he believed that the consultation with town and parish councils was as fulsome as possible. The Acting Leader responded that the consultation period lasted several weeks and that multiple councils had come forward with feedback.
- 32.24 The Chair invited Members to ask questions of the Director for Operations and Climate Change.
- 32.25 Councillor Smith asked the Director to recount his engagement with Great Cornard Parish Council. The Director for Operations and Climate Change responded that he had not managed to find time to have a meeting with Great Cornard but that he had received correspondence relating to the consultation ahead of the Cabinet meeting which detailed the Parish's objection to the implementation of parking charges.

32.26 Councillor Smith further asked the Director if he had held meetings with any town or parish councils other than Hadleigh, Sudbury and Lavenham. The Director of Operations and Climate Change responded that he had only been contacted regarding a meeting by Great Cornard and apologised that this had not taken place.

A short break was held between 14:56 and 15:06pm.

32.27 Councillor Parker asked the Director if the Cabinet had full understanding of the differences between the finances outlined in the budget and those outlined in the full cost recovery. The Director for Operations and Climate Change responded that the Cabinet had been provided with substantial financial information and questions in the Cabinet meeting about full details of the finances were answered.

32.28 Councillor Jamieson asked the Director why details of what services would be cut or stopped should parking charges not be implemented were not included in the consultation approach. The Director for Operations and Climate Change responded that his remit extended strictly to parking charges and the finances of those.

32.29 Councillor Holt asked the Director if an appropriate economic impact assessment had been carried out to ascertain the effect implementing parking charges would have on local businesses. The Director for Operations and Climate Change responded that an economic impact assessment had not been carried out but that no evidence had been presented on the contrary which indicated there would be a definite negative impact.

32.30 The Chair invited the Lead Signatory and the Acting Leader to present their closing statements.

32.31 The Lead Signatory made the following representation:

“For us, this is about local democracy. The people who elected us and who pay council tax are entitled to be consulted, and we need to listen to what they tell us. That has not happened in this case.

The points about local economic impact and rural poverty were not fully and properly considered in the report or by Cabinet. Simply asserting that they don't exist isn't good enough.

The '1 hour free' option was unwisely dismissed by Cabinet without proper, open discussion as Cllrs Holt and Parker pointed out. Loss in projected revenue compared to charging from the moment of arrival could be recouped by charging more for each hour after the first. Indeed, if everyone gets an hour free there would be no need for a complex and costly permit system for specific user categories.

We're asking you to instruct Cabinet to reconsider its decision in the light of all relevant information, including detailed analysis of (1) local economic

impact; (2) impact on those facing poverty in rural settings; and (3) impact on vulnerable individuals. These issues all arose in consultation but were excluded from the report and not properly considered by Cabinet in reaching its decision – we believe that they should be.”

32.32 The Acting Leader made the following representation:

“As the Monitoring Officer has already advised, the decision was definitely in accordance with both our policy framework and our budget: the policy framework is set by our Parking Strategy and our Sustainable Travel Plans; and section 8 of our budget paper clearly outlines the pressures we are facing over the next four years, with section 9 outlining the medium-term strategy. In this, paragraph 9.8 states: ‘Over the three-year period from 2025/26 the Council’s increasing budget deficits must be addressed through delivering further savings and generating additional income.’ The new car park tariffs will provide some of that additional income, as will the increases to other fees and charges agreed by cabinet in January.

References to both the policy framework and budget were made in the cabinet report and were addressed in the cabinet debate. It is clear from the cabinet report and debate that these were the drivers for having the paper drafted in the first place and the subsequent decision made by cabinet.

In summary, to reiterate what I said earlier, I consider that we have addressed both this committee’s recommendations and feedback from the consultation. I hope that my earlier statements and answers to your questions have demonstrated that.

The cabinet report was amended as a direct result of the consultation, with the amendments listed in the Information Bulletin.

Following the cabinet debate, where we also specifically discussed the Lavenham email, we did make further amendments to the report before taking the vote.

We did everything asked of us – not just in our decision debate but also in the long preparation for this. The research, evidence and proposals were sound and, I might add, the cabinet paper was one of the best prepared we have ever had – it had to be, given the undeniably controversial nature of what we have had to do.”

32.33 The Lead Signatory and the Acting Leader left proceedings.

32.34 The Chair invited Members to debate the call-in and come to a determination.

32.35 Councillor Parker asked what the timescale would be should the committee be minded to refer the matter back to the Cabinet for reconsideration. The Monitoring Officer advised that this issue would be taken to Cabinet at the earliest possible convenience and at this moment in time would likely be 11 June.

- 32.36 Councillor Smith commented that the decision should be referred back to the Cabinet for reconsideration with due regard given to tariff option C with details of this fully presented in the report and considered by Members.
- 32.37 Councillor Parker agreed that the matter should be referred back to the Cabinet and that the Cabinet had backed itself into a corner by not considering tariff option C sufficiently in an open manner. Councillor Parker further raised that significant income would still be achieved even with the incorporation of a free parking period.
- 32.38 Councillor Grandon noted that it would be fair for Cabinet to reconsider the decision made in light of lack of appropriate consultation with the public and all town and parish councils.
- 32.39 Councillor Jamieson expressed that he agreed with the rest of the committee, that tariff option C should be fully outlined in the Cabinet paper and openly considered as requested by Overview and Scrutiny Committee in March 2024, and commented that the consultation process needed to be refined and inclusive to the general public.
- 32.40 Councillor Holt stated that in his opinion the Cabinet report taken on 8 April lacked transparency, that tariff option C needed to be given due consideration, and that the original recommendations made by Overview and Scrutiny needed to be publicly addressed and fully taken on board.
- 32.41 Councillor Smith raised that there was a need to carry out an economic impact assessment and an evaluation of the potential impact of implementing parking charges on the most financially vulnerable residents in the district.
- 32.42 Councillor Holt further commented that the paper detailing the Cabinet's decisions and actions in regard to each original recommendation from the Overview and Scrutiny Committee was inconclusive.
- 32.43 The Chief Executive outlined the following observations based on questions and debate from Members:
- That Cabinet are presented with, and give sufficient consideration to, the details of a '1-hour free' tariff option within the Cabinet report;
 - That Cabinet give further consideration to the local economic impact of the proposed changes to the car parking fees;
 - That Cabinet give further consideration to the impact of the proposed changes to the car parking fees on those facing poverty in rural settings;
 - That Cabinet give further consideration to the impact of the proposed changes to the car parking fees on vulnerable individuals in the district;
 - That officers meet with Great Cornard Parish Council prior to Cabinet meeting;
 - That the previous recommendations made by the Overview and Scrutiny Committee are further reviewed and fully considered.

32.44 Councillor Holt proposed that the matter be referred back to the Cabinet for reconsideration with the formal observations as detailed by the Chief Executive.

32.45 Councillor Grandon seconded the proposal.

By a unanimous vote

It was RESOLVED:

That the matter be referred back to the Cabinet for reconsideration with the following observations of the Overview and Scrutiny Committee. Cabinet will then take a final decision and that decision cannot be called in.

- **That Cabinet are presented with, and give sufficient consideration to, the details of a '1-hour free' tariff option within the Cabinet report;**
- **That Cabinet give further consideration to the local economic impact of the proposed changes to the car parking fees;**
- **That Cabinet give further consideration to the impact of the proposed changes to the car parking fees on those facing poverty in rural settings;**
- **That Cabinet give further consideration to the impact of the proposed changes to the car parking fees on vulnerable individuals in the district;**
- **That officers meet with Great Cornard Parish Council prior to Cabinet meeting;**
- **That the previous recommendations made by the Overview and Scrutiny Committee are further reviewed and fully considered.**

The business of the meeting was concluded at 16:02pm.

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Chair

Agenda Item 8

BABERGH AND MID SUFFOLK DISTRICT COUNCIL

TO:	JOINT OVERVIEW AND SCRUTINY COMMITTEE	REPORT NUMBER: JOS/23/47
FROM:	Cllr John Ward Portfolio Holder Finance, Assets & Investments / Cllr Richard Winch Portfolio Holder Housing & Property	DATE OF MEETING: 13/05/2024
OFFICER:	Emily Atack – Director Assets & Investments, Managing Director CIFCO	

CAPITAL INVESTMENT FUND COMPANY ('CIFCO CAPITAL LTD') BUSINESS TRADING AND PERFORMANCE REPORT

Covering Note

PURPOSE OF ITEM

This item considers the draft Council report presenting the trading activity for CIFCO Capital Ltd (CIFCO) for 2023/24. Appended to the report is the draft business plan 2024/25 which, subject to Council approval, will form the basis of CIFCO's trading in 2024/25. CIFCO's performance against its business plan is monitored quarterly by the Holding Companies. The board of CIFCO directors continually assess the market and appropriately apply and adapt the guidelines of the business plan throughout each trading year.

- Joint Overview & Scrutiny Committee are asked to review the report and business plan relating to CIFCO CAPITAL LTD (CIFCO) Business Trading and Performance ahead of these documents being considered by Full Councils in June this year. The current format of these reports are in draft and feedback from O&S to be considered in the production of the final versions present to full councils. These are attached in the appendices.
- The purpose of the Business Plan is to monitor the performance of CIFCO over the previous financial year (1st April 2023 – 31st March 2024) and set key performance indicators and framework for trading. It is an important part of the company's governance and ensures that directors are accountable for performance and delivery of the business plan.

The committee is asked to consider whether the business plan is robust and the company is well managed, and report back to the shareholder.

Appendices Title	Location
(a) DRAFT FULL COUNCIL REPORT: - CIFCO CAPITAL LTD Business Plan 2024/25	Attached
(b) DRAFT CIFCO CAPITAL LTD Business Plan 2024/25 Redacted	Attached

BABERGH AND MID SUFFOLK DISTRICT COUNCIL

TO: JOINT OVERVIEW AND SCRUTINY COMMITTEE	REPORT NUMBER: JOS/23/47
FROM: Cllr John Ward - Portfolio Holder Finance, Assets & Investments / Cllr Richard Winch - Portfolio Holder Housing & Property	DATE OF MEETING: 13 th May 2024
OFFICER: Emily Atack – Director Assets & Investments, Managing Director CIFCO	KEY DECISION REF NO. Item No.

CAPITAL INVESTMENT FUND COMPANY ('CIFCO CAPITAL LTD') BUSINESS TRADING AND PERFORMANCE REPORT

EXECUTIVE SUMMARY

The CIFCO property investment portfolio continues to demonstrate its resilience in the face of a weak economy, the portfolio is outperforming industry benchmarks in terms of rent collection and equivalent yield. Forecasts continue to show revenue on the portfolio remaining stable throughout the financial year 2024/25 despite the stagnation we have seen in the capital markets.

During 2022/23 and 23/24 CIFCO made reduced debt repayments to the Councils. CIFCO has committed to making full debt repayments during 2024/25. Income from CIFCO remains stable but the net income has declined due to the cost of the council's debt increasing.

CIFCO continues to meet its KPIs and is achieving higher returns than the industry benchmarks. Whilst there has been deferred debt repayments in previous years, in the coming 24/25 period, there will be full debt repayments made back to the councils.

CIFCO has achieved 50% of the portfolio rating an EPC C or above and the portfolio will continue to improve these ratings further and continue the ESG improvement path. The aim is to have all properties at an EPC C or above by 2027.

The focus of the business plan for the period of 2024/25 is for long term financial sustainability of the portfolio, mitigating voids, managing risk and further improve the EPC ratings. CIFCO need to fund capital works to the portfolio over the longer term to maintain and maximise value. In the longer-term (5 years+ there will be a sufficient requirement on income to fund capital works) in the short term (2024-29) it will use existing working capital and capital receipts from sales.

1. PURPOSE OF REPORT

- 1.1 This report presents the trading activity for CIFCO Capital Ltd (CIFCO) for 2023/24. Appended to the report is the draft business plan 2024/25 which, subject to Council approval, will form the basis of CIFCO's trading in 2024/25.

CIFCO's performance against its business plan is monitored quarterly by the Holding Companies. The board of CIFCO directors continually assess the market and appropriately apply and adapt the guidelines of the business plan throughout each trading year.

2. OPTIONS CONSIDERED

- 2.1 The options available are to approve the 2024/25 CIFCO business plan for its adoption by CIFCO or to recommend amendments to the business plan.
- 2.2 The business plan has been prepared by the Board of CIFCO in consultation with its fund managers Jones Lang LaSalle (JLL).

3. RECOMMENDATIONS

- The Council notes CIFCO Capital Ltd trading activity and performance for the year to 31st March 2024
- The Council approves CIFCO Capital Ltd.'s 2024/25 business plan for adoption by CIFCO Capital Limited.

REASON FOR DECISION

To provide appropriate governance and performance monitoring for the operation of CIFCO Capital Ltd.

4. KEY INFORMATION

- 4.1 CIFCO has been trading since 2017, CIFCO completed the second phase of investment by March 2021- which included the drawdown of funds to complete the Stanton development, which completed in Autumn 2023. CIFCO holds 22 diverse commercial assets primarily in the industrial and office sectors. Details of these assets can be found on the CIFCO website <https://cifcocapital.com/our-portfolio/>.
- 4.2 A summary of the portfolio is set out below, alongside previous years:

	Q1 2020	Q1 2021	Q1 2022	Q1 2023	Q1 2024
Total Asset Value	£52,490,000	£83,918,000	£94,110,000	£82,500,000	£81,775,000
Contracted Rent p.a.	£3,393,112	£5,004,824	£5,355,618	£5,530,981	£5,758,035
ERV*	£3,609,037	£5,556,641	£5,912,985	£6,545,589	£6,769,484
Number of Assets	14	21	21	21	22
Number of Tenants	38	90	78	81	83
WAULT (years)	To break 6 years 8 months To expiry: 8 years 5 months	To break 7 years 0 months To expiry: 8 years 6 months	To break 6 years 6 month To expiry 6 years 7 months	To break 4 years 6 month To expiry 5 years 8 months	To break 3 years 8 months To expiry 5 years 2 months
Initial Yield	5.78%	5.60%	5.00%	6.30%	7.04%
Equivalent Yield	6.41%	6.16%	5.86%	6.98%	7.49%
Reversionary Yield	6.40%	6.24%	6.28%	7.44%	7.77%
Void Rate	3.96%	5.72%	2.01%	3.64%	3.40%
Running Yield**	5.97%	5.20%	5.36%	5.75%	5.88%

* Full investment drawn down by 31st March 2021.

- 4.3 CIFCO is a trading company that was set up jointly by Babergh and Mid Suffolk District Councils to acquire commercial property to generate a revenue stream. CIFCO is jointly owned by BDC (Suffolk Holdings) Ltd and MSDC (Suffolk Holdings) Ltd which in turn are each 100% owned by their respective councils. An ownership structure chart is set out at Appendix B. Commercial properties were acquired by CIFCO with funding provided by the Councils by way of loans (90%) and equity investments (10%). The loans to CIFCO are secured against the properties acquired and shares are issued in respect of equity investments made with each acquisition. The value of the shares (equity investment) fluctuates in line with the value of the portfolio. As the portfolio matures and the costs of acquisition (fees, stamp duty etc) are recovered, dividends will be payable to the Holding Companies and their respective Council owners as a return on the equity investment as well as revenue being generated through loan repayment.
- 4.4 High inflation and the resulting increases in interest rates have impacted commercial property capital values, particularly since Autumn 2022. Investment transaction levels have fallen by 22% compared to the previous year and are 8% lower than the 10-year average. The occupational market remains robust, although CIFCO has experienced some tenant failures this year. Overall, the portfolio is holding up well in the current market, due to the work of the board and professional team, the quality of the assets and diverse portfolio. Rent collection on a quarterly basis continues to be above industry benchmarks and exceeds CIFCO KPI, whilst void levels remain well below the industry benchmark.
- 4.5 The 2024/25 business plan focuses on the on-going management of the fund and the company to maximise revenue and return to our shareholders and to

seek out opportunities to enhance the value of the portfolio wherever possible. The key strategic objectives for the forthcoming years are to reduce and mitigate future portfolio voids, continue ESG improvement path, manage portfolio risk, deploy capital strategically to enhance value and income and to identify and deliver longer term capital funding for the portfolio, which is likely to include the sale or sales of assets in the medium term.

4.6 The 2024/25 Business Plan contains all the elements of the previous Business Plan approved by both Councils last year. The Plan includes:

- A review of performance over the last 12 months against key performance indicators together with strategy for the year ahead.
- A summary of the full market conditions assessment and revised investment strategy commissioned by the Company's Fund Manager, JLL.
- The key portfolio risks and attributes.
- The Business Plan incorporates high level budget and financial cashflow back to the Council through loan repayments. CIFCO borrows at a fixed rate, so interest rate fluctuations are mitigated. Cashflow and operational finance is dealt with quarterly by the Board alongside quarterly risk analysis.
- In addition, the Board's future revisions to its investment strategy are influenced by the quarterly portfolio analysis report from JLL which covers:
 - Investment Guidelines
 - JLL IPD (a UK benchmarking index) Forecasts
 - Tenant Covenant Log
 - Critical Dates Schedule
 - Individual Property Business Plans
 - Tenancy Schedule
 - Arrears
 - EPC Schedule

4.7 CIFCO provides a long-term income stream for the Councils to use to support the delivery of services and projects within the District. This forms part of a portfolio of investments delivering income to the Councils including CCLA, Schroders and others.

4.8 In addition, the Councils also invest directly in property in their districts for regeneration, housing delivery and income purposes. In Mid Suffolk examples include the Former Aldi Unit at Gipping Way, which has been redeveloped and now delivers car parking and rental income to the Council and the acquisition of 11 Market Place which is now let to The John Peel Centre. It has also invested in Gateway 14 in Stowmarket and the redevelopment of its former HQ site in Needham Market delivering affordable and market homes. Mid Suffolk DC is ambitious to use its resources to help create resilient and thriving communities in Mid Suffolk, which includes delivering and supporting:-

- Enabling community-led exemplar housing
- Bringing disused land back into use for amenity or other uses

- Land for biodiversity and to meet Biodiversity Net Gain
- Stowmarket town centre regeneration
- New foot/cycle paths to improve connectivity
- Improved sports provision in the district
- Utilisation or re-purposing of out of use heritage buildings
- Land for improved access to green spaces
- Solar roof programme

4.9 In Babergh examples include Borehamgate Shopping Centre, employment land in Hadleigh and South Suffolk Business Centre as well as some ownership of the Chilton Industrial Estate in Sudbury.

4.10 The Councils have also built or acquired 624 new Council Houses in the districts over the last 8 years.

4.11 Babergh and Mid Suffolk Councils are committed to strong governance, risk management and oversight of CIFCO operations. A review of operations, governance and risk has been undertaken and the outcome of this is that CIFCO is well managed with a professional team including board members, executive team and external consultants. The Council shareholders are committed to the need for CIFCO operations to be transparent and any key decisions being worked through and made jointly to deliver the best outcomes for our residents in the short, medium, and longer term.

4.12 The timetable for setting and reviewing the CIFCO business plan has been brought forward from late Summer to Spring in 2024. There is an aspiration to align the business plan approval process more closely with the Councils' budget setting timetable.

5. KEY PERFORMANCE INDICATORS (KPI)

5.1 The key performance indicators were set within the 2023/24 Business Plan, these are set out below together with performance against these targets:

KPI	Description	Target	Target	CIFCO KPI Q4	
1	Increase contracted rent from £5,530,981 pa by 01 April 2024	£5,586,290	1%	£5,758,035 (+4.1%)	
2	Equivalent Yield (EY)	MSCI All property 6.6%	Target at or above market Equivalent Yield	7.50%	
3	Reduce EPC Portfolio Score from 7034 (Average D Rating)	100%	All Properties have an EPC rating of C or above by 2027	50.0%	
4	Quarterly Rent Arrears of less than 5.00% (Data as at 18 March 2024)	Current Arrears (£):	£53,686	Measured by the amount of rent outstanding at the end of the quarter as a percentage of the total rent due that quarter	
		Current Arrears (%):	3.19%		Q1 1.46%
		5% Target:	£84,102		Q2 2.02%
		Target: +/-	-£30,416		Q3 0.10%
		Total Income for Quarter:	£1,682,040		Q4 3.19%

KEY PERFORMANCE INDICATORS (KPIs) 2024/25

5.2 The board propose to retain the existing key performance indicators which reflect the continuing emphasis on portfolio management, focusing on income growth, return on investment, sustainability and rent collection.

KPI	Description	Target
1	Increase contracted rent from £5,838,935 per annum by 1 April 2025	>1%
2	Portfolio Equivalent Yield (EY) aligns with or above All Property Yield (currently 6.5%)	>6.5%
3	All properties have an EPC rating of	C or above by 2027
4	Quarterly Rent Arrears Measured by the amount of rent outstanding at the end of the quarter as a percentage of the total rent due that quarter.	<5%

6. LINKS TO JOINT COUNCIL PLANS

6.1 Babergh and Mid Suffolk Councils have recently reset their Plans.

- 6.2 A resilient and robust business plan for CIFCO Capital Ltd will contribute to the strong governance of the Company and its performance which will help the Councils to meet their objectives. The Business plan aligns with The Councils' Medium-Term Financial Strategies delivering an important income stream into our districts to support the delivery of services and projects within our districts.

7. COMPANY STRUCTURE AND IN-YEAR REPORTING

- 7.1 The Board of CIFCO Capital Ltd ('CIFCO') is responsible to its shareholders MSDC (Suffolk Holdings) Ltd and BDC (Suffolk Holdings) Ltd for the proper performance of the company against the business plan previously reviewed by The Joint Overview & Scrutiny Committee and subsequently approved by the two parent Councils usually in July each year. Please see the business plan for a company ownership structure.
- 7.2 The Board meets regularly to review performance of the assets and fund, make portfolio decisions, appoint corporate advisers, and to put in place strategies and policies for company governance. A wide range of approvals have taken place throughout the year covering risk, performance management, governance, portfolio management, delegations, and procurement. The Board meets virtually for quarterly Board meetings and in person for a strategy day once a year to develop the business plan for the forthcoming year. The strategy day was held on 11th March this year.
- 7.3 Each quarter the Chairman of CIFCO reports progress at a simultaneous Holding Company Boards' meeting. He presents his assessment of the market and company activity during the last quarter and performance data relating to that activity. The Director for Property, Development and Regeneration updates Portfolio Holders monthly and provides informal briefings to both cabinets on a quarterly basis.
- 7.4 The CIFCO Board reviews its annual business plan and investment strategy continuously to ensure that it remains consistent with the marketplace and emerging risks and opportunities. The Business Plan is amended in full annually. The Business Plan is presented to both Holding Companies for consideration and approval before it progresses to Joint Overview & Scrutiny Committee and subsequently to both full Councils for final consideration.
- 7.5 In addition during 2023/24 Mid Suffolk undertook a thorough review of CIFCO operations including reviewing risk in the property market, CIFCO's risk profile, CIFCO's performance in comparison to benchmarks, resourcing, affordability of Council debt and opportunities to further improve the sustainability of CIFCO. The outcome of the review has been fed into the formation of the 24/25 CIFCO business plan. While capital values have fallen, CIFCO continues to deliver income to the Councils and to increase contracted rent within the portfolio.

8. FINANCIAL PERFORMANCE AND ACQUISITION PROGRESS

8.1 The Councils have received total net income of circa £12.136m since CIFCO's incorporation in 2017, details are set out in the tables below:

CIFCO (Babergh)								
£ 000								
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Cumulative
Revenue Impact								
Interest Received	(86)	(782)	(1,245)	(1,551)	(2,209)	(1,942)	(2,053)	(9,869)
Interest Paid	11	119	316	277	235	523	1,412	2,893
Net Interest	(75)	(663)	(929)	(1,274)	(1,974)	(1,420)	(641)	(6,334)
Other income/ Recharges	(9)	(25)	(32)	(35)	(35)	(35)	(35)	(206)
Accrued interest receivable	-	-	-	-	-	(255)	(133)	(388)
Total Revenue	(84)	(688)	(961)	(1,309)	(2,009)	(1,710)	(810)	(7,570)
£ m								
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Cumulative
Capital Movement								
Capital Borrowed	12.38	13.71	4.05	19.44	-	-	-	49.58
Loans Repaid	-	-	-	-	-	-	-	-
Gross Borrowing	12.38	13.71	4.05	19.44	-	-	-	49.58
Loans Made to CIFCO	11.15	12.34	3.64	17.50	-	-	-	44.63
Loans Repaid	-	(0.08)	(0.12)	(0.15)	(0.22)	(0.24)	(0.25)	(1.06)
Equity	1.23	1.37	0.41	1.94	-	-	-	4.95
Gross Investment	12.38	13.63	3.93	19.29	(0.22)	(0.24)	(0.25)	48.52
Net Capital Movements	-	0.08	0.12	0.15	0.22	0.24	0.25	1.06

CIFCO (Mid Suffolk)								
£ 000								
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Cumulative
Revenue Impact								
Interest Received	(86)	(782)	(1,245)	(1,551)	(2,209)	(1,942)	(2,053)	(9,869)
Interest Paid	11	235	541	533	468	850	1,429	4,067
Net Interest	(75)	(547)	(704)	(1,018)	(1,741)	(1,092)	(624)	(5,802)
Other income/ Recharges	(9)	(25)	(32)	(35)	(35)	(35)	(35)	(206)
Accrued interest receivable	-	-	-	-	-	(255)	(133)	(388)
Total Revenue	(84)	(572)	(736)	(1,053)	(1,776)	(1,382)	(793)	(6,396)
£ m								
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Cumulative
Capital Movement								
Capital Borrowed	12.38	13.71	4.05	19.44	-	-	-	49.58
Loans Repaid	-	-	-	-	-	-	-	-
Gross Borrowing	12.38	13.71	4.05	19.44	-	-	-	49.58
Loans Made to CIFCO	11.15	12.34	3.64	17.50	-	-	-	44.63
Loans Repaid	-	(0.08)	(0.12)	(0.15)	(0.22)	(0.24)	(0.25)	(1.06)
Equity	1.23	1.37	0.41	1.94	-	-	-	4.95
Gross Investment	12.38	13.63	3.93	19.29	(0.22)	(0.24)	(0.25)	48.52
Net Capital Movements	-	0.08	0.12	0.15	0.22	0.24	0.25	1.06

8.2 The Councils have different treasury management approaches and as such whilst the gross amount receivable from CIFCO is the same, the net amounts differ depending upon the Councils' finance costs, as illustrated in the table below for 2023-24:

BDC		MSDC	
CIFCO	£m	CIFCO	£m
Interest Receivable (From CIFCO)	-2.187	Interest Receivable (From CIFCO)	-2.187
Interest Payable		Interest Payable	
Short term loans	1.162	Short term loans	0.929
£5m 10 Year loans @ 1.71%	0.086	£10m 10 Year loans @ 1.71%	0.171
£6.25m 50 Year loans @ 2.63%	0.164	£12.5m 50 Year loans @ 2.63%	0.329
Total Interest Payable	1.412	Total Interest Payable	1.429
Net Return	0.775	Net Return	0.758
BDC		MSDC	
Total Net Return	0.775	Total Return	0.758
Total Capital borrowed	49.58	Total Capital borrowed	49.58
Percentage return	1.56%	Percentage return	1.53%

*Average Loan Rates are as at 31 March 2023.

- 8.3 The Councils' investment in CIFCO was completed by 31st March 2021, with a total of c.£99.2m being drawn down by CIFCO over the full investment period.
- 8.4 CIFCO's draft year end accounts for 2023/4 are currently being prepared. Once these have been completed, they will be audited and will be submitted to Companies House as soon as is practical and by no later than the filing deadline of 31st December 2024. CIFCO's management accounts (year ending March 2024) show gross forecast income of £5.8m, company costs (excluding the portfolio revaluation) of £5.7m, delivering a small operational profit before tax. We are anticipating a loss overall to reflect the reduction in value of the CIFCO portfolio at the end of March 2024. This loss would only be realised if the properties are sold.
- 8.5 The portfolio was revalued as of 31st March 2024 by Cushman & Wakefield as independent valuers for the fund. Cushman & Wakefield replaced Knight Frank in 2023, in line with good practise to ensure that valuers remain independent and objective.
- 8.6 The portfolio value has decreased this year by 2.58% overall (£2.125m) on a like for like basis compared to the previous year or by 0.88% (£725k) including the acquisition of Stanton. The reduction is primarily due to the market responding to high inflation and increasing debt costs. The MSCI All Property Benchmark shows a reduction in portfolio capital values of 16.8%. Whilst the CIFCO portfolio value has reduced in value it has significantly outperformed the market benchmark.
- 8.7 The Councils' total interest repayments in respect of loans taken out to fund CIFCO equated to £2,841m in 2023/24 which is equivalent to an average of

approximately 49% of the current contracted rent payable to CIFCO (24% Babergh DC & 25% Mid Suffolk DC). The Councils' debt costs have increased significantly over the last 12 months. Income from CIFCO exceeds the Councils' cost of debt delivering a net income for the investment in services across the districts. Net income in 2023/24 was £1.26m (Babergh £0.64m and Mid Suffolk £0.62m) plus accrued interest and recharges as set out in the table above.

8.8 One of the most significant factors outside of the Councils' control is the level of interest rates, interest payable is being closely monitored. The table below shows the sensitivity analysis of interest rate costs for the Councils.

					Increased Total Debt Costs / Rate Increase			
					2024/25	+0.25%	-0.25%	-0.5%
					£000			
	Interest Rate	Loan Amount	Total Loan %	Total Annual Cost of Debt £000				
Mid Suffolk								
CIFCO PWLB 50 Year annuity	2.63%	£12.5m	25.2%	£326	no cost change long term fixed rate until 2068 @2.63%			
CIFCO PWLB 10 Year annuity	1.71%	£10m	20.2%	£155	no cost change 10 year fixed rate until 2028@1.71%			
CIFCO Short Term Borrowing	5.25%	£27.1m	54.6%	£1,422	£1,462	£1,383	£1,360	
Total Borrowing Costs				£1,903	£1,943	£1,864	£1,841	
Gross Income from CIFCO				£2,288	£2,288	£2,288	£2,288	
Net Income				£385	£345	£424	£447	
Babergh								
CIFCO PWLB 50 Year annuity	2.63%	£6.25m	12.6%	£163	no cost change long term fixed rate until 2068 @2.63%			
CIFCO PWLB 10 Year annuity	1.71%	£5m	10.1%	£78	no cost change 10 year fixed rate until 2028@1.71%			
CIFCO Short Term Borrowing	5.25%	£38.3m	77.3%	£2,012	£2,069	£1,957	£1,924	
Total Borrowing Costs				£2,253	£2,310	£2,198	£2,165	
Gross Income from CIFCO				£2,288	£2,288	£2,288	£2,288	
Net Income				£35	-£22	£90	£123	

8.9 The interest rate risk relates mainly to the short-term portion of the debt. The Councils have different treasury management approaches, Mid Suffolk has fixed loans for 45.37% of the total debt and Babergh has 22.69% of its debt to fixed long term loans with PWLB. The sensitivity analysis above shows that the Councils will continue to benefit from full debt coverage and still receive a net income as rates are forecasted to start reducing. Arlingclose, the Councils' treasury advisors, are not forecasting any increase in interest rates and expect that the MPC will cut rates in the medium term. Arlingclose expect to see rate cuts from Q3 2024 to a low of around 3% by late 2025.

8.10 The capital investment for the first phase of funding from Babergh and Mid-Suffolk District Councils is scheduled to be repaid in full by December 2068 with the second phase being repaid by 2071. In line with previous business plans, during 2023/24, CIFCO made reduced debt repayment to the Councils of approximately £146,746 per Council. This equates to a reduction in debt repayments of approximately 6%. Full payments will be paid during 2024/25. The total amount of deferred payments equates to £832,063. This sum will be repaid by CIFCO over the next 10 years together with any additional interest due.

8.11 The Government has confirmed changes to Local Authority Minimum Revenue Provision for loans to third party companies (such as CIFCO). The changes are likely to be less impactful than originally anticipated in the Councils' budget in February 2024. Following Arlingclose advice at the time of budget setting a sum of £538k was set aside in reserves for 24/25 for potential MRP impact, this may

now be able to be released. The position will be clarified in the Q4 finance report 2023/24 to be considered at Cabinet in June.

9. RISK MANAGEMENT

This report most closely links with the following Significant Risk:

Risk Description	Likelihood	Impact	Score	Mitigation Measures	Risk Register and Reference
If the Capital Investment Fund (CIFCO) does not generate forecast investment returns, we may be unable to meet the income projections for the Councils	2	3	6	The adoption of the proposed business plan will provide governance, accountability, and a framework for the management of the property fund. CIFCO activity continues to be closely monitored, together with market conditions and any changes or prospective changes in government legislation.	Significant Risk Register SRR001

9.1 The Board of CIFCO Capital Ltd actively manages risk and considers the fund risk register formally at the Board meetings each quarter. There is a comprehensive risk management strategy in place which requires the Managing Director to attend a group risk panel each quarter to report on risk to the Holding Company Chairs and shareholder senior risk officers.

9.2 The Board continues to review the risk register regularly to ensure that risks were appropriately recorded and mitigated and best practise for risk management is adopted.

10. REVISED BUSINESS PLAN CONSULTATIONS

10.1 The Board of Directors together with the Chairs of the Holding Companies and representatives of the Ultimate Shareholders considered the 2024/25 business plan at its strategy day in March 2024 with the fund manager JLL. The Business Plan has subsequently been developed with the Board of CIFCO for approval.

10.2 The Business Plan will be considered by Joint Overview and Scrutiny Committee on 13th May 2024.

11. EQUALITY IMPACT ASSESSMENT

- 11.1 An Equality Impact Assessment Initial Screening was originally completed in September 2016. The outcome of the assessment was that the strategy itself will not impact residents, staff or any specific protected characteristics. A further Equality Impact Assessment Initial Screening was undertaken on 8th April 2024 which re- confirmed the outcome from 2016.

12. ENVIRONMENTAL IMPLICATIONS

Sustainability

- 12.1 CIFCO has an adopted sustainability policy and has adopted a key performance indicator relating to improving the sustainability of the portfolio. Taking action on climate change and the greenhouse gas emissions which cause it, is a critical part of building a more sustainable future – and every business must play their part. Buildings account for 40% of emissions, creating an urgent need for the real estate sector to develop and implement plans to transition to net zero carbon.
- 12.2 50% of the CIFCO portfolio now has an EPC rating of C or above and CIFCO are pleased that it now also owns an A+ rated property. Please refer to the Business Plan for further information.

13. APPENDICES

Title	Location
(a) DRAFT CIFCO CAPITAL LTD Business Plan 2023/24 Commercially sensitive information REDACTED	Attached

CIFCO BUSINESS PLAN 24/25



CIFCO Capital Limited





Chairman's Statement 2024

Sir Christopher Haworth



Market conditions this year have been slightly more stable than last year, and the effect of the pandemic is receding. However, the continuing war in Ukraine continues to affect the world economy. There is a new political landscape within the councils, with a green administration in MSDC and coalition in BDC. Interest rates have remained relatively high, and this has meant that property yields have remained high also. There have been some value increases, particularly in the industrial sector but the ongoing uncertainty over office occupation, and a more permanent element of working for home, have reduced demand for offices and there have been further falls in office values. Overall, therefore there has been a further fall in value of some 2.58%, but this compares favourably to the MSCI All Property Index.

However, the income delivered for the shareholders by the portfolio remains strong and the contracted rent now exceeds £5.7m. The Estimated Rental Value of the portfolio is now over £6.75m and the Board and its advisers, Jones Lang Lasalle and Workman are working hard to maximise the rent from the portfolio on rent reviews and re-lettings.

We have finally been able to complete the acquisition of the small Coop store in Stanton and the portfolio now comprises 22 assets, with 83 tenants. It is well-spread geographically, with 43% of assets in the eastern region. In terms of sector spread, there is an emphasis on the industrial sector, which has seen strong growth, and the portfolio continues to demonstrate a strong emphasis on secure, well-let, secure assets.

The Board has continued to focus on opportunities to improve the quality of the assets, to create rental income growth but particularly to improve the sustainability credentials of the portfolio. A key KPI is that all properties should have an EPC rating of at least C by 2027. A specialist adviser has been appointed and a detailed plan drawn up for each asset so that improvements can be made when the opportunity arises, and good progress has been made in this regard.

To deliver the desired improvement in the sustainability of the portfolio, capital investment in the assets is required. The Board is concerned that the current financing model does not allow adequate funds for this investment. Whilst the company has been able to maintain its debt repayment to its shareholders, the board is currently considering the sale of an asset, where a rent review is to be agreed to maximise value, to allow reinvestment in new assets and provide funds for investment in improvements to the existing portfolio. The board will be reporting on this proposal to its shareholders during the current year.

My thanks go to the executive team for their hard work in delivering what has been a strong year for the Company in continuing challenging market conditions.

A final point is that, to meet earlier reporting requirements for our shareholders, we have decided to complete the Business Plan earlier in the year, which will set the year's strategy at an earlier date. However, some data may need to be in draft to meet this earlier requirement.

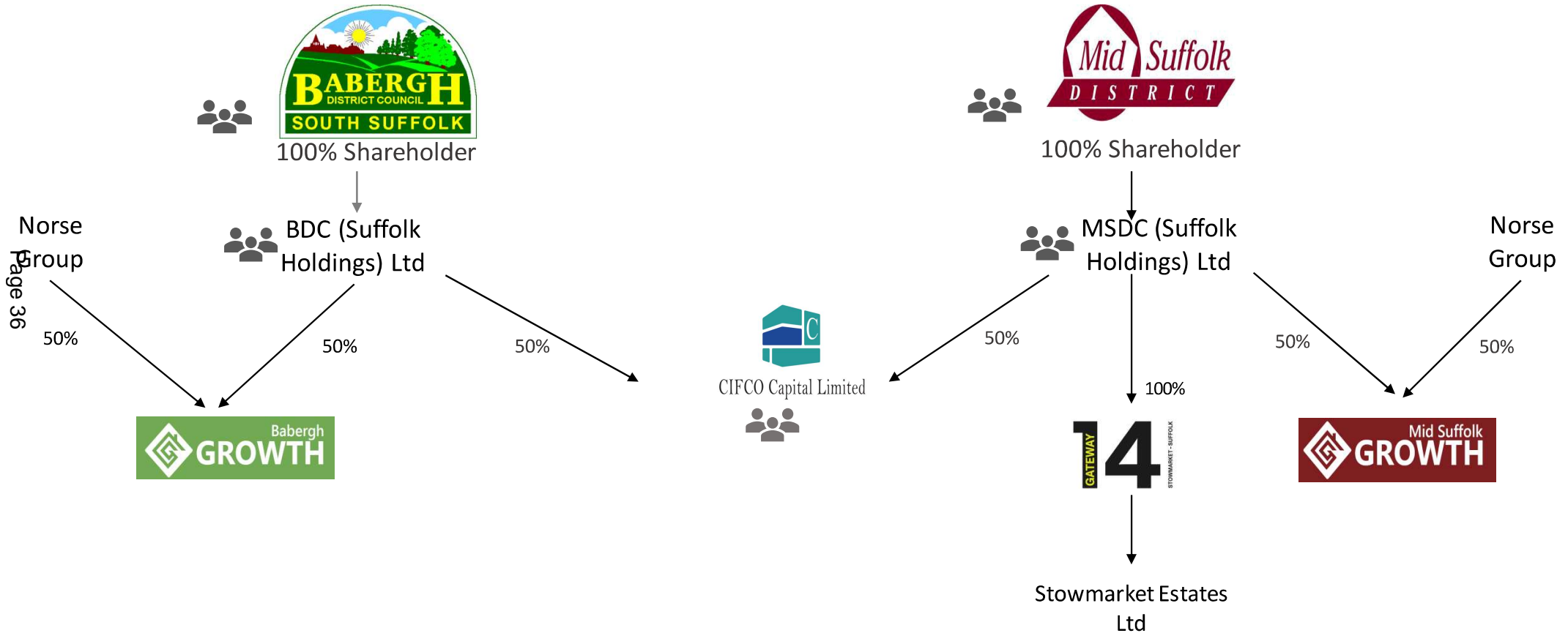
CIFCO Governance

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CIFCO Capital Limited

Trading Companies Structure



The Holding Companies

MSDC (Suffolk Holdings) Ltd



Austin Davies



Colin Lay



John Matthissen



Richard Winch

Boards comprising solely
of Councillor Elected
Members

BDC (Suffolk Holdings) Ltd



David Busby



Brian Riley



Deborah Saw



John Ward



Board of Directors



Chris Haworth
Non-Executive Director & Chair



Henry Cooke
Non-Executive Director



Mark Sargeantson
Non-Executive Director



Emily Attack
Managing Director



John Ward
Cllr Director



Austin Davies
Cllr Director



CIFCO & its partners

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The board has appointed a range of corporate partners to support its investment activity:

- JLL – Fund Manager and Acquisitions Adviser
- Workman – Property Manager
- Birketts LLP - Legal Adviser
- Aquilla - Portfolio Insurer
- Lloyds Bank PLC – Corporate Banking
- Ensors – Accountancy and Financial Audit
- Cushman & Wakefield- Valuers
- Braithwaites – EPC Assessors & Advisers



UK Macro-Economic Outlook

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Key themes for 2024



Investment to pick up slowly

- Sentiment improving, prices settling and rates moderating. Bid-offer spreads closing.
- Increases will be gradual and incremental and will take time to show in stats given low transactional volumes in 2023.



Debt in the spotlight

- High volumes of refinancings will create pressure and opportunities.
- The bond market rally, price correction and opening yield spreads are beginning to make real estate work again.



Construction costs easing

- Commercial construction costs up 14% in 18 months to 2023 Q2, averaging 2.3% per quarter, but up just 0.2% in Q3 (latest available).
- Anecdotal evidence this continues to stabilise and even fall in some cases.



Return of Private Equity

- More than £3bn of identified PE bids on recent Central London office opportunities, and PE purchase of the largest deal of Q4.
- Interest seen across risk spectrum, not just traditional opportunistic type purchases.



Cautious confidence

- Resilient occupational dynamics and strong rental growth are bringing more confidence in underwriting.
- There is still much that could disrupt this narrative.

CIFCO Property Investment Portfolio

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CIFCO Summary Update



- The Councils' investment in CIFCO completed in March 2021.
- The focus and purpose of CIFCO is to continue to generate income for the long term and add rental and capital value to the portfolio where possible- particularly in relation to the impending 2026 breaks/ lease renewals.
- The value of the Portfolio decreased by 2.58% on a like for like basis from March 2023.
- The Total net income received by the Councils **c.£12.136m** from 2017 to March 2024
- Continue ESG Improvement Path – **50% of properties have an EPC C or above.**
- CIFCO made reduced **debt repayments to the Councils to fund capital works from 2022-24 (2 financial years) totalling £832,000. Full debt repayments are proposed for 24/25. Repayment of deferred interest will be made in instalments over the next 10 years.**
- CIFCO portfolio provides a diverse portfolio of assets and tenants to mitigate over exposure to individual tenants and sectors- rental arrears consistently **below 5% target**
- CIFCO board continues to manage risk, including the reducing WAULT with active management of impending lease expiries and breaks.
- VOIDS remain low at circa **3.40%** of the portfolio compared to market benchmark of 8.3%



Portfolio Summary

	Q1 2020	Q1 2021	Q1 2022	Q1 2023	Q1 2024
Total Asset Value	£52,490,000	£83,918,000	£94,110,000	£82,500,000	£81,775,000
Contracted Rent p.a.	£3,393,112	£5,004,824	£5,355,618	£5,530,981	£5,758,035
ERV*	£3,609,037	£5,556,641	£5,912,985	£6,545,589	£6,769,484
Number of Assets	14	21	21	21	22
Number of Tenants	38	90	78	81	83
WAULT (years)	To break 6 years 8 months To expiry: 8 years 5 months	To break 7 years 0 months To expiry: 8 years 6 months	To break 6 years 6 month To expiry 6 years 7 months	To break 4 years 6 month To expiry 5 years 8 months	To break 3 years 8 months To expiry 5 years 2 months
Initial Yield	5.78%	5.60%	5.00%	6.30%	7.04%
Equivalent Yield	6.41%	6.16%	5.86%	6.98%	7.49%
Reversionary Yield	6.40%	6.24%	6.28%	7.44%	7.77%
Void Rate	3.96%	5.72%	2.01%	3.64%	3.40%
Running Yield**	5.97%	5.20%	5.36%	5.75%	5.88%

*Assumes vacant space is refurbished prior to re-letting

** Yield on Gross Purchase Price

Portfolio Valuation Summary March 2024

31 March 2024 Valuation							
Property	Value 2023	Value 2024	NIY	EY	RY	Value Move	%
Harlow (Pasadena)						£250,000	8.33%
Braintree						£450,000	5.84%
Coventry						£350,000	5.79%
Ipswich (Olympus)						£150,000	5.00%
Norwich						£100,000	5.00%
Luton						£100,000	3.64%
Ipswich (Cavendish)						£50,000	3.33%
Hemel Hempstead						£250,000	2.72%
Basingstoke						£150,000	2.50%
Stanton						£1,400,000	0.00%
Lincoln						£0	0.00%
Harlow (Princes Gate)						£-150,000	-3.45%
Milton Keynes (Johnsons)						£-100,000	-4.17%
Nottingham						£-200,000	-5.63%
Peterborough						£-150,000	-7.14%
Brentwood						£-300,000	-7.41%
Epsom (Horizon)						£-500,000	-7.81%
Milton Keynes						£-200,000	-9.30%
Southampton						£-350,000	-10.14%
Epsom (Renaissance)						£-350,000	-14.00%
Milton Keynes						£-600,000	-17.39%
Brentwood (Lutea)						£-1,075,000	-19.91%

Note: Table ranked by % movement from March 2023-2024.

Valuation date 31/03/24 with current figures provided in draft subject to final adjustments.

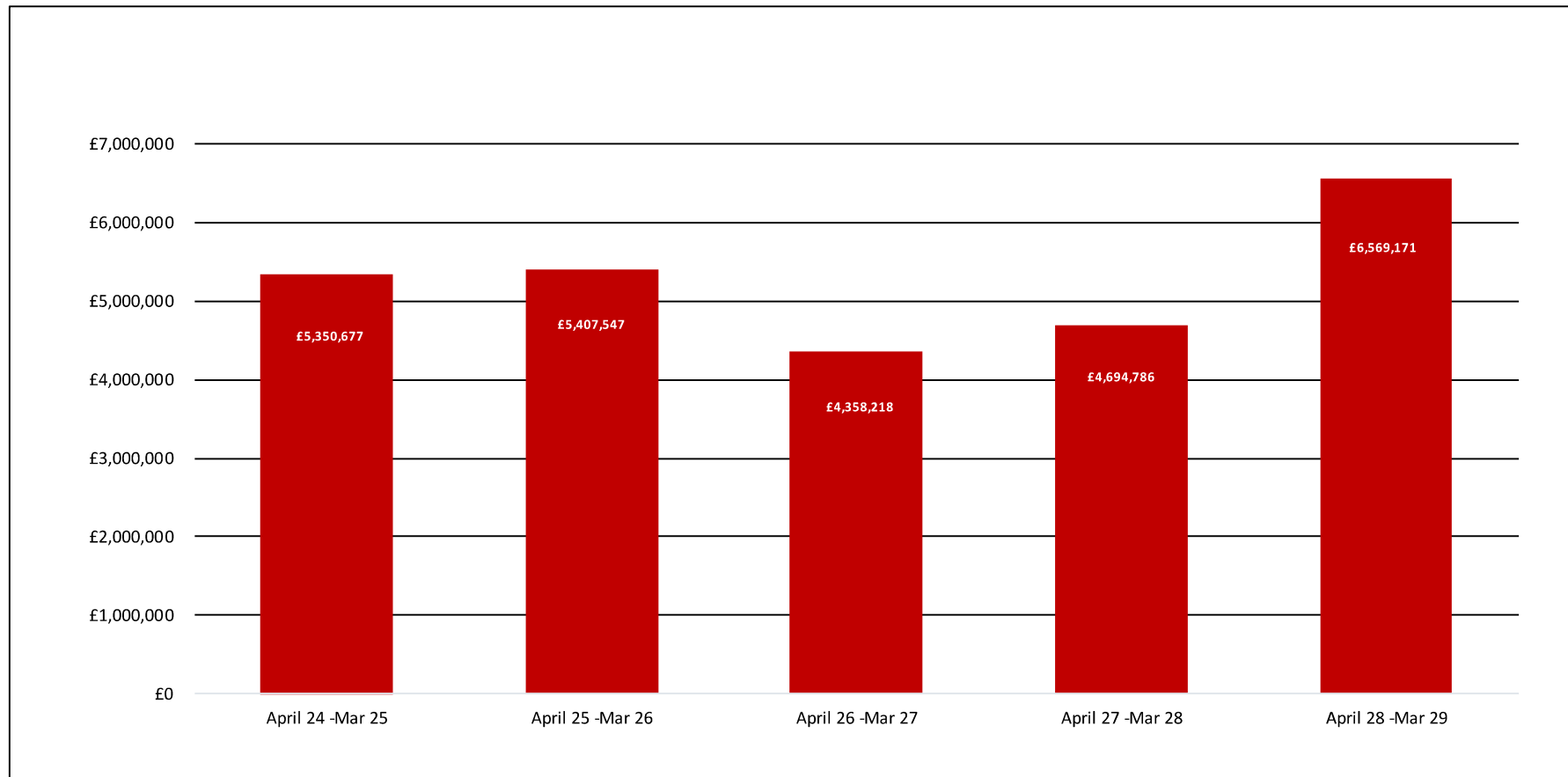
Grand Total	£82,500,000	£80,375,000
Grand Total (inc Stanton)	£82,500,000	£81,775,000

	£-2,125,000	-2.58%
	£-725,000	-0.88%



5 Year Cashflow Forecast

This assumes all critical lease events are activated i.e. all tenants vacate at lease expiry. This is revenue only, does not include capital expenditure.



CIFCO Portfolio Performance

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CIFCO Board – KPI's



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KPI	Description	Target		Target	CIFCO KPI Q4
1	Increase contracted rent from £5,530,981 pa by 01 April 2024	£5,586,290		1%	£5,758,035 (+4.1%)
2	Equivalent Yield (EY)	MSCI All property 6.6%		Target at or above market Equivalent Yield	7.50%
3	Reduce EPC Portfolio Score from 7034 (Average D Rating)	100%		All Properties have an EPC rating of C or above by 2027	50.0%
4	Quarterly Rent Arrears of less than 5.00% (Data as at 18 March 2024)	Current Arrears (£):	£53,686	Measured by the amount of rent outstanding at the end of the quarter as a percentage of the total rent due that quarter	
		Current Arrears (%):	3.19%		Q1 1.46%
		5% Target:	£84,102		Q2 2.02%
		Target: +/-	-£30,416		Q3 0.10%
		Total Income for Quarter:	£1,682,040		Q4 3.19%

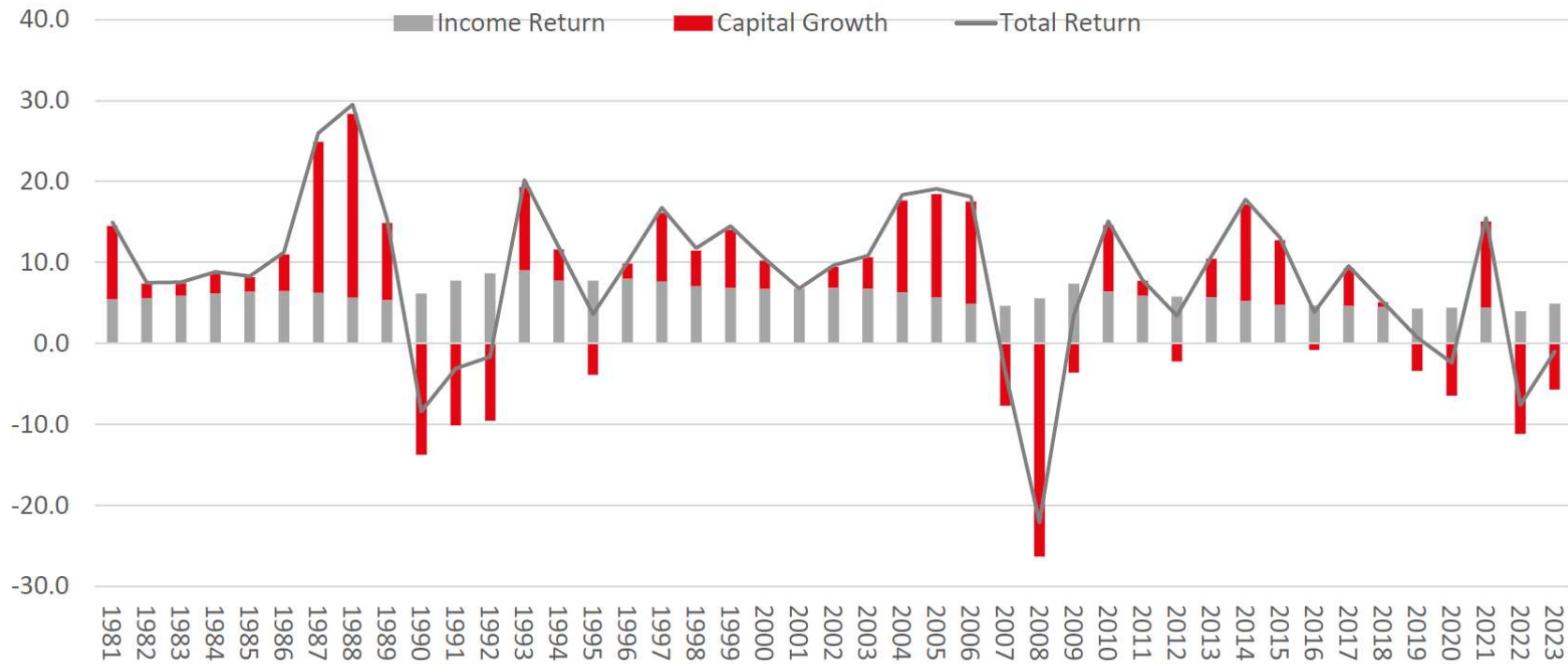
Note figures may be adjusted to reflect full year end outturn.



UK Real Estate – Components of Total Return



Income positive during periods of downturn



Portfolio Total Return Vs MSCI All Property Returns



CIFCO Portfolio – Annual portfolio returns

	2019	2020	2021	2022	2023	2024	3-year annualised TR	5-year annualised TR
Total Return	-2.9%	-0.8%	-0.1%	16.5%	-6.6%	3.8%	4.2%	2.3%
Income Return	5.1%	5.7%	5.4%	6.0%	5.9%	6.8%	6.2%	6.0%
Capital Value	-8.0%	-6.5%	-5.6%	10.5%	-12.4%	-3.0%	-2.1%	-3.7%

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Benchmark (MSCI All Property)

	Annual Dec 2023	3-yr annualised TR	5-yr annualised TR
TR	-1.0%	1.6%	0.7%
IR	4.9%	4.5%	4.5%
CV	-5.7%	-2.8%	-3.7%

Relative Performance

Relative	Annual to Q1 2024	3-yr annualised TR	5-yr annualised TR
TR	4.9%	2.6%	1.6%
IR	1.8%	1.7%	1.4%
CV	2.8%	0.7%	-0.0%

*2024 = Q1 data



2023-2024 Performance – Top and bottom five



Rank	12 months to end Q1 2024	Total Return	Weighted Contribution
Top 5			
1	Eastham way, Hemel Hempstead	8.5%	0.98%
2	Pilot Business Park, Coventry	11.1%	0.87%
3	Kestrel Park, Braintree	8.1%	0.80%
4	Pasadena, Harlow	14.6%	0.58%
5	Olympus, Ipswich	11.6%	0.45%
Rank	12 months to end Q1 2024	Total Return	Weighted Contribution
Bottom 5			
5	Horizon, Epsom	-0.9%	-0.1%
4	Omron, Milton Keynes	-7.3%	-0.3%
3	Marshall Motor, Milton Keynes	-11.3%	-0.3%
2	Renaissance House, Epsom	-10.3%	-0.3%
1	Lueta house, Brentwood, Office	-12.5%	-0.7%

Portfolio Total Return Projections



Total Return Projections

Total Return Projections	2024	3yr	5yr
CIFCO Portfolio Returns	4.33%	5.54%	5.73%
JLL ALL Property	3.95%	5.31%	5.56%

Excess Return Against Benchmark

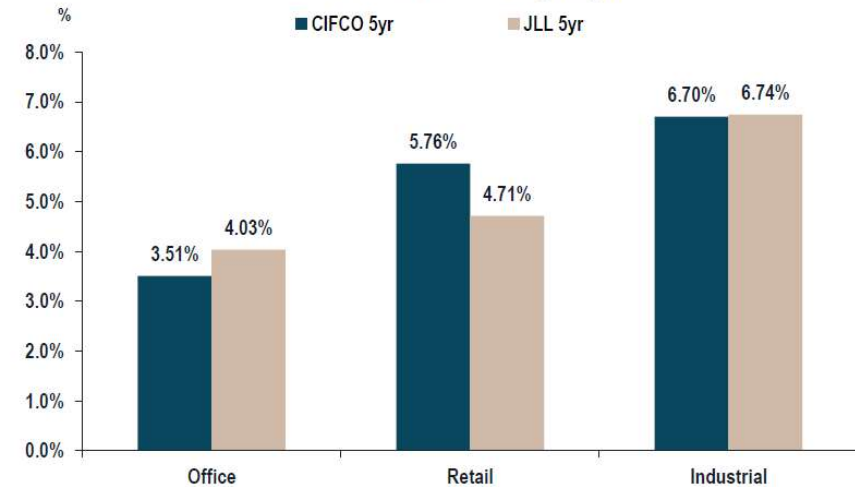
	2024	3yr	5yr
CIFCO Portfolio	0.36%	0.21%	0.16%

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Sub-Sector Forecasts – 3yr avg TR



Sub-Sector Forecasts – 5yr avg TR



Performance Projections – Summary by Sector



	Benchmark	Total Return			Excess Total Return vs Benchmark			
		2024	3 Year	5 Year	2024	3 Year	5 Year	
Office	Upper Parliament Street, Nottingham	Rest UK Offs	-1.34%	3.39%	5.03%	2.15%	1.43%	1.84%
	Horizon, Epsom	SE Offs	1.46%	3.06%	3.94%	6.01%	2.15%	1.51%
	Renaissance House, Epsom	SE Offs	0.83%	3.54%	3.48%	5.35%	2.62%	1.05%
	West Park House, Southampton	Rest UK Offs	-3.48%	1.68%	3.13%	-0.07%	-0.25%	-0.01%
	Omron House, Milton Keynes	SE Offs	-4.31%	0.79%	2.72%	-0.02%	-0.10%	0.31%
	Lutea House, Brentwood	SE Offs	-4.98%	0.70%	2.42%	-0.72%	-0.19%	0.02%
Overall Office	Office	-1.64%	2.26%	3.51%	-0.96%	-0.30%	-0.50%	

	Benchmark	Total Return			Excess Total Return vs Benchmark			
		2024	3 Year	5 Year	2024	3 Year	5 Year	
Retail	Peterborough	Std shop SE & Eastern	2.88%	5.74%	6.69%	2.76%	3.61%	3.77%
	██████████ Milton Keynes	Other Retail Warehouse	4.15%	5.62%	5.86%	0.19%	0.30%	0.28%
	██████████ Brentwood	Std shop SE & Eastern	0.78%	2.66%	5.79%	0.67%	0.59%	2.90%
	██████████ Milton Keynes	Other Retail Warehouse	3.24%	5.07%	5.58%	-0.69%	-0.23%	0.02%
	██████████ Harlow	Retail Warehouse	3.68%	3.64%	5.50%	-0.68%	-1.83%	0.08%
	██████████ Lincoln	Leisure	3.86%	5.01%	4.88%	0.64%	0.21%	-0.01%
Overall Retail	Retail	2.95%	4.32%	5.76%	0.57%	0.05%	1.01%	

Performance Projections – Summary by Sector



	Benchmark	Total Return			Excess Total Return vs Benchmark			
		2024	3 Year	5 Year	2024	3 Year	5 Year	
Industrial	Pilot Business Park, Coventry	Std Industrial Rest of UK	8.09%	7.95%	7.49%	0.63%	0.62%	0.95%
	Cavendish Street, Ipswich	Std Industrial Inner S Eastern	7.99%	7.54%	7.08%	0.13%	-0.17%	0.29%
	Kingsway City Trading Est, Norwich	Std Industrial Outer S Eastern	8.13%	7.67%	6.88%	0.26%	-0.05%	0.10%
	Luton	Std Industrial Inner S Eastern	7.62%	7.76%	6.88%	-0.22%	0.03%	0.10%
	Kestrel Park, Braintree	Std Industrial Inner S Eastern	7.73%	7.69%	6.78%	-0.11%	-0.03%	0.01%
	Olympus Close, Ipswich	Std Industrial Outer S Eastern	7.85%	7.60%	6.78%	0.00%	-0.11%	0.00%
	Basingstoke Business Centre, Basingstoke	Std Industrial Inner S Eastern	7.86%	7.67%	6.75%	0.01%	-0.06%	-0.02%
	Pasadena Trading Estate, Harlow	Std Industrial Inner S Eastern	7.74%	7.58%	6.68%	-0.10%	-0.13%	-0.08%
	2 Eastman Way, Hemel Hempstead	Distribution Warehouse	6.44%	6.13%	5.79%	0.00%	-0.09%	0.12%
Overall Industrial	Industrial	7.55%	7.37%	6.69%	-0.17%	-0.17%	-0.05%	
Portfolio		4.33%	5.54%	5.73%	0.36%	0.21%	0.16%	
JLL All Property		3.95%	5.31%	5.56%				

CIFCO Business Plan 2024/25

Key Strategic Objectives 2024/25

- Reduce & mitigate future portfolio void
- Continue ESG improvement path
- Manage portfolio risk
- Strategic capital expenditure to protect and enhance value and income
- Funding Capital 2025 and beyond

Management Objectives 2024/25

- Maintain tight budgetary and credit control
- Implement individual asset initiatives
- Monitor markets for opportunities to enhance value and income- maintain asset liquidity
- Work with tenants to support sustainable improvement measures.

Reduce & Mitigate Portfolio Void



Portfolio Void – Managing Existing Vacancy

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Current Void (01 April 2024)		
Address	Unit	ERV (pa)
Renaissance House, Epsom	Part First Floor	████
Kestrel Park, Braintree	Unit 15*	████
Basingstoke Business Centre, Basingstoke	Unit 19 & 20	████
Kestrel Park, Braintree	Unit 9*	████
Basingstoke Business Centre, Basingstoke	Unit 8	████
Renaissance House, Epsom	Part Third Floor	████
Total		£230,040

Future Known Void			
Address	Unit	Break/Expiry Dates	ERV (pa)
████████████████████	████	21/05/2024	████
████████████████████	████	08/07/2024	████
████████████████████	████	21/07/2024	████
████████████████████	████	10/11/2024	████
Total			£171,800

Future Known Void %	5.94%
----------------------------	-------

Current Portfolio ERV Draft Valuation (assumes refurbished)	£6,769,484
Current Void %	3.40%

- Unit 8 Basingstoke included ██████████
- Unit 9 & 15 Kestrel Park became void on 25th March 2024

All property void rate stands at 8.30% (Dec 2023)





Portfolio Transactions (2023/24)

New Lettings

- 6 new lettings completed which provide a contracted rent of £206,388 per annum

Lease Renewals

- 2 lease renewals completed which increased contracted rent by £27,083 per annum
- % over passing rent – 37%
- % over ERV at Event Date -5%

Rent reviews

- 7 rent reviews completed which increased contracted rent by £154,352 per annum
- % over passing rent – 18%
- % over ERV at Event Date – 0.2%



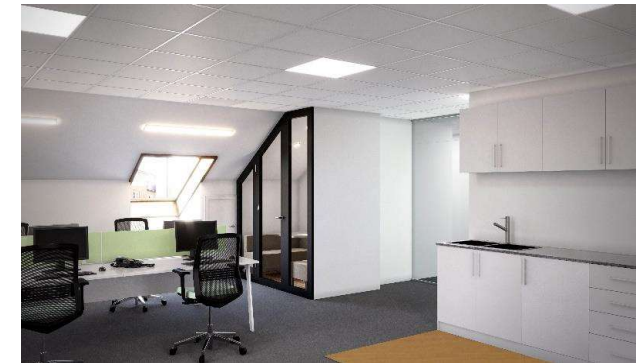
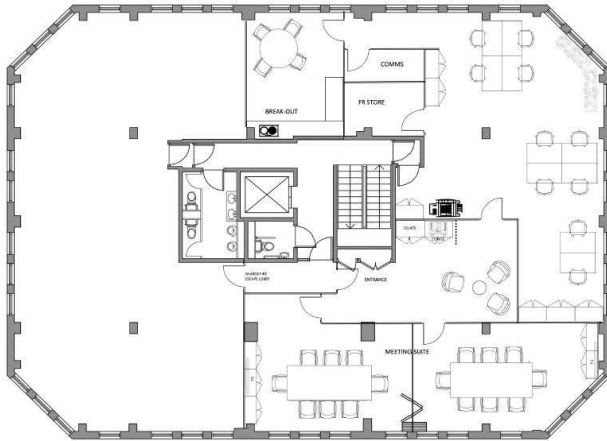
Renaissance House, Epsom

First & Part Third Floor Void

EPSOM
Sketch-up
C
Lobby created = 100 sqft
Additional 2,500 sqft
HB area = 2,109 sqft



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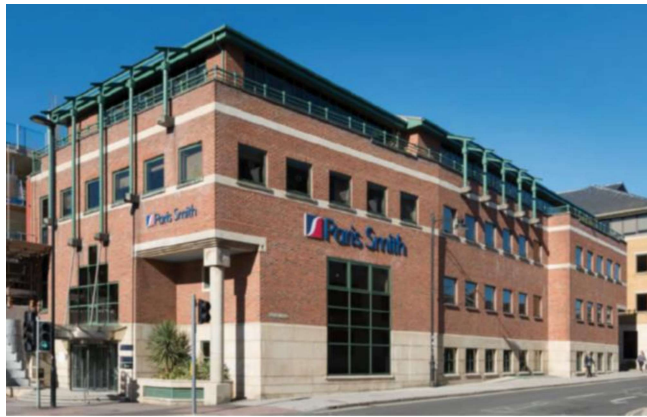
Key Office Expiries 2025/2026



Omron House, Milton Keynes

[Redacted]

[Redacted]



West Park House, Southampton

[Redacted]

[Redacted]



Lutea House, Brentwood

[Redacted]

[Redacted]

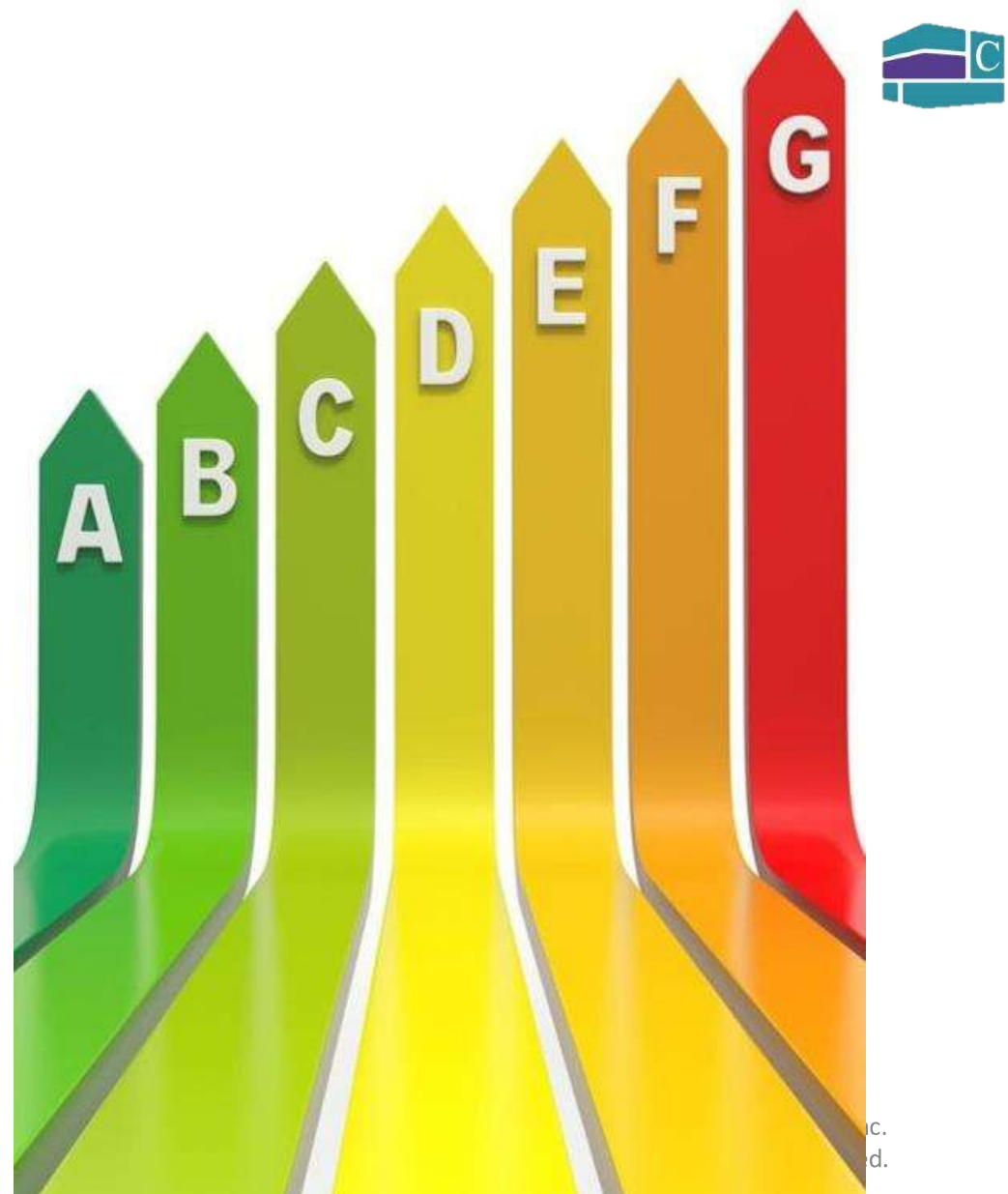
Significant impact on income and potential capital expenditure if these properties are vacated.

On-going Actions:- Continue to liaise with tenants around their future plans.

Continue ESG Improvement Path

CIFCO EPC Targets

1. Remove all F & G EPC ratings by April 2023 – completed
2. On target to meet minimum C rating by 2027
3. Ensure EPC improvements are considered at every intervention point
4. All refurbishments targeting EPC C or better – removing gas supply where possible and replacing with electric alternatives



CIFCO Portfolio EPC Rating



- MEES Legislation 1st April 2023 – Minimum E EPC Rating for all existing leases - CIFCO is fully compliant
- CIFCO Portfolio EPC C or better = 50%



EPC Rating	Total	%
A+	1	1.1%
A	1	1.1%
B	19	21.1%
C	24	26.7%
D	32	35.6%
E	13	14.4%
F	0	0.0%
G	0	0.0%
Total	90	100.0%



1 st April 2023	Minimum E Rating	
Landlords must not continue letting a property that is already let if that property has an EPC rating of F or G		
1 st April 2025	Minimum C Rating	2 Year Compliance Window
(Proposed Changes) Landlords must present a valid EPC for their property. If the rating is below a C, landlords have 2 years to make improvements to the property and present a new EPC of minimum rating C or register a valid exemption.		
1 st April 2027	Minimum C Rating (Deadline)	2 Year Compliance Window
All applicable properties must have a minimum EPC rating of C or have registered a valid exemption.		
1 st April 2028	Minimum B Rating	2 Year Compliance Window
Landlords must present a valid EPC for their property. If the rating is below a B, landlords have 2 years to make improvements to the property and present a new EPC of minimum rating B.		
1 st April 2030	Minimum B Rating (Deadline)	
All applicable properties must have a minimum EPC rating of B or have registered a valid exemption.		



Recent EPC Improvements

Property	EPC rating
Co-op, Stanton	A+ -3
Screwfix, Cavendish Street, Ipswich	B39 to A24
Lutea House, Brentwood	C60 to B41
SDI Fitness, Lincoln	C74 to B37

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EPC Improvements – 2021 – 2023/4



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Base Line			Q1 2024		
Rating	Total	%	Rating	Total	%
A+	0	0.0%	A+	1	1.1%
A	0	0.0%	A	1	1.1%
B	15	17.4%	B	19	21.1%
C	21	24.4%	C	24	26.7%
D	28	32.6%	D	32	35.6%
E	21	24.4%	E	13	14.4%
F	1	1.2%	F	0	0.0%
G	0	0.0%	G	0	0.0%
Total	86	100.00%	Total	90	100.0%

C + 41.8%

C + 50.0%

ESG & Sustainability – Initiatives



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Property	Initiative	Measurement	Outcomes
Renaissance House, Epsom	Smart meters	Energy consumption	Installed Smart Meters on refurbished space.
Olympus Close, Ipswich	Green wall on the estate	Social and environmental benefits	On Going
Renaissance, Epsom	Electric charging points in car park – feasibility for 3 EV chargers	Support use of green energy through take up	On Going
Pilot Close, Coventry	Establish use of existing solar panels	Measure take-up and energy consumption	Panels are reported to be in working order by tenants but at a low generation amount.
Kestrel Park, Braintree	Consider biodiversity initiatives – bird boxes, wildflowers.	Social and environmental benefits	Bird Boxes Installed.
Coop, Stanton	PV Panels on the roof	Measure take-up and energy consumption	Solar Panels installed at tenants' cost A* EPC rating
Portfolio Wide	Working with local charities nearby to sites in the portfolio	Social value	On Going
Portfolio Wide	Remove gas from assets at appropriate lease intervention points	Improve EPC and remove use of gas	This is happening when premises are refurbished, gas installations are being removed.
Portfolio Wide	Assess scope 3 emissions working with tenants to help reduce their energy usage	Data collection & benchmarking	On Going

Managing Portfolio Risk



Risk Management

- The portfolio risk is balanced, diversifying risk across sector, location and tenant.
- The portfolio risk is further mitigated by expert Fund Managers, Managing Agents, Legal and Financial Advisers.
- CIFCO has robust governance with a board of independent Non-Executive Directors and Councillor and Officer Directors
- CIFCO risk registers are reviewed quarterly by the board and at a risk panel with the Chairs of the Holding Companies and the shareholders risk lead.

Capital & Income Spread



Capital Spread

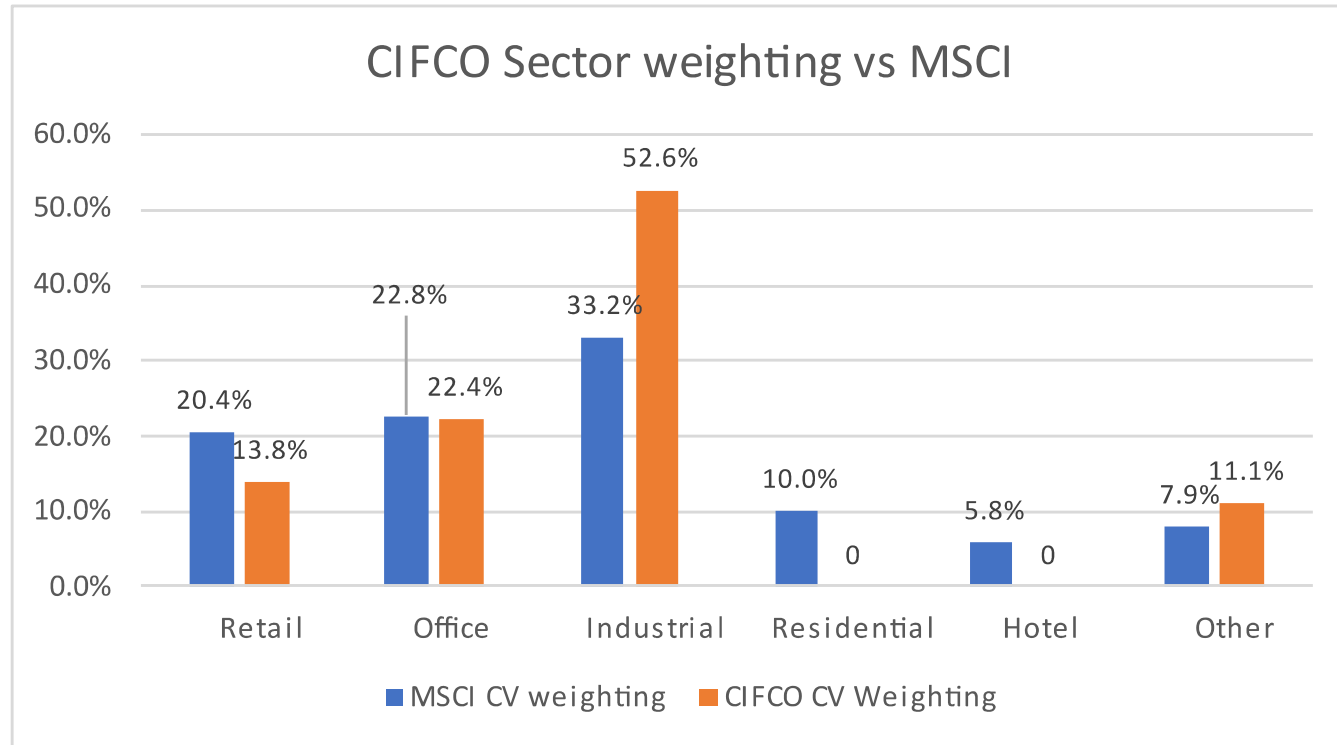
Size Band	No. of Assets	Capital Value	Weighting %
£1.0 - £3m	10	£20,600,000	25.2%
£3m - £5m	7	£25,125,000	30.8%
£5m - £7m	3	£18,450,000	22.6%
£7m +	2	£17,500,000	21.4%

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Income Spread

Size Band	No Tenants	Total Income	Weighting
£0 - £10,000	6	£9,101	0.2%
£10,001 - £50,000	52	£1,226,677	21.1%
£50,001 - £100,000	12	£874,107	15.1%
£100,001 - £250,000	6	£983,245	16.9%
£250,001- £500,000	7	£2,708,891	46.7%

Sector Splits



Source: JLL

The chart shows the distribution of capital by sector.

Note: Alternatives falls under "Other" in MSCI

*Other includes residential, leisure and hotel

Covenant Risk Profile



Covenant risk profile weighted towards strong covenants providing a lower portfolio risk profile.

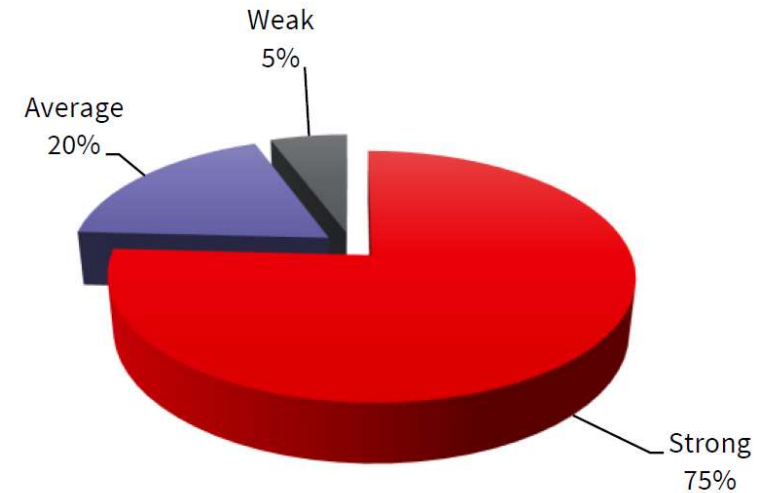
Portfolio Risk Profile

Properties: 22
 Tenants: 82
 WAULT (break) 3.8 years
 WAULT (expiry) 5.2 years

Average Rent per tenancy £71,206.52 p.a.,
 with five voids.

Note: covenant risk is assessed using Credit Safe score and JLL view of the tenant company in the investment market

Covenant Risk Profile



Category	Rent (pa)	% of Fund Income
Strong	£4,274,984	75%
Average	£1,116,131	20%
Weak	£300,392	5%
Total	£5,691,507	100%

% Coverage of Fund Income by Covenant Strength

Breakdown of 2026 Expiries



Property	Tenant	Current Rent	Earliest Termination	% of total rent (expiries in 2026)	% Annual Rent
Lutea House, Brentwood	[Redacted]	[Redacted]	Sep-26	[Redacted]	[Redacted]
Westpark House, Southampton			Aug-26		
Princes Gate, Harlow			Sep-26		
Marshall Motor Group (Volvo), Milton Keynes			Jun-26		
Princes Gate, Harlow			Aug-26		
Pilot Trade Centre, Coventry			Aug-26		
36-39 Long Causeway, Peterborough			Dec-26		
Pilot Trade Centre, Coventry			Aug-26		
Pilot Trade Centre, Coventry			Aug-26		
Units 2-5 Cavendish Street, Ipswich			Feb-26		

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Top 10 by contracted rent



Capital Expenditure

Capital Expenditure 2024/25



Capital Expenditure 2024/25									
Town	Property	Project Type	Event Type	Date	Status	Full Budget Cost	Anticipated Dilapidations Recoverability	Budget Estimate	Engineered Budget
Epsom	Renaissance House	1st Floor Subdivision							
Southampton	West Park House	Planning Feasibility							
Basingstoke	U19/20 Basingstoke Business Centre	Refurbishment							
Basingstoke	U19/20 Basingstoke Business Centre	Refurbishment							
Basingstoke	U8 Basingstoke Business Centre	Strip out/Refurbishment							
Braintree	U9 Kestrel Park	EPC Improvements							
Braintree	U15 Kestrel Park	Refurbishment							
Epsom	Second Floor	Refurbishment							
Epsom	Pt 3rd Floor (Vacant)	Fit out							
Coventry	U2a&2b	Refurbishment							
EPC	Various	EPC Upgrades							
Ipswich	U16 Olympus Close	Refurbishment *							
Braintree	U13 Kestrel Park	Refurbishment *							
Luton	U9 Cosgrove Way	Refurbishment *							
								£495,975	£294,975

* Cost over and above dilapidations.

*** Paid £53,500 in 2023/24 financial year to date. Remainder of £195,775 approved in 2023/24 budget with dilapidations settlement outstanding.

*** Anticipated Nisbets plc will undertake works thus figure shown is the value equivalent but not cash in. Grey shaded rows represent anticipated position.

Dilapidations



Address	Unit	Tenant	Date of Claim	Claim Amount	Anticipated Settlement Offer
[Redacted content]					

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Actual received = £228,705 (less -£2,000 paid on Unit 3 works)

Anticipated = £205,000

Total anticipated recovery (funding) 2024/25 = £433,705

Budget Estimate (cost engineered) 2024/25 = £294,975 funded from CIFCO Cashflow

Future Capital Expenditure 2025/26



Future Capital Expenditure					
Year	2025		2026		Total
Property	Omron, Milton Keynes	Lutea House, Brentwood	West Park House, Southampton		
Worst					
Mid					
Best					

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Funding Capital 2025 and beyond



Options:

1. Build sinking fund (5-7.5% of rent roll pa)
2. Recycle capital (Sales)
3. Refinance
4. New capital

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Mid-case cashflow surplus for creation of a Sinking Fund



Contracted Income (showing break options and lease expiries)



Surplus Funds		
1 to 5 year	5 to 10 year	Total
£557,467	£2,643,208	£3,200,675

5 Year onwards, the portfolio can be self-funding with excess revenue retained as a sinking fund.

Recycle Capital :- Excess Asset Capital (Above purchase cost)



Property	Gross Purchase Price	2024 Value	Excess Capital	% above Gross Purchase Cost
Harlow (Pasadena)				
Hemel Hempstead				
Ipswich (Olympus)				
Coventry				
Norwich				
Basingstoke				
Nottingham				
Luton				

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Potential Disposals



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Financial Strategy/ Model

Capital Strategy for funding Capital Works



- Short term (2024-2025) : Mitigate capital expenditure where practical. Use of dilapidation settlement and working capital.
- Medium term (2024/5- 2029): Realise capital from asset sale(s) for portfolio capital works or where a sale negates the need to undertake capital works.
- Longer Term (2029 onwards): Create sinking fund from income collected from the portfolio for capital works –target 5% of income.

CIFCO Accounts 2023/24

- 23/24 Year Accounts are still being prepared but management accounts forecast:

- Gross Income £5.8m
- Company Costs £5.7m

Therefore, delivering a small operational profit before tax. We are anticipating an overall loss to reflect the reduction in value of the CIFCO portfolio at the end of March 2024. This loss would only be realised if the properties are sold.

Babergh Income

CIFCO (Babergh)								
£ 000								
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Cumulative
Revenue Impact								
Interest Received	(86)	(782)	(1,245)	(1,551)	(2,209)	(1,942)	(2,053)	(9,869)
Interest Paid	11	119	316	277	235	523	1,412	2,893
Net Interest	(75)	(663)	(929)	(1,274)	(1,974)	(1,420)	(641)	(6,334)
Other income/ Recharges	(9)	(25)	(32)	(35)	(35)	(35)	(35)	(206)
Accrued interest receivable	-	-	-	-	-	(255)	(133)	(388)
Total Revenue	(84)	(688)	(961)	(1,309)	(2,009)	(1,710)	(810)	(7,570)
£ m								
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Cumulative
Capital Movement								
Capital Borrowed	12.38	13.71	4.05	19.44	-	-	-	49.58
Loans Repaid	-	-	-	-	-	-	-	-
Gross Borrowing	12.38	13.71	4.05	19.44	-	-	-	49.58
Loans Made to CIFCO	11.15	12.34	3.64	17.50	-	-	-	44.63
Loans Repaid	-	(0.08)	(0.12)	(0.15)	(0.22)	(0.24)	(0.25)	(1.06)
Equity	1.23	1.37	0.41	1.94	-	-	-	4.95
Gross Investment	12.38	13.63	3.93	19.29	(0.22)	(0.24)	(0.25)	48.52
Net Capital Movements	-	0.08	0.12	0.15	0.22	0.24	0.25	1.06

Conclusions

- Business Plan provides a framework to manage the CIFCO portfolio
- KPIs provide a framework to monitor CIFCO's performance and priorities.
- The existing portfolio is balanced, diversifying risk across sector, location and tenant and this approach proved successful during the pandemic and continues to mitigate risk for CIFCO and its shareholders.
- CIFCO need to fund capital works to the portfolio over the longer term to maintain & maximise value. In longer-term (5 years+ there will be sufficient income to fund capital works)in the short term (2024-29) will use existing working capital and capital receipts from sales.

Appendices

- Investment Guidelines
- Rent Collection Stats
- 2024/25 Budget
- 2023/24 Year End Accounts (Awaited)
- Director Profiles
- Glossary

Investment Guidelines



Investment Restrictions	%	Breach
No more than 10% of the gross income of the fund shall be derived from one tenant	9.7	No
Investment in UK Real Estate	100	No
No more than 15% of the portfolio to be invested in direct development at any one time	0	No
Maximum investment in one investment shall not exceed 20% of Gross Asset Value	10.8	No
No more than 20% of the portfolio to be invested in any one town	10.8	No
No more than 35% of the portfolio to be held in a specific sector at any one time	49.9	Yes

Income

There are currently no tenants over the 10% threshold.

The largest tenant by income is 66 Books Ltd, Hemel Hempstead which make up 9.7% of the total portfolio income.

The second largest tenant is the Epsom & St Helier University Hospitals NHS Trust at 8.0% of the total portfolio income.

Maximum Investment

The largest asset in the portfolio is Hemel Hempstead which makes up 10.87% of the portfolio by value.

Location

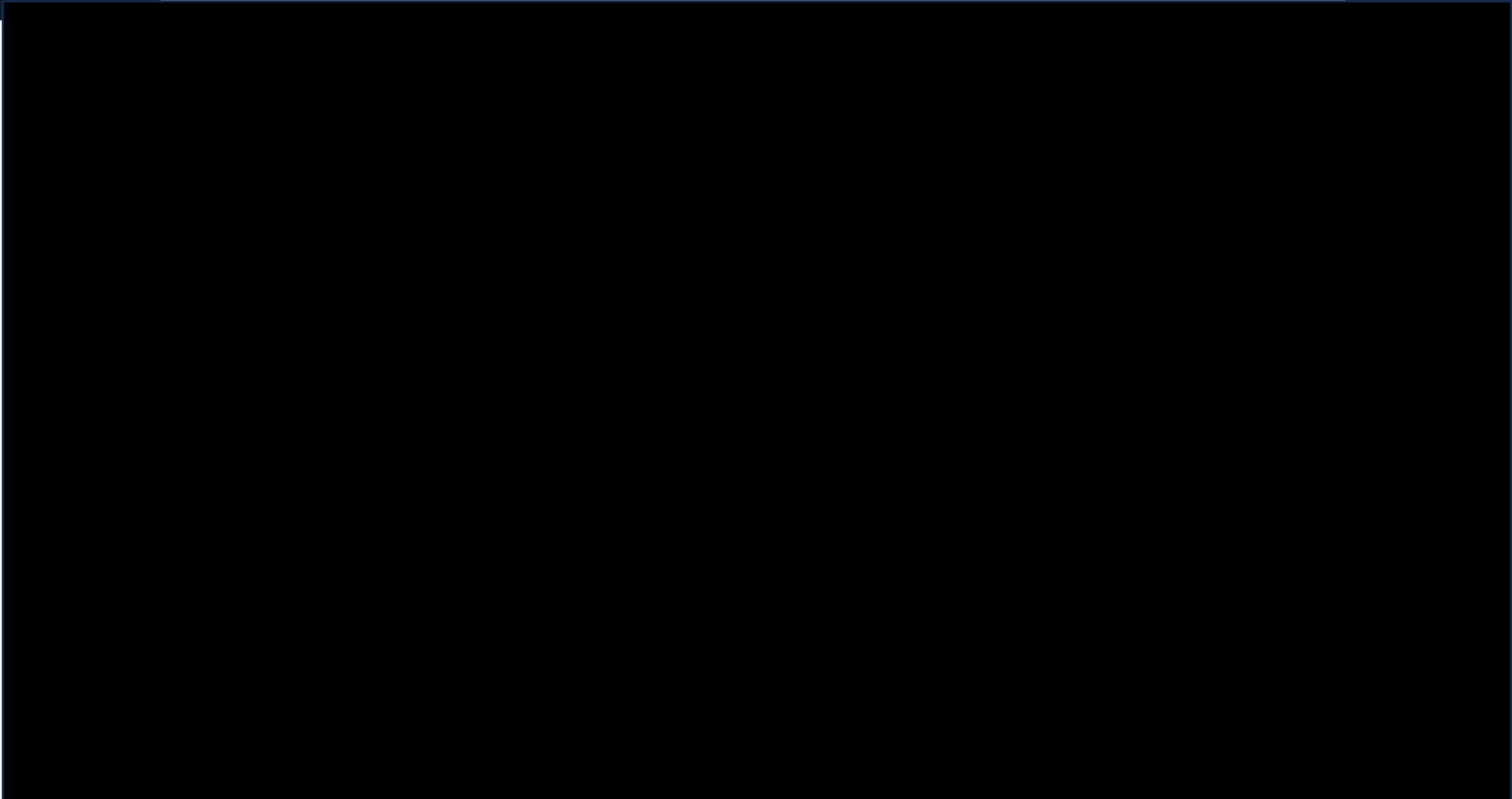
Other than Hemel Hempstead (10.87%), the largest concentration of capital is held in Epsom (10.52%) and Milton Keynes (9.46%).

Rent Collection Stats – Comparison



	September 2023 Quarter			December 2023 Quarter			March 2024 Quarter		
	CIFCO	Workman	Alt Remit	CIFCO	Workman	Alt Remit	CIFCO	Workman	Alt Remit
Day 0	79.87%	76.12%	76.80%	62.97%	68.37%	69.90%	71.23%	72.91%	
Day 7	87.66%	86.66%	88.20%	81.21%	80.54%	81.00%	83.33%	84.23%	
Day 21	88.18%	95.16%	94.10%	86.45%	92.01%	92.50%			
Day 35	89.13%	97.04%	96.00%	88.26%	94.95%	94.40%			
Day 90	100.00%	96.03%	97.40%	98.90%	97.67%	97.40%			

CIFCO OPERATING DRAFT BUDGET (Confidential)



Profit/Loss before Tax, Impairment & Capital Works	£	346,339	£	228,111	£	108,022	£	11,929
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CIFCO LOAN REPAYMENT SCHEDULE 2024/25

	TOTAL
INTEREST	
Q1	1,083,679
Q2	1,088,618
Q3	1,091,081
Q4	1,080,845
Year Total Interest	4,344,223
PRINCIPAL	
Q1	127,455
Q2	129,824
Q3	131,947
Q4	132,543
Year Total Principal	521,769
TOTAL	
Q1	1,211,134
Q2	1,218,442
Q3	1,223,028
Q4	1,213,388
Year Grand Total	4,865,992

CIFCO YEAR END ACCOUNTS 2023/24

- To Follow May 24 onwards

Director Profiles



Chris Haworth (Non-Executive Director and Chair) - BSc in Estate management from Reading University, fellow of the Royal Institution of Chartered Surveyors, and a member of the National landlords Association. Partner of Carter Jonas for 12 years, until August 2012, and Head of the National Commercial Division for 8 years.



Henry Cooke (Non-Executive Director)- Investment banking professional with over 30 years' experience in roles across research, sales, trading, structuring, origination, syndication and asset management of US, UK, Australian and European mortgage backed, asset backed, whole-business and real estate financing



Emily Atack (Managing Director) – Emily is a Member of the Royal Institution of Chartered Surveyors (RICS). She has in excess of 20 years' experience in both private and public sector, primarily in dealing with commercial property transactions and asset management.



Mark Sargeantson (Non-Executive Director) – Fellow of the Royal Institution of Chartered Surveyors, partner of Cluttons, until early 1991. Acted for a wide range of property owners and investors mostly in portfolio and asset management in London and across the UK. Joined Fenn Wright, Ipswich in April 1991 and was a partner until 2008 and a consultant to the practice to the present day.



Austin Davies (Councillor Director) - Austin Davies (MBA, MSc Uni Queensland, BSc) 25 years in commercial experience with various Multi nationals including 15 years of international business management. 10 years working for the British Government's overseas aid program. Along with 14 published scientific papers.



John Ward (Councillor Director) - After graduating from Oxford in 1980 with a BA in Chemistry, John embarked on a career in IT, working for Caggemini a major international IT services and consulting firm. John became a councillor in May 2015. Just before taking early retirement, he was appointed to cabinet as Economic Growth portfolio holder in May 2017 and has also been a cabinet member for finance during his time as a councillor. In January 2018 John became leader of the council, a position he held until this year's elections, and is currently joint Deputy Leader and Finance portfolio holder.

Glossary

Term	Definition
MSCI	Morgan Stanley Capital International
ERV	Estimated Rental Value
SE Off	Southeast Offices
WAULT	Weighted Average Unexpired Lease
NIY	Net Initial Yield based on contracted passing rent
EY	Equivalent Yield derived from time weighted average of NIY and RY
RY	Reversionary Yield based on prevailing market rental value.
Running Yield	Yield based on contracted rent as percentage of Gross Purchase Price

Agenda Item 9

BABERGH and MID SUFFOLK DISTRICT COUNCIL

TO: Overview and Scrutiny Committee	REPORT NUMBER: JOS/23/48
FROM: Director for Housing	DATE OF MEETING: 13/05/2024
OFFICER: David White – Housing Transformation Manager	

BMSDC Readiness for Social Housing Regulations and Introduction of tenant governance structure

1. PURPOSE OF REPORT

- 1.1 To provide the committee with information they require to ensure they are aware of our responsibilities as a landlord for compliance with the new Consumer Standards of the Regulator for Social Housing and the potential consequences of non-compliance.
- 1.2 To make the committee aware of the role they will play in housing's governance structure, enabling our tenants to be more meaningfully engaged in our decision making about issues that affect them.
- 1.3 To reassure the committee of our plans as an organisation to ensure we are meeting the requirements and therefore are compliant with the new Consumer Standards of the Regulator of Social Housing.

2. OPTIONS CONSIDERED

- 2.1 In terms of 1.2 various options were considered through consultation with our current tenant board and both cabinets and the new governance arrangements for housing have been designed around this consultation and taking best practice from other local authorities who are exemplar providers as judged by TPAS who are the sector's tenant engagement experts.

3. RECOMMENDATIONS

- 3.1 That the committee familiarise themselves with the information provided about the new Consumer Standards and new regulatory framework for local authorities.
- 3.2 To review and make any recommendations in relation to the proposed governance structure which looks to provide our tenants with a greater influence in our scrutiny activity about their housing service.
- 3.3 To make any recommendations for our outlined approach to ensuring we are meeting the requirements of the Regulator for social housing and that we are 'inspection ready'.

REASON FOR RECOMMENDATIONS

So that the committee can fulfil their function effectively in relation to the requirements on local authorities imposed by the Regulator for Social Housing.

To help us to be compliant with the Transparency, Influence & Accountability Standard, by ensuring that our tenants can meaningfully influence our decision making.

To be aware of how we as a landlord are going to ensure we are compliant with the standards.

4. KEY INFORMATION

The New Standards and Regulatory Powers

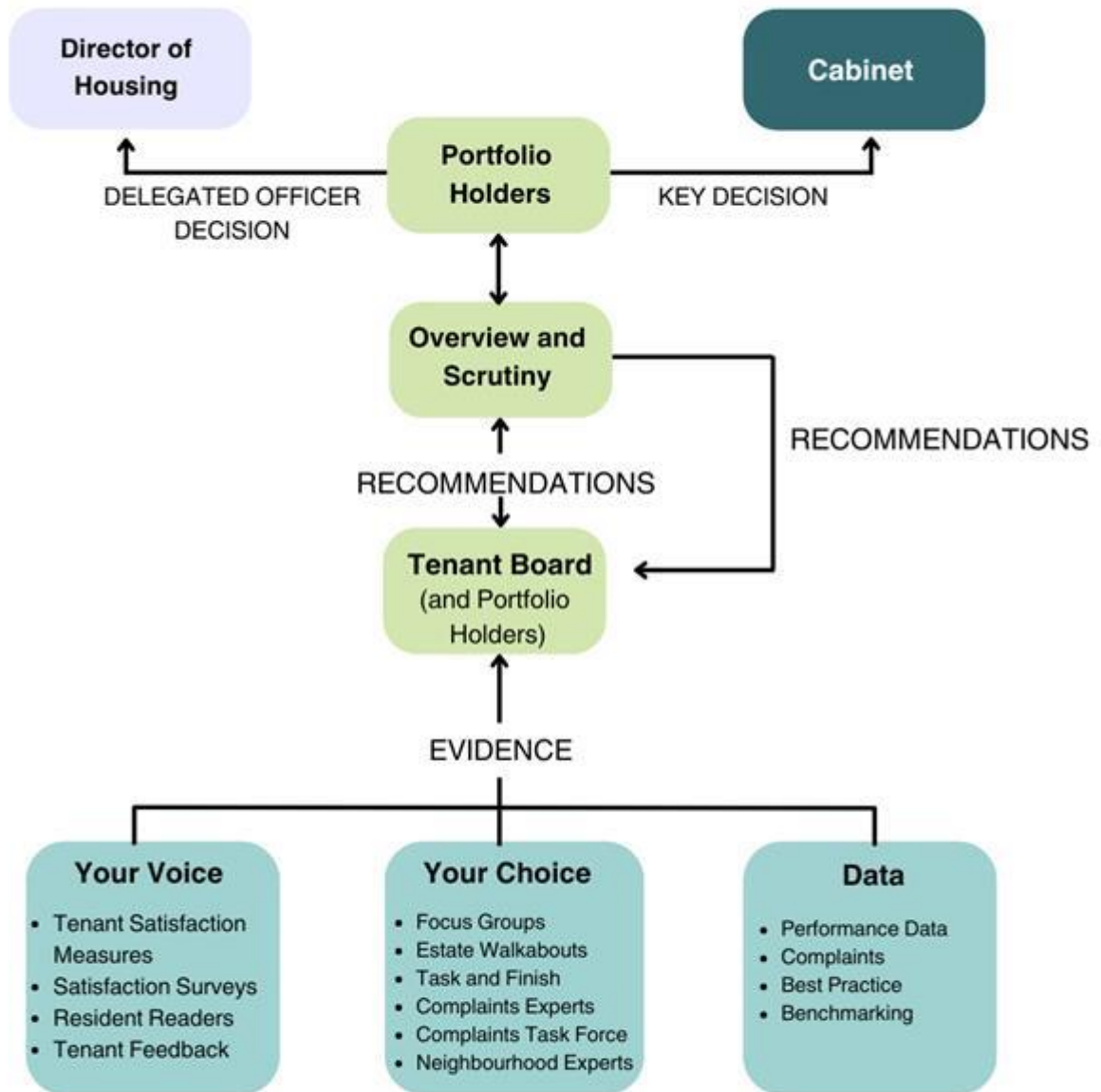
- 4.1 On the 29th February 2024 the New Consumer Standards were published by the Regulator for Social Housing following the conclusion of their consultation.
- 4.2 As of 1st April 2024 they, along with the new powers, are now law, as part of the Housing and Regeneration Act 2008, as amended by the Social Housing Regulation Act 2023, that registered providers of social housing, including local authorities, will now need to evidence how they are complying with the required outcomes and specific expectations for each standard so that the regulator can be sure we are delivering homes that are decent, safe and well maintained and tenants receive quality landlord services and are treated with fairness and respect.
- 4.3 The two main aims of the changes are to improve the quality and safety of social housing and give tenants of social housing an increased voice to influence decisions taken by their landlord.
- 4.4 In a recent review by the Regulator showed that of the 13 registered providers that had breached the consumer standards in 2022/23, 10 of them were local authorities. This suggests that this is an area which disproportionately affects local authorities and our tenants and shows that this is something we need to focus on.
- 4.5 The new standards are:
 - 4.5.1 **The Safety and Quality Standard** - which requires landlords to provide safe and good quality homes and landlord services to tenants.
 - 4.5.2 **The Transparency, Influence and Accountability Standard** - which requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints, when necessary, influence decision making and hold their landlord to account. This standard incorporates Tenant Satisfaction Measure requirements and ensuring that tenants understand their rights.
 - 4.5.3 **The Neighbourhood and Community Standard** - which requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.

- 4.5.4 **The Tenancy Standard** – which requires registered providers to allocate and let their homes in a fair and transparent way, supports tenants to maintain their tenancy, offer tenancies and terms of occupation that meet applicable statutory and legal requirements and support tenants to mutually exchange their homes.
- 4.6 Accompanying the standards, requirements and expectations is a code of practice which will help landlords understand more about what is expected of them to evidence to the regulator compliance and can be found as **Appendix A** of this report.
- 4.7 Alongside the new standards, the Regulator has also been given extended and new powers to enable them to effectively regulate the sector and provide better outcomes for tenants. These include, in summary, powers to issue unlimited fines for non-compliance, powers to inspect landlords pro-actively instead of reactively, to carry out inspections of our properties, require improvement plans for their approval from us when things go wrong, carry out emergency repairs and charge us and to issue enforcement notices.
- 4.8 Following an inspection by the regulator, at least once every 4 years, a grading will be given to each provider between C1 & C4 - with C1 meaning that we are delivering the standard's outcomes as required and C4 being that there are serious failings in how we are delivering the standard outcomes. Any grading below a C1 will come with recommendations or orders requiring us to make improvements.

The new tenant governance arrangements

- 4.9 Under the Transparency, Influence and Accountability standard we are required to evidence how our tenants can meaningfully influence our decision making in relation to their homes and services we provide to them.
- 4.10 The governance of local authorities differs from that of housing association providers with all the different interests and functions competing, so ensuring proper lines of accountability and assurance for compliance with the consumer standards, all the way to cabinet is a must.
- 4.11 Whilst tenant engagement is not a new concept for us, the Regulators focus on us being able to evidence that the views of our tenants is influencing our decisions is why we are proposing the following amendments to our tenant governance structure.
- 4.12 Following some research with some exemplar stock holding local authorities who have been accredited by TPAS for doing this well, we have proposed the following amendments to our current tenant scrutiny structure.
- 4.13 The changes will strengthen our current tenant governance arrangements by including our portfolio holders for housing and property in the current tenant board membership, enable the tenant board to direct housing specific scrutiny activities based on the performance data and other information they are already provided and ensure that the overview and scrutiny panel and cabinet have oversight of the activities and outcomes, can make their own recommendations and monitor any proposed changes to service delivery arising those recommendations.

4.14 Below is a diagram of how tenant led scrutiny activity will work:



4.15 This can also be found within the new Tenant Board terms of reference which is included as **Appendix B** to this report.

- 4.16 The scrutiny activities will vary depending on the topic identified and could be done through a variety of methods. Scrutiny panels will be recruited to carry out the scrutiny activity by the Tenant Board with support from the Tenant Engagement Co-ordinators. The groups will usually include tenants who have experience of the service being scrutinised.
- 4.17 The scrutiny panels will work with necessary staff who will collate a list of recommendations to improve the service.
- 4.18 The Tenant Board will present any recommendations from scrutiny projects to the Overview and Scrutiny Committee biannually. The Overview and Scrutiny Committee can then add recommendations alongside the Tenant Board and both groups will monitor the implementation of these recommendations.
- 4.19 Any decisions from the scrutiny activity that require Cabinet approval will be taken to a Cabinet briefing by the Portfolio Holders. An update of the Tenant Boards activities will be provided to Cabinet Biannually. Cabinet members will also be briefed ahead of any reports going to the Overview and Scrutiny Committee by the Portfolio Holders.

Getting us Inspection Ready

- 4.20 To provide you with assurance that work is already underway to ensure that we are aware of the new standards requirements we have outlined below actions we are taking or propose to take to evidence our compliance with the consumer standards.
 - 4.20.1 A gap analysis and evidence gathering has commenced against the new standard's specific requirements.
 - 4.20.2 The housing management team, including the Director for Housing, will be meeting monthly to review our progress against the evidence requirements, what gaps are outstanding and identifying leads for the various requirements.
 - 4.20.3 We will also be looking to carry out an independent consumer standards health check to provide us with an understanding of our position and what work is outstanding to ensure we can evidence our compliance to the Regulator, our tenants, members and the wider organisation.

5. LINKS TO OUR PLAN FOR BABERGH and MID SUFFOLK PLAN

- 5.1 **Priorities:** Empowering and enabling more active citizenship, ensuring we engage with all our communities, Engaging, empowering and enabling communities to find local solutions to local issues.
- 5.2 **Our Approach:** Delivering good quality core council services, providing high quality council services that are easy to access when needed and that can be relied on, providing open and honest leadership, continuing to listen to you and work in partnership with you.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications in relation to this report, however, failure to evidence our compliance with the regulations could result in increased costs for the organisation.

7. LEGAL IMPLICATIONS

7.1 It is a legal requirement that all registered providers of social housing with a stock of over 1000 a compliant with the consumer standards.

8. RISK MANAGEMENT

8.1 Key risks are set out below:

Key Risk Description	Likelihood 1-4	Impact 1-4	Key Mitigation Measures	Risk Register and Reference*
A lack of tenant scrutiny causes a Regulatory Breach	1	2	1. Launch of Tenant Engagement Strategy 2. Set up Tenant Board scrutiny function	ORR_HT_001
Information required by the regulator for compliance cannot be obtained on request, is of poor quality or lacks integrity.	2	2	HMT are going to be meeting monthly to review the standards and build on evidence and information required to demonstrate our compliance.	ORR_HT_004

**Name of risk register where risk is currently documented and being actively managed and it's reference number*

9. CONSULTATIONS

9.1 Both cabinets have been consulted about the changes to the governance structure.

9.2 Our current tenant board have also been consulted about the changes to the governance structure.

10. EQUALITY ANALYSIS

10.1 Not required for this report, although the standards do require us to consider the needs of our tenants and evidence how we have taken those into consideration in our decision making and ensure that we are delivering equitable outcomes for our tenants.

11. ENVIRONMENTAL IMPLICATIONS

There are no environmental considerations to this report.

12. APPENDICES

Title	Location
(a) The Regulator for Social Housing Consumer Standards Code of Practice	Attached
(b) New Tenant Board Terms of Reference	Attached
(c) The Regulator for Social Housing Consumer Standards	Attached

13. BACKGROUND DOCUMENTS

- 13.1 Chartered Institute of Housing – Presentation and link to webinar [Conversation with the Regulator – learning from the local authority inspection pilots \(cih.org\)](#) on Learning from Local Authority Inspection Pilots – Attached.

14. REPORT AUTHORS

David White – Housing Transformation Manager.

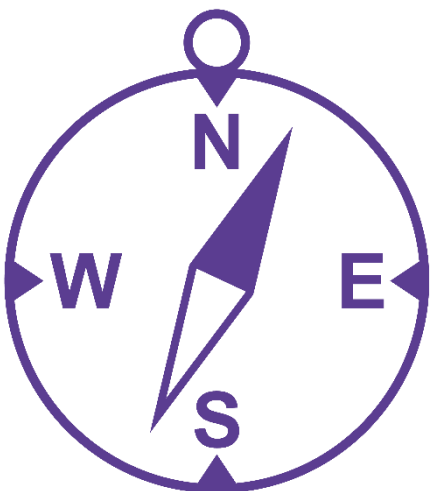
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Regulator of
Social Housing

Annex 4
**Consumer standards
Code of Practice**

April 2024



Consumer standards Code of Practice

The role of the Code of Practice

1. This Code of Practice (the Code) is designed to amplify some of the requirements in the consumer standards (the standards). The Code elaborates on the content of the standards with illustrative examples where we think they are useful. It aims to help registered providers understand what the regulator is looking for when seeking evidence which gives us assurance that they are delivering the outcomes of the standards. Throughout the Code, when we refer to registered providers delivering the outcomes of the standards we mean any of the required outcomes and specific expectations of the standards. The Code does not elaborate on all expectations set out in the standards, only where the regulator considers that amplification may help registered providers understand how the outcomes of the standards can be delivered. This does not indicate the relative importance of different elements of the standards. Registered providers must deliver all the outcomes of the standards.
2. Registered providers should have regard to the Code when assessing whether they are delivering the outcomes of the standards. In considering whether the outcomes of the standards have been delivered, the regulator will have regard to the Code. It is therefore important that registered providers are familiar with its content. However, it is the outcomes of the standards rather than the Code that registered providers must deliver.
3. The regulator adopts a co-regulatory approach to its work. It sets both economic and consumer standards designed to help it to deliver its statutory objectives. Responsibility lies with the boards and councillors of registered providers to deliver the outcomes of the standards. The Code fits with our co-regulatory approach by recognising that registered providers may develop their own approaches to deliver the outcomes of the standards. Boards and councillors of registered providers should have robust mechanisms in place to provide them with assurance that their organisation delivers the outcomes of the standards.
4. Examples of how registered providers might deliver the outcomes are not intended to be exhaustive nor prescriptive. Registered providers are free to deliver the outcomes in a different manner. If there are any conflicts between the Code and the standards, the standards take precedence.

5. The different sections of the Code follow the same order as they appear in the standards. At the beginning of each theme in the Code, we state clearly which required outcome and specific expectations from each standard we are expanding upon.
6. Registered providers are responsible for delivering the outcomes of the standards. This applies both where the registered provider delivers services to tenants directly and where services are delivered via other organisations. Where they contract out any landlord services to a third party, the registered provider remains responsible for delivering the outcomes of the standards and should have assurance that they are being delivered.
7. The outcomes of the standards are interdependent as they all share a common aim of ensuring the provision of effective landlord services and quality, well-maintained and safe homes. Registered providers should consider that if they are unable to demonstrate they are delivering one element of the standards, this is likely to mean that there are gaps in their assurance of how they are delivering other expectations of the standards.
8. The Code references a number of documents, some of which are owned by the regulator, and some are owned by other organisations. These documents and links to them may be updated, amended and replaced from time to time, and it is the responsibility of registered providers to ensure that they comply with the latest version of these documents at any point in time.

Safety and Quality Standard

Stock quality

(Relevant to the Safety and Quality Standard required outcome 1.1.1 and specific expectations 2.1.1 and 2.1.2)

9. Providing safe and well-maintained homes is a fundamental responsibility of all registered providers. Having a sufficiently detailed understanding of the condition of their homes at an individual property level is vital to registered providers being able to achieve this and helps to ensure that they meet all applicable requirements. In achieving this outcome, private registered providers should be mindful of the regulator's requirement in the Governance and Financial Viability Standard in relation to maintaining a thorough, accurate and up to date record of their assets and liabilities.
10. Registered providers are expected to undertake regular physical assessments of the inside and the outside of homes where they have a legal responsibility. They should assess whether homes are:
 - safe and free from serious hazards
 - kept in good repair
 - meet relevant standards prescribed in law.
11. Registered providers should assess the condition of homes frequently enough and in sufficient depth to maintain their assurance on their quality and safety. Appropriate frequency and depth will be influenced by a range of factors, including but not limited to, property age, construction, and archetypes as well as data from complaints and reports from repairs and maintenance programmes. For some registered providers a five-year rolling programme of stock condition surveys across all homes might be appropriate; however for some registered providers or for some homes, more frequent assessments might be needed, for example where there are high levels of responsive repair requests or recurring problems which might be indicative of wider issues.
12. Registered providers should ensure their approach to assessing and recording the conditions of their homes is robust and kept up to date by using information from a range of relevant sources such as repairs, complaints, health and safety assessments and energy performance certificate (EPC) data to maintain a rounded view of condition.

13. To ensure registered providers have an understanding of all homes, their approach to assessing homes should consider the different opportunities where the inside of a home can be assessed e.g. when gas safety checks are being carried out. Where access is needed, registered providers should take all reasonable steps to access homes.
14. Registered providers should consider their understanding of the condition of homes in the context of the needs of individual tenants living in them. Taking into account the potential risk to tenants, registered providers should have appropriate systems in place to ensure they act upon identified investment and repair requirements in an appropriate and timely manner.

Decency

(Relevant to the Safety and Quality Standard required outcome 1.2.1)

15. Registered providers are required to meet section 5 of the Government's Decent Homes Guidance, and should have an approach to repairs, maintenance and planned improvements which ensures that their homes are maintained to meet all criteria of the Decent Homes Standard, including being free from Category 1 hazards.
16. Registered providers' understanding of the condition of their homes should include meeting all criteria of the Decent Homes Standard. In addition, registered providers should have an effective plan in place to ensure they meet all criteria of the Decent Homes Standard.
17. Where a registered provider has agreed a period of non-compliance with the Decent Homes Standard with the regulator, it should ensure that it meets all applicable health and safety legal requirements for the duration of the period and should communicate the non-compliance with the Decent Homes Standard and its implications to affected tenants.

Health and safety

(Relevant to the Safety and Quality Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2 and 2.2.3)

18. As part of delivering this outcome, registered providers must ensure they understand and meet all applicable health and safety legal requirements, including secondary legislation (in relation to, for example, gas safety, fire safety, electrical safety, water safety, lift safety, asbestos safety, smoke alarms and carbon monoxide). Registered

providers are expected to have regard to appropriate statutory guidance and to meet the legal requirements relating to the role of the health and safety lead.

19. Registered providers should ensure that they maintain sufficient assurance that they meet all relevant health and safety requirements, which reflects the level of potential risk and impact on tenants. They should have a full understanding of what the data is telling them about how safe tenants are, the effectiveness of controls in place and how tenants' needs are being met.
20. Where a third party has the legal responsibility for tenants' homes and/or communal areas, registered providers should hold the third party to account for ensuring health and safety requirements are met.
21. All required actions arising from legally required health and safety assessments should be carried out as soon as possible. When prioritising these actions registered providers should take into account any statutory timescales as well as the potential risk to tenants, so that remedial actions are carried out within appropriate timescales.
22. As part of ensuring the wider safety of tenants in the design and delivery of landlord services, registered providers should have an effective approach to proactively identifying the risks to tenants' safety and eliminating or mitigating those risks. Examples of actions that registered providers may take to ensure the safety of tenants include, housing tenants together appropriately when allocating shared properties, assessing the vulnerability and risk of anti-social behaviour victims in considering what action to take, and taking into account, where appropriate, individual tenants' safety, security and health when prioritising repairs.

Repairs, maintenance and planned improvements

(Relevant to the Safety and Quality Standard required outcome 1.4.1 and specific expectations 2.3.3, 2.3.4 and 2.3.5)

23. In delivering an effective, efficient and timely repairs maintenance and planned improvement service, registered providers should coordinate effectively with all parties involved, so that work is completed within set timescales, in as few visits as possible and is fit for purpose.
24. Registered providers are expected to have in place and comply with effective policies, procedures and processes in relation to repairs, maintenance and planned improvements that take into account tenants' views and diverse needs. This may

include, for example, increasing the priority of repairs for some older tenants and where a household member is disabled, and installing extra locks and security lights for tenants experiencing domestic abuse or anti-social behaviour, in order to safeguard them.

25. Registered providers should communicate promptly with tenants about repairs, maintenance and planned improvements and keep them regularly updated on progress and how they are resolving any issues. For example, they should aim to consult affected tenants in a timely manner before the start of any planned improvement programmes, and update affected tenants if registered providers foresee any delays to the programme. In doing so, they should be mindful of the regulator's requirements in relation to the diverse needs of tenants.
26. In relation to communal areas, where there is an arrangement in place for a third party to manage a communal area on a registered provider's behalf, the registered provider is required to ensure that the communal area is well-maintained, and to hold the third party to account if it is not.

Adaptations

(Relevant to the Safety and Quality Standard required outcome 1.5.1 and specific expectation 2.4.1 and 2.4.2)

27. Not all registered providers directly provide a housing adaptations service, but nonetheless they should all have a process in place to assist tenants in need of housing adaptations, which they must communicate to tenants. As part of this communication, registered providers are expected to inform tenants about the application process, and where relevant, registered providers should make clear any local variations to the application process that may apply. Assistance to tenants requiring a housing adaptation may take the form of, for example, registered providers applying for an adaptation to the relevant organisation on a tenant's behalf or establishing clear timescales with the relevant organisation providing the adaptation.
28. Where the housing adaptations service is provided by a third party, the registered provider should not unreasonably withhold permission for a housing adaptation to be installed in a tenant's home. Where the registered provider provides a housing adaptations service, they should not unreasonably refuse a tenant's request for a housing adaptation. Where a registered provider does not meet a tenant's request for a housing adaptation, the registered provider should consider whether it is appropriate to offer alternative measures in order to support the affected tenant, for example offering to transfer them to a home that is accessible or that can be adapted to meet their needs.

Transparency, Influence and Accountability Standard

Fairness and respect

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.1.1)

29. Tenants and prospective tenants should be treated with fairness and respect and this principle should underpin how registered providers deliver all landlord services.
30. Registered providers should foster a strong culture throughout their organisation of fairness, courtesy and respect, where tenants are listened to and can trust their landlord. In treating tenants fairly, registered providers should consider how they can adapt their services and communications to meet individual tenants' needs.

Diverse needs

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.2.1 and specific expectations 2.1.1, 2.1.2, 2.1.3 and 2.1.4)

31. Registered providers are expected to consider the diverse needs of their tenants (and prospective tenants, where relevant) in relation to the housing and landlord services they provide. This consideration should be integral to the culture of the organisation. Examples of how registered providers can take action to deliver fair and equitable outcomes for tenants may include investigating any complaints of alleged discrimination from tenants promptly and implementing any relevant learning, providing regular equality, diversity and inclusion training for staff, board members or councillors, and carrying out work to understand the barriers different groups of tenants might face in accessing services and working to remove those barriers.
32. Registered providers are expected to have robust information about their tenants so that they can deliver fair and equitable outcomes for tenants in relation to the housing and landlord services they provide. This should include, but not be limited to, relevant information on protected characteristics, and any support or communication needs.
33. It is for registered providers to work with tenants to decide the most effective approach to gathering this information and keeping it up to date, and to share with tenants how they will make use of the data. Registered providers should explore a range of methods for collecting this information from tenants to encourage a good response rate. For example, via periodic face-to-face contact with tenants or other appropriate points of contact with tenants. As part of their approach registered providers should process personal information in compliance with relevant legislation and the Information Commissioner's Office guidance.

34. In delivering this outcome, registered providers may also want to consider using other data and information about tenants, for example the census and/or English Housing Survey, to inform the design and delivery of their strategies, policies and landlord services.
35. Registered providers should regularly assess whether their housing and landlord services deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants. Registered providers should take account of the findings of their assessments and should be able to demonstrate actions they have taken as a result.
36. Registered providers should make tenants aware of the different ways in which services are tailored to meet their needs. This could include, for example, by informing tenants when they report a repair that a choice of appointment time is available, or that information can be supplied in alternative formats, such as pictorial, and in different languages on request.
37. Registered providers should have in place an effective, simple and accessible process to enable tenants and prospective tenants to nominate a representative to act on their behalf in interactions with the landlord about landlord services, for example, in order to report a complaint on a tenant's behalf and to discuss progress of a repair or a housing application.

Engagement with tenants

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5 and 2.2.6)

38. Genuine consideration of tenants' views should be at the heart of registered providers' different levels of decision-making about the delivery of landlord services. This may include, for example, in relation to agreeing their asset management strategy, the setting of service standards, agreeing responsive repair timescales and setting performance targets for different landlord services.
39. Tenants' views can be gathered in different ways. Boards and councillors of registered providers should assure themselves that tenants' views have been actively sought and considered as part of their decision-making about their organisation's landlord services. Registered providers should also communicate to tenants how tenants' views have been taken into account in their decision making about how landlord services are delivered. In addition, consideration of how to improve and tailor landlord service

delivery should be an ongoing activity taking place at all levels of the organisation and across all areas of service delivery.

40. Registered providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies and services, taking into account the diverse needs of tenants.
41. Registered providers should take reasonable steps to assist tenants wishing to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services. Assistance may include, for example, providing venues for meetings, administrative support, funding and training.
42. Where a registered provider is considering a change in landlord or a significant change in management arrangements, it is important that in their consultation with affected tenants they tailor their communication methods and take all reasonable steps to ensure that all affected tenants have access to and can understand the landlord's proposals. This should include tenants who may experience communication barriers, have additional support needs and/or are unable to use online services.
43. Consultation with tenants must be meaningful, which includes engaging with affected tenants in a range of ways. Registered providers should begin their consultation with affected tenants at an early stage in the process, while there is scope to influence the decision and/or outcome. They should run the consultation for a sufficient amount of time to give affected tenants an equitable opportunity to consider and respond to the proposals. Registered providers should make clear any potential material impacts, positive and negative, of the proposed changes, for example, any impact on rent and service charge levels, service delivery or security of tenure. They should also set out clearly the main reasons for the changes being proposed to affected tenants. Board and councillors of registered providers should assure themselves that feedback from affected tenants has been genuinely considered in their decision-making about proposals, and the registered provider should demonstrate this to affected tenants.

Information about landlord services

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.4.1 and specific expectations 2.3.1, 2.3.3 and 2.3.5)

44. Effective communication with tenants and the provision of clear and accessible information is at the heart of an effective tenant/landlord relationship. Registered providers should make tenants aware of the services and standards of service they provide, and the different ways in which tenants can contact their landlord.

45. Where registered providers are delivering a service directly to a tenant, they should communicate with them from the start through to the completion of that service. For example, where a tenant reports a repair to their landlord, the registered provider should keep them updated about the progress of the repair on a regular and ongoing basis, particularly where there is going to be a delay in carrying out the repair, or where multiple trades and visits are required.
46. The expectation that registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers applies to all registered providers, whether they employ paid staff or not.

Performance information

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.5.1 and specific expectations 2.4.2b, 2.4.3, 2.4.4.a, 2.4.4.b and 2.4.4.d)

47. Tenants having access to reliable and accurate performance information about landlord services helps to ensure transparency and to drive effective tenant scrutiny.
48. In addition to meeting the requirement to publish their performance against the tenant satisfaction measures (TSMs) in a form required by the regulator, registered providers should, following engagement with their tenants, also consider publishing some or all TSM data at a more granular level and/or on a more frequent basis, in order to support tenant scrutiny. For example, they may report some or all TSM data separately for:
 - entities within their group
 - specific property types such as general needs or housing for older people and/or
 - different geographical areas, and/or
 - specific tenant groups (relevant to the TSM tenant perception measures: TP01-TP12) such as tenants who share different protected characteristics.
49. Where a registered provider publishes TSM data in more detail as set out in paragraph 48, they should ensure, as far as possible, that they calculate and report the data in accordance with the regulator's TSM requirements. Any significant deviation from these requirements should be clearly set out alongside the reported TSM data.
50. It is important that tenants and other stakeholders are able to trust what TSM data tells them about landlords' performance. Registered providers should ensure they have adequate assurance that they meet the regulator's TSM requirements.

51. Registered providers should be able to demonstrate that they understand their performance, including where and why performance has changed over time. They should have clear and measurable plans in place to improve performance where required and should be able to demonstrate that they are effectively delivering to those plans.
52. In providing tenants with accessible information about their performance, registered providers should consider all performance information, including the regulator's judgements. Registered providers should consider how they can support tenants to understand the information being presented, including relevant performance action plans, for example, by including contextual and benchmarking information. In providing information about how they have taken tenants' views into account, registered providers should be able to demonstrate any changes they have made to landlord services as a result of insight from tenants' views, including learning from complaints.
53. In providing information to tenants on directors' remuneration and management costs, registered providers should consider the regulator's [note](#) on how to calculate these costs, which can be found on our website.

Complaints

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.6.1 and specific expectations 2.5.1 and 2.5.2)

54. Addressing complaints fairly, effectively and promptly is essential for registered providers to build trust with tenants. Registered providers should make every effort to ensure that tenants are aware of their complaints process. Tenants should be able to raise a complaint easily and should be listened to by their landlord when they do so.
55. In addressing complaints, registered providers should ensure that they provide regular updates to affected tenants about the progress they have made to resolve the complaint fairly and the next steps they plan to take, with clear timescales.
56. In meeting this outcome, registered providers are expected to consider relevant requirements of other bodies, including those of the Housing Ombudsman and specifically their Complaint Handling Code.
57. Complaints present registered providers with valuable insight into tenants' experiences of interacting with their landlord. Registered providers should make good use of this learning in order to improve services for tenants, bringing about change at a service or organisational level where appropriate. As part of this learning, registered providers should analyse trends and themes from complaints data.

Self-referral

(Relevant to the Transparency, Influence and Accountability Standard specific expectation 2.6.1)

58. The regulator requires registered providers to tell it at the earliest opportunity about any material issues that relate to non-compliance or potential non-compliance with the standards. If a registered provider is unsure as to whether an issue is material, they should contact the regulator to discuss the matter further. Being open and transparent with the regulator is an essential part of registered providers meeting their co-regulatory responsibilities.

Neighbourhood and Community Standard

Safety of shared spaces

(Relevant to the Neighbourhood and Community Standard required outcome 1.1.1)

59. 'Shared spaces' as defined in the standards can include both internal and external areas associated with a registered provider's homes used by their tenants, that are not the responsibility of the registered provider. While registered providers do not have direct responsibility for these areas, they are expected to work cooperatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of these spaces. This may entail, for example, liaising with relevant organisations so that hazardous fly tipping can be removed or to arrange for defective lighting to be repaired where it presents a safety issue for their tenants.

Local cooperation

(Relevant to the Neighbourhood and Community Standard required outcome 1.2.1 and specific expectation 2.1.1)

60. The regulator acknowledges that the roles registered providers play in promoting social, environmental and economic wellbeing in the areas in which they operate are likely to vary, as registered providers need to take account of their strategic objectives, the views of tenants and their presence in those areas, among other considerations.

Anti-social behaviour and hate incidents

(Relevant to the Neighbourhood and Community Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3 and 2.2.5)

61. Anti-social behaviour (ASB) and hate incidents can have a significant negative impact on tenants of social housing, both for those experiencing them directly and for those living in the community where the ASB and hate incidents are occurring.
62. In order to deter and tackle ASB and hate incidents effectively in areas where they operate, registered providers must work with appropriate partners, with a common aim of trying to reduce ASB and hate incidents. Joint initiatives may include, for example, providing mediation services to try to resolve disputes before they escalate, undertaking security measures and environmental improvements, and providing diversionary activities.
63. It is vital that registered providers have effective policies and processes to tackle ASB and hate incidents, and they should communicate these to tenants. These should include their approaches to investigating reports of ASB and hate incidents (including the roles of other relevant agencies), the support available to affected tenants and the actions they take to deal with perpetrators of ASB and hate incidents.
64. Registered providers should take into account the diverse needs of tenants in considering how tenants report ASB and hate incidents to them and eliminate any barriers to reporting such incidents.
65. In managing reports of ASB and hate incidents, including keeping tenants informed about the progress of their ASB case, registered providers should be mindful of their data protection obligations and any ongoing legal proceedings.
66. We expect registered providers to take a victim-centred approach to supporting tenants affected by ASB. This support can take different forms such as, for example, making a referral to an external support agency or, where appropriate, taking into account the wishes of the complainant when determining the course of action the registered provider will take. As part of this approach, registered providers should consider how they support vulnerable perpetrators of ASB, to help them to sustain their tenancy.

Domestic abuse

(Relevant the Neighbourhood and Community Standard required outcome 1.4.1 and specific expectations 2.3.1 and 2.3.2)

67. Registered providers should understand the significant impact that domestic abuse can have both on tenants experiencing it and their household members. In achieving this outcome registered providers should have a victim-centred approach to assisting tenants who experience domestic abuse.

68. Registered providers policies should set out their approach to recognising and effectively responding to cases of domestic abuse. They should consider, among other things, how they
- raise awareness and understanding among relevant staff so they are able to recognise the signs of domestic abuse, particularly those linked to a tenant's housing circumstances
 - make tenants aware of appropriate support and advice available regarding domestic abuse, including from third party organisations
 - offer tenants affected by domestic abuse referrals to specialist domestic abuse agencies
 - provide staff supporting tenants experiencing domestic abuse with appropriate specialist training, and
 - offer appropriate staff members to support tenants experiencing domestic abuse.
69. To be able to recognise and respond appropriately to reports of domestic abuse, registered providers should ensure they have an appreciation of the different specific needs of tenants who experience it, including those arising from the tenant's protected characteristics, such as disability and race. As part of their approach, registered providers must handle sensitive information relating to cases of domestic abuse in compliance with relevant legislation.
70. The duty referred to in 2.3.2 refers to the duty placed on local authorities in the Domestic Abuse Act 2021 (the Act) to develop and implement a strategy for accommodation-based support (which according to the Act is support in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation) in its area. Further information about this duty can be found in the government's statutory guidance: Domestic Abuse Act 2021 - GOV.UK (www.gov.uk).

Tenancy Standard

Allocations and lettings

(Relevant to the Tenancy Standard required outcome 1.1.1 and specific expectations 2.1.1, 2.1.2, 2.1.4 and 2.1.6)

71. Registered providers should have effective policies and processes in place for allocating their homes and should work effectively with local authorities to help meet identified local housing need. They should clearly set out their decision-making criteria, including in relation to transfers.
72. In order to be able to take the needs of tenants and prospective tenants into account in the allocations process, registered providers need to have a robust and accurate understanding of local housing need and their homes, including in relation to which homes have been designed or adapted to meet specific needs.
73. Tenancy fraud can take a number of forms. Actions registered providers can take to prevent and tackle tenancy fraud include carrying out effective checks before the start of and during a tenancy, publicising their approach including outcomes to tackling tenancy fraud, and providing guidance to staff on how to prevent, detect and take action against suspected tenancy fraud.
74. Information on the government's CORE (Continuous Recording of Lettings and Sales in Social Housing in England) system is available at: CORE - CORE - Home (communities.gov.uk).

Tenancy sustainment and evictions

(Relevant to the Tenancy Standard required outcome 1.2.1 and specific expectations 2.2.1 and 2.2.2)

75. Registered providers may provide support directly to tenants to help them maintain their tenancy or licence, or they may use appropriate organisations to provide this support. Examples of support that may be provided include helping tenants to manage their money and maximise their income, offering energy advice, and helping vulnerable tenants to be able to live independently, including those who experience mental health issues, or drug and alcohol dependency.

76. Where a registered provider ends a tenancy or licence they must offer those affected timely advice and assistance. This assistance can take the form of, for example, helping affected tenants to apply for alternative housing or signposting them to appropriate support and advice services. Registered providers should ensure that any advice and assistance about housing options is offered at the earliest opportunity in the process, to enable those affected to understand the process of finding suitable alternative accommodation.
77. Alongside other objectives, such as minimising loss of rental income, registered providers should bear in mind their objectives as landlords of social housing, including in relation to preventing homelessness and helping tenants to maintain their tenancies, when considering whether to escalate eviction proceedings.

Tenure

(Relevant to the Tenancy Standard required outcomes 1.3.1 and 1.3.2 and specific expectations 2.3.1b, 2.3.1d and 2.3.1g)

78. Registered providers should consider the suitability of the tenancies that they issue, taking into account the tenants' needs and the purpose of the accommodation. They must comply with all relevant law in issuing tenancies or terms of occupation. Where appropriate, they may wish to seek legal advice.
79. Registered providers that make use of licences as the basis of occupation should ensure that they use them appropriately.
80. As part of setting out their approach to tenancy management, registered providers should help tenants understand both their own responsibilities and those of their landlord in relation to their tenancy.
81. In relation to 2.3.1b and 2.3.1d, registered providers should only grant tenancies for a minimum fixed term of less than five years in exceptional circumstances and should not adopt a blanket approach to granting such tenancies. For example, all tenants in a particular area or all tenants of a certain age. Where a registered provider makes use of fixed term tenancies for a term of less than five years, they should set out in a policy the circumstances in which they will do so.
82. As part of meeting 2.3.1g, registered providers should be able to demonstrate how they have taken into account the needs of vulnerable households in their approach to tenancy management.

83. For clarity, reference to the use of probationary tenancies in our requirements includes the use of introductory or other equivalent tenancies.

Mutual exchange

(Relevant to the Tenancy Standard required outcome 1.4.1 and specific expectations 2.4.3)

84. Support to relevant tenants wishing to mutually exchange may include, for example, registered providers supplying them with clear and simple information about the mutual exchange process, including the associated responsibilities of the landlord and of the tenant, and helping tenants to register with an online mutual exchange service if required.

Legal status of the Code

85. This Code is issued by the Regulator of Social Housing, under section 195(1) of the Housing and Regeneration Act 2008 (as amended) (the HRA).
86. Section 195(2) of the HRA provides that the regulator may have regard to the Code when considering whether the standards have been met.



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The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.

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Tenant Board Terms of Reference

Aims and Purpose of the Group

- To monitor and hold the councils to account on our compliance with the consumer standards or any other Housing regulatory standards that may apply.
- To monitor and hold the councils to account on compliance with Housing health and safety standards and statutory compliance.
- To monitor and hold the councils to account on our Housing operational performance and satisfaction levels through Tenant Satisfaction Measure (TSMs) reporting.
- To set and approve Tenant Influence Budgets
- To utilise information from tenant feedback and engagement activities to make decisions and recommendations.
- To make decisions and recommendations from evidence-based reports.
- To approve Capital funded Neighbourhood Improvements through the Greater Places scheme
- To commission any other review groups or scrutiny activities as they see fit.
- To provide assurance to leaders, tenants and the Regulator for Social Housing around our compliance with and commitment to the Social Housing Regulations.
- To organise and oversee a maximum of 3 Scrutiny Projects a year.

Frequency of Matters

Meetings to be held monthly for 1.5 hours. There will be 11 meetings a year (January-November). It is the responsibility of the named attendees to ensure attendance and to notify a Tenant Engagement Co-ordinator with 24 hours' notice if they are unable to attend.

Additional informal meetings, focus groups, or special meetings may take place as required. Panel members are expected to attend every meeting unless they have genuine reasons for not doing so and send their apologies.

Membership

The Tenant Board will direct our scrutiny activity for both Babergh and Mid Suffolk District Councils. Therefore, the group will need to try to have an equal amount of Babergh Tenants and Mid Suffolk Tenants to ensure fair representation. Where one Council does have more representation than the other, we will prioritise recruiting to make the membership equal.

Tenants or leaseholders who are in breach of their tenancy or lease agreements will not be eligible to be or remain as panel members.

Tenants and leaseholders can apply to become members of the panel by getting in touch with the Tenant Engagement team and initially having a discussion about the role.

Tenants

Up to 12 (including 2 spaces for a leaseholder and shared owners)

Councillors:

The Portfolio Holders from Babergh and Mid Suffolk District Councils who are responsible for Council Housing.



Officers:

There must be attendance by at least 2 officers which includes one Tenant Engagement Co-ordinator and one manager to act as facilitators.

- Tenant Engagement Coordinator(s)
- Housing Transformation Manager
- Any other officers or guests as required or requested by the panel.

Terms of Office

Tenant Board members can serve for a period of 5 years after which Board members may reapply to re-join the board.

Decision Making and Resources

The Tenant Board will make use of data and tenant feedback to decide a maximum of 3 scrutiny projects a year. This decision can only be made when at least four tenant board members are present at the meeting.

The Tenant Board will also provide monitoring of the budget spend and can make recommendations on the Greater Places projects. This is Capital funded Neighbourhood Improvements through the Greater Places scheme.

It is expected that the panel will reach agreement by consensus. However, if agreement cannot be reached a vote will take place and in the event of votes for and against being equal the Chair will have a second or casting vote.

Tenants and Leaseholders will be supported and where required and will be offered training to enable them to be as effective in their role as possible.

Each member will receive two 1-2-1's per year with the Tenant Engagement Co-ordinators to ensure continuous professional development of the Tenant Board.

Scrutiny Function

The Tenant Board will direct our scrutiny activities for the year based on information they are presented or have requested.

The scrutiny activities will vary depending on the topic identified and could be done through a variety of methods. Scrutiny panels will be recruited to carry out the scrutiny activity by the Tenant Board with support from the Tenant Engagement Co-ordinators. The groups will usually include tenants who have experience of the service being scrutinised. The scrutiny panels will work with necessary staff who will collate a list of recommendations to improve the service.

The Tenant Board will present any recommendations from scrutiny projects to the Overview and Scrutiny Committee biannually. The Overview and Scrutiny Committee can then add recommendations alongside the Tenant Board and will monitor the implementation of these recommendations.

Any decisions from the scrutiny activity that require Cabinet approval will taken to a Cabinet briefing by the Portfolio Holders. An update of the Tenant Boards activities will be provided to Cabinet Biannually. Cabinet members will also be briefed ahead of any reports going to

the Overview and Scrutiny Committee.



Accountability

The September meeting will be used as an annual review exercise to review the tenant boards activities from the previous year (April-March) to:

- review the current Terms of Reference.
- set tenant influence budget.
- agree a new Chair for coming year (Runs September- August).
- review the Tenant Engagement Annual Report and the Annual Report to Tenants.

All group members are accountable for all actions assigned to them at the meeting and must ensure that action updates are reported back to the group within the agreed timeframe.

I, the undersigned, have read and understood the Terms of Reference and its implications and agree to adhere to the above

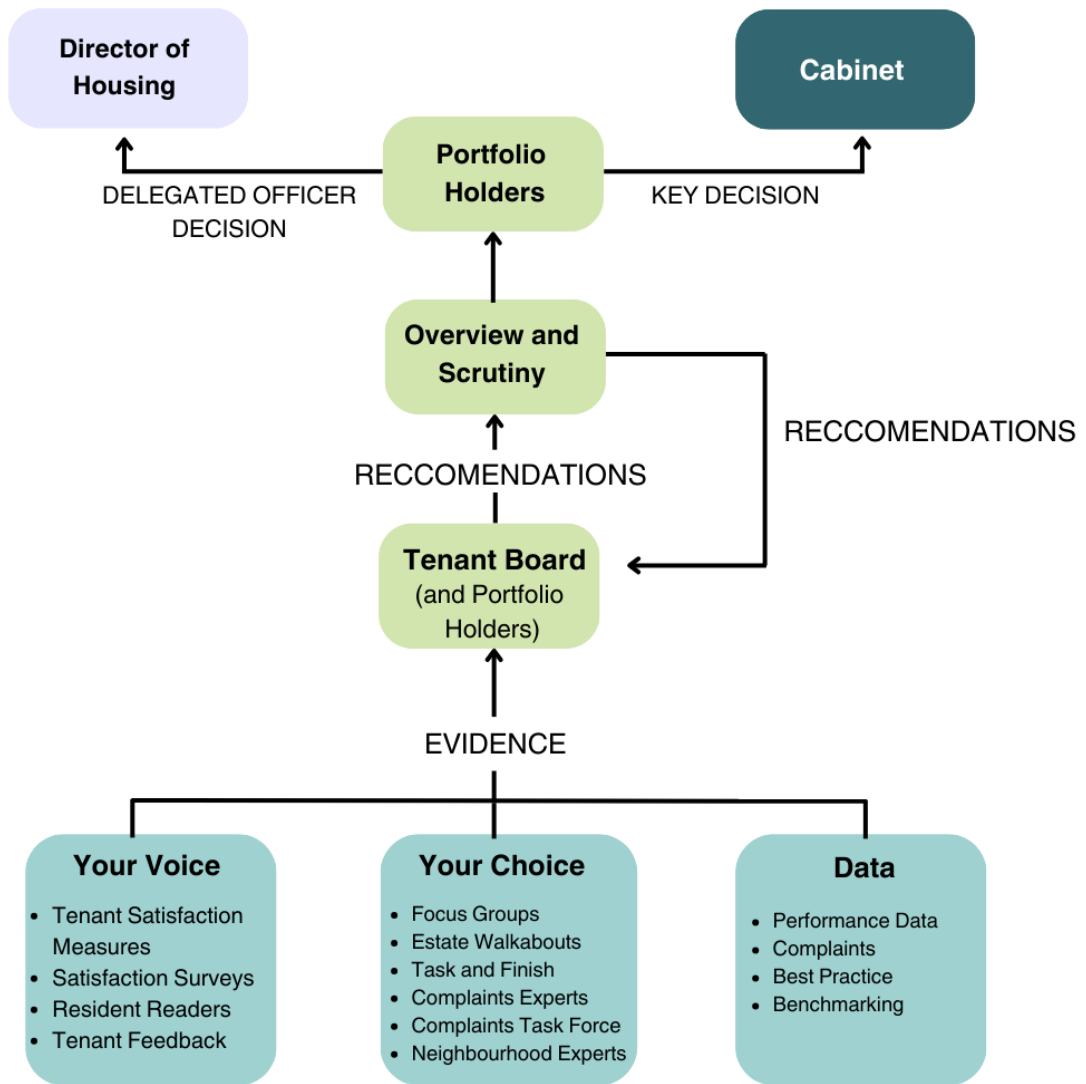
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Appendix A
Scrutiny Flow Chart



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Regulator of
Social Housing

Annex 3 Safety and Quality Standard

Consumer standards

1 April 2024



1. Required outcomes

1.1 Stock quality

- 1.1.1 Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants¹.

1.2 Decency

- 1.2.1 Registered providers must ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator.

1.3 Health and safety

- 1.3.1 When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.

1.4 Repairs, maintenance and planned improvements

- 1.4.1 Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.

1.5 Adaptations

- 1.5.1 Registered providers must assist tenants seeking housing adaptations to access appropriate services.

¹ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Stock quality

- 2.1.1 Registered providers must have an accurate record at an individual property level of the condition of their homes, based on a physical assessment of all homes and keep this up to date.
- 2.1.2 Registered providers must use data from across their records on stock condition to inform their provision of good quality, well maintained and safe homes for tenants including:
 - a) compliance with health and safety legal requirements
 - b) compliance with the Decent Homes Standard
 - c) delivery of repairs, maintenance and planned improvements to homes, and
 - d) allocating homes that are designed or adapted to meet specific needs appropriately.

2.2 Health and safety

- 2.2.1 Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
- 2.2.2 Registered providers must ensure that all required actions arising from legally required health and safety assessments are carried out within appropriate timescales.
- 2.2.3 Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.

2.3 Repairs, maintenance and planned improvements

- 2.3.1 Registered providers must enable repairs and maintenance issues to be reported easily.
- 2.3.2 Registered providers must set timescales for the completion of repairs, maintenance and planned improvements, clearly communicate them to tenants and take appropriate steps to deliver to them.
- 2.3.3 Registered providers must keep tenants informed about repairs, maintenance and planned improvements to their homes with clear and timely communication.
- 2.3.4 Registered providers must understand and fulfil their maintenance responsibilities in respect of communal areas.

2.3.5 Registered providers must ensure that the delivery of repairs, maintenance and planned improvements to homes and communal areas is informed by the needs of tenants and provides value for money, in addition to the requirement at 2.1.2.

2.4 Adaptations

2.4.1 Registered providers must clearly communicate to tenants and relevant organisations how they will assist tenants seeking housing adaptations services.

2.4.2 Registered providers must co-operate with tenants, appropriate local authority departments and other relevant organisations so that a housing adaptations service is available to tenants where appropriate.



Regulator of
Social Housing

Transparency, Influence and Accountability Standard

Consumer standards

1 April 2024



1. Required outcomes

1.1 Fairness and respect

1.1.1 Registered providers must treat tenants² and prospective tenants with fairness and respect.

1.2 Diverse needs

1.2.1 In relation to the housing and landlord services they provide, registered providers must take action to deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants.

1.3 Engagement with tenants

1.3.1 Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered and communicate how tenants' views have been considered.

1.4 Information about landlord services

1.4.1 Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.

1.5 Performance information

1.5.1 Registered providers must collect and provide information to support effective scrutiny by tenants of their landlord's performance in delivering landlord services.

1.6 Complaints

1.6.1 Registered providers must ensure complaints are addressed fairly, effectively, and promptly.

² Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Diverse needs

- 2.1.1 Registered providers must use relevant information and data to:
- a) understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs; and
 - b) assess whether their housing and landlord services deliver fair and equitable outcomes for tenants.
- 2.1.2 Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.
- 2.1.3 Registered providers must ensure that landlord services are accessible, and that the accessibility is publicised to tenants. This includes supporting tenants and prospective tenants to use online landlord services if required.
- 2.1.4 Registered providers must allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.

2.2 Engagement with tenants

- 2.2.1 Registered providers must give tenants a wide range of meaningful opportunities to influence and scrutinise their landlord's strategies, policies and services. This includes in relation to the neighbourhood where applicable.
- 2.2.2 Registered providers must assist tenants who wish to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services. This includes in relation to the neighbourhood where applicable.
- 2.2.3 Registered providers must provide accessible support that meets the diverse needs of tenants so they can engage with the opportunities in 2.2.1 and 2.2.2.
- 2.2.4 Registered providers must support tenants to exercise their Right to Manage, Right to Transfer or otherwise exercise housing management functions, where appropriate.
- 2.2.5 Registered providers, working with tenants, must regularly consider ways to improve and tailor their approach to delivering landlord services including tenant engagement. They must implement changes as appropriate to ensure services deliver the intended aims.

2.2.6 Where a registered provider is considering a change in landlord for one or more tenants, or a significant change in management arrangements, it must consult affected tenants on its proposals at a formative stage and take those views into account in reaching a decision. The consultation must:

- a) be fair and accessible
- b) provide tenants with adequate time, information and opportunities to consider and respond
- c) set out actual or potential advantages and disadvantages (including costs) to tenants in the immediate and longer term, and
- d) demonstrate to affected tenants how the consultation responses have been taken into account in reaching a decision.

2.3 Information about landlord services

2.3.1. Registered providers must provide tenants with accessible information about the:

- a) available landlord services, how to access those services, and the standards of service tenants can expect
- b) standards of safety and quality tenants can expect homes and communal areas to meet
- c) rents and service charges that are payable by tenants, and
- d) responsibilities of the registered provider and the tenant for maintaining homes, communal areas, shared spaces³ and neighbourhoods.

2.3.2 Registered providers must provide tenants with accessible information about tenants' rights in respect of registered providers' legal obligations and relevant regulatory requirements that registered providers must meet in connection with the homes, facilities or landlord services they provide to tenants. This must include information about:

- a) the requirement to provide a home that meets the government's Decent Homes Standard;
- b) the registered provider's obligation to comply with health and safety legislation;
- c) the rights conferred on tenants by their tenancy agreements including rights implied by statute and/or common law, in particular—
 - (i) the right to a home that is fit for human habitation; and

³ 'Shared spaces' are those spaces associated with a registered providers' homes and used by their tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

- (ii) the right to receive notice of a proposed visit to carry out repairs or maintenance or to view the condition and state of repair of the premises; and

d) the rights of disabled tenants to reasonable adjustments.

2.3.3 Registered providers must communicate with affected tenants on progress, next steps and outcomes when delivering landlord services.

2.3.4 Registered providers' housing and neighbourhood policies must be fair, reasonable, accessible and transparent. Where relevant, policies should set out decision-making criteria and appeals processes.

2.3.5 Registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers, including who has responsibility for compliance with the consumer standards.

2.4 Performance information

2.4.1 Registered providers must meet the regulator's requirements in relation to the tenant satisfaction measures set by the regulator as set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements.

2.4.2 Registered providers must:

- a) collect and process information specified by the regulator relating to their performance against the tenant satisfaction measures. The information must be collected within a timeframe set by the regulator and must meet the regulator's requirements in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements
- b) annually publish their performance against the tenant satisfaction measures. This should include information about how they have met the regulator's requirements set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements. This information must be published in a manner that is timely, clear, and easily accessed by tenants; and
- c) annually submit to the regulator information specified by the regulator relating to their performance against those measures. The information must be submitted within a timeframe and in a form determined by the regulator.

2.4.3 In meeting 2.4.1 and 2.4.2 above, registered providers must ensure that the information is an accurate, reliable, valid, and transparent reflection of their performance against the tenant satisfaction measures.

2.4.4 Registered providers must provide tenants with accessible information about:

- a) how they are performing in delivering landlord services and what actions they will take to improve performance where required
- b) how they have taken tenants' views into account to improve landlord services, information and communication
- c) how income is being spent, and
- d) their directors' remuneration and management costs.

2.5 Complaints

2.5.1 Registered providers must ensure their approach to handling complaints is simple, accessible and publicised.

2.5.2 Registered providers must provide accessible information to tenants about:

- a) how tenants can make a complaint about their registered provider
- b) the registered provider's complaints policy and complaints handling process
- c) what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled, and
- d) the type of complaints received and how they have learnt from complaints to continuously improve services.

2.6 Self-referral

2.6.1 Registered providers must communicate in a timely manner with the regulator on all material issues that relate to non-compliance or potential non-compliance with the consumer standards.



Regulator of
Social Housing

Neighbourhood and Community Standard

Consumer standards

1 April 2024



1. Required outcomes

1.1 Safety of shared spaces

1.1.1 Registered providers must work co-operatively with tenants⁴, other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces⁵.

1.2 Local cooperation

1.2.1 Registered providers must co-operate with relevant partners to promote social, environmental and economic wellbeing in the areas where they provide social housing.

1.3 Anti-social behaviour and hate incidents

1.3.1 Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing.

1.4 Domestic abuse

1.4.1 Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

⁴ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

⁵ 'Shared spaces' are those spaces associated with a registered providers' homes and used by their tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

2. Specific expectations

2.1 Local cooperation

- 2.1.1 Registered providers, having taken account of their strategic objectives, the views of tenants and their presence within the areas where they provide social housing, must:
- a) identify and communicate to tenants the roles registered providers play in promoting social, environmental and economic wellbeing and how those roles will be delivered; and
 - b) co-operate with local partnership arrangements and the strategic housing function of local authorities where they are able to assist local authorities in achieving their objectives.

2.2 Anti-social behaviour and hate incidents

- 2.2.1 Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.
- 2.2.2 Registered providers must clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.
- 2.2.3 Registered providers must enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
- 2.2.4 Registered providers must provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to them.
- 2.2.5 Registered providers must support tenants who are affected by ASB and hate incidents, including by signposting them to agencies who can give them appropriate support and assistance.

2.3 Domestic abuse

- 2.3.1 Registered providers must have a policy for how they recognise and effectively respond to cases of domestic abuse.

2.3.2 Registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation.



Regulator of
Social Housing

Tenancy Standard

Consumer standards

1 April 2024



1. Required outcomes

1.1 Allocations and lettings

- 1.1.1 Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants⁶ and prospective tenants into account.

1.2 Tenancy sustainment and evictions

- 1.2.1 Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.

1.3 Tenure

- 1.3.1 Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.
- 1.3.2 They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.

1.4 Mutual exchange

- 1.4.1 Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.

⁶ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Allocations and lettings

- 2.1.1 Registered providers must co-operate with local authorities' strategic housing functions and assist local authorities to fulfil their duties to meet identified local housing need. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements.
- 2.1.2 Registered providers must seek to allocate homes that are designated, designed, or adapted to meet specific needs in a way that is compatible with the purpose of the housing.
- 2.1.3 Registered providers must develop and deliver services that seek to address under-occupation and overcrowding in their homes. These services should be focused on the needs of tenants.
- 2.1.4 Registered providers must take action to prevent and tackle tenancy fraud.
- 2.1.5 Registered providers must have a fair, reasonable, simple and accessible appeals process for allocation decisions.
- 2.1.6 Registered providers must record all lettings and sales as required by the Continuous Recording of Lettings (CORE) system.

2.2 Tenancy sustainment and evictions

- 2.2.1 Registered providers must provide services that support tenants to maintain their tenancy or licence and prevent unnecessary evictions.
- 2.2.2 Registered providers must provide tenants required to move with timely advice and assistance about housing options before the tenancy or licence ends.

2.3 Tenure

- 2.3.1 Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out:
 - (a) The type of tenancies they will grant.
 - (b) Where they grant tenancies for a fixed term, the length of those terms.
 - (c) The circumstances in which they will grant tenancies of a particular type.
 - (d) Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years in general needs housing following any probationary period.

- (e) The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property.
- (f) The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.
- (g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.
- (h) The advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy.
- (i) Their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members.

2.3.2 Registered providers must grant general needs tenants a periodic secure or assured (excluding periodic assured shorthold) tenancy, or a tenancy for a minimum fixed term of five years, or exceptionally, a tenancy for a minimum fixed term of no less than two years, in addition to any probationary tenancy period.

2.3.3 Before a fixed term tenancy ends, registered providers shall provide notice in writing to the tenant stating either that they propose to grant another tenancy on the expiry of the existing fixed term or that they propose to end the tenancy.

2.3.4 Where registered providers use probationary tenancies, these shall be for a maximum of 12 months, or a maximum of 18 months where reasons for extending the probationary period have been given and where the tenant has the opportunity to request a review.

2.3.5 Registered providers shall grant those who were social housing tenants on the day on which section 154 of the Localism Act 2011 comes into force, and have remained social housing tenants since that date, a tenancy with no less security where they choose to move to another social rented home, whether with the same or another landlord. (This requirement does not apply where tenants choose to move to accommodation let on Affordable Rent terms).

2.3.6 Registered providers shall grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.

2.4 Mutual exchange

- 2.4.1 Registered providers must offer a mutual exchange service which allows relevant tenants potentially eligible for mutual exchange, whether pursuant to a statutory right or a policy of the registered provider, to easily access details of all (or the greatest practicable number of) available matches without payment of a fee.
- 2.4.2 Registered providers must publicise the availability of any mutual exchange service(s) it offers to its relevant tenants.
- 2.4.3 Registered providers must provide support for accessing mutual exchange services to relevant tenants who might otherwise be unable to use them.
- 2.4.4 Registered providers must offer tenants seeking to mutually exchange information about the implications for tenure, rent and service charges.



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The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.

JOINT OVERVIEW AND SCRUTINY ACTION TRACKER

Updated 30th April 2024 - AN

The purpose of this action tracker is to document and track the progress of all recommendations made by the Joint Overview and Scrutiny Committee. This tracker seeks to inform committee members on the implementation of their recommendations and the subsequent decisions reached by Cabinet if required. This tracker is updated ahead of and following each meeting of the Committee.

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
22.04.24 Babergh	BOS/23/13	Call-In of the Decision Made on Item Bca/23/48 at Babergh Cabinet on 8 April 2024	Refer the matter back to the Cabinet for reconsideration with the following observations: <ul style="list-style-type: none"> • That Cabinet are presented with, and give sufficient consideration to, the details of a 1-hour free tariff option within the report; • That Cabinet give further consideration to the local economic impact of the proposed changes to the car parking fees; • That Cabinet give further consideration to the impact of the proposed changes to the car parking fees on those facing poverty in rural settings; • That Cabinet give further consideration to the impact of the proposed changes to the car parking fees on vulnerable individuals in the district; • That officers meeting with Great Cornard Parish Council prior to the Cabinet meeting; • That the previous recommendations made by the committee are further reviewed and considered. 	ME	Will be taken to Cabinet in May/June 2024.	Ongoing

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
22.04.24 Joint	JOS/23/39	An Overview of the Handling Processes for Enforcement Caseload	1.1 That the Joint Overview and Scrutiny Committee notes the report and asks the Officers to take on board the comments made by the Committee.	N/A		Completed
			1.2 That the Joint Overview and Scrutiny Committee notes that the Joint Member/Officer working group is being established to review the revised JLPEP and PEPS to assess implementation and achievement of desired outcomes as expected by Council in March 2023.	N/A		Completed
			1.3 That the Joint Member/Officer working group review and consider appropriate enforcement performance metrics based upon the JLPEP standards for case closure, serving of notice, and other formal actions.	TB / SB		Not Started
			1.4 That Planning Enforcement be encouraged to keep a record of individuals and companies found committing multiple data breaches.	TB / SB		Not Started
			1.5 That the Joint Member/Officer working group be requested to carry out a review of resourcing within the Planning Enforcement team to encourage a proactive approach to enforcement and introduce the implementation of spot checks to monitor compliance.	TB / SB		Not Started
			1.6 That the Joint Member/Officer working group review whether the criteria used to determine whether a site is "untidy" complies with the Councils biodiversity strategies.	TB / SB		Not Started
	JOS/23/40	Joint Housing Assistance Policy Under the Regulatory Reform Order	1.1 That the Joint Overview and Scrutiny Committee encourages the Cabinet to approve recommendations 3.1., 3.2., and 3.3. as set out in the paper.	DF / AAY	Will be taken to Cabinet in June 2024.	Ongoing

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
18.03.24	BOS/23/10	Proposed Car Parking Charges and Road Traffic Orders	1.1 That the Director for Operations and Climate Change takes on board the comments made by the Babergh Overview and Scrutiny Committee.	ME	Minor amendments were made to the report in light of comments made by the Committee.	Completed
			1.2 That Officers provide more detailed clarification on the amendments made to the information and proposals set out in the Cabinet report as a result of the consultation process.	ME	Details that had been amended due to feedback from the consultation process were better highlighted in the report.	Completed
			1.3 That Officers be requested to set out in the report to Cabinet a proposed range of tariffs that include a free parking period of 1 hour and its associated costs.	ME	Discussed informally by Cabinet. A free period is modelled to reduce expected income by 33% making further parking and sustainable travel investment unviable. This option was not presented in the report and an amendment by a Cabinet Member to include a free parking period was rejected by Cabinet on a vote of 6 against - 2 for.	Rejected
			1.4 That Officers further explore with Suffolk County Council the possibility of introducing on-street resident parking permits across the District, that more information on this type of scheme be included in the report to Cabinet, and investigate implementing an appropriate policy.	ME	Recommendation 3.9 in the Cabinet paper " <i>The Director of Operations and Parking Services Manager continue to engage with the councils where council car parks are located and any groups making representation, and carry out more detailed local survey work to bring forward proposals to continue to improve parking as set out in the council's car parking strategy, which may include residents parking zones</i> " incorporates this recommendation by Scrutiny.	Completed
			1.5 That Officers review whether a rebate system could be implemented in Hadleigh, Sudbury, and Lavenham in car parks serving doctors surgeries and medical centres.	ME	Recommendation 3.7 in the Cabinet Paper " <i>The Director of Operations and Parking Services Manager continue to engage with health, mobile health screening and village community centres which are accessed via or occasionally sited on council car parks, as to the feasibility and appropriateness of utilising the councils' virtual permits and enforcement in managing parking for their patients and visitors</i> " incorporates this recommendation by Scrutiny.	Completed
			1.6 That the Director for Operations and Climate Change continues to consider and create shared value for residents by enhancing the councils offer for non-contact, long term parking permits using intelligent parking control processes such that residents are recognised as community stakeholders.	ME	Recommendation 3.10 in the Cabinet Paper " <i>The Director for Operations and Parking Services Manager continues to consider how to enhance the councils offer for contactless, longer term parking permits, using intelligent parking control processes that benefit and offer value to residents</i> " incorporate this recommendation by Scrutiny.	Completed
			1.7 That Officers include more information and context about the rural setting of the Districts, the current reliance on car use to travel, and the accessible parking provisions needed to adequately meet this need.	ME	Discussed by Cabinet in the meeting.	Completed
			1.8 That the Monitoring Officer be asked to investigate allegations of pre-determination raised by the Overview and Scrutiny Committee in regard to members of the Cabinet.	JR	Dealt with via email exchange (dated 21/03/2024) and addressed at the beginning of the Cabinet meeting by the Monitoring Officer.	Completed

18.03.24	BOS/23/10	Proposed Car Parking Charges and Road Traffic Orders	1.9 That Officers give further consideration to the issues raised concerning school pick-ups and drop-off as well as carers and medical staff visiting patients.	ME	Discussed by Cabinet in the meeting and Officers have committed to give further consideration to these issues and explore introducing a school parking permit scheme.	Completed
			1.10 That Officers are encouraged to retain the cash and card system for paying parking permits to avoid moving to a cashless system.	ME	Officers have stated that retaining a cash and card system provides accessibility to the service and that government advice in this area will be monitored closely.	Completed
			1.11 That Cabinet are made aware of the Committee's concerns regarding the process followed during the handling of the parking petition considered by Full Council on 20th February.	ME	Cabinet informed. The Monitoring Officer addressed concerns regarding the process at the beginning of the Cabinet meeting and clarified that the petition was considered in a manner that abided to the process set out in the Constitution.	Completed

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
14.03.24	JOS/23/32	Review of the Implementation of the Culture, Visitor, and Heritage Economy Strategy	1.1 That the Joint Overview and Scrutiny Committee notes the report and commends the Officers for the work undertaken in delivering the Strategy.	N/A		Completed
			1.2 That Officers take on board the comments made by the Committee, particularly regarding accessibility, marketing, and public consultation, and incorporate these into the future delivery of the Strategy.	ZB		Completed
			1.3 That the Cultural Working Group, in conjunction with the Community Grants Review, are requested to explore expanding the scope of locality grants to incorporate funding support for young people looking to engage with culture and the arts.	ZB		Ongoing
			1.4 That Officers explore various methods of further communicating the Strategy and its aims to a wider audience.	ZB		Ongoing
			1.5 That the Cabinet Members for Planning be asked to note the Committee's concerns towards the potential for overdevelopment of the Districts and that the SPD for Heritage and Culture be examined to better protect the tourism and culture offer that is currently available.	SD / AS		Ongoing

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
22.01.24	BOS/23/05	General Fund (GF) and Housing Revenue Account (HRA) 2024/25	1.1 That the draft revenue budgets set out in the report for the 2024/25 GF and HRA budgets be noted.	N/A		Completed
			1.2 That engagement with the public, specifically through media releases and Town & Parish Liaison meetings, be encouraged to help outline and provide clarity to the public regarding the budget pressures on the Council.	MeE/BJ	The next T&PL meeting are currently being scheduled for June.	Ongoing
			1.3 That the Council actively considers the deployment of certain services to Town and Parish Councils who have an appetite to accept functions currently carried out by the District.	AC		Ongoing

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
22.01.24	MOS/23/05	General Fund (GF) and Housing Revenue Account (HRA) 2024/25	1.1 That the draft revenue budgets set out in the report for the 2024/25 GF and HRA budgets be noted and that the new approach to budget setting is welcomed by the Overview and Scrutiny Committee.	N/A		Completed
			1.2 That further information on interest receivable and capital expenditure be included in future Overview and Scrutiny reports to provide a breakdown of interest for all projects and debts.	MeE		Included in future report
			1.3 That tables detailing the breakdown of information on aspects such as the increase in dwelling rents and service charging be included in future Overview and Scrutiny reports.	MeE		Included in future report
			1.4 That the lobbying of central government on the 1 year funding settlement being increased be continued.	MeE		Completed
			1.5 That officers explore incorporating accessibility improvements into the reports, including bridge charting, graphics, and a glossary, to provide Members with further clarity on the information provided.	MeE		Included in future report

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
20.11.23	MOS/23/01	Draft General Fund (GF) 2024/25 Assumptions	1.1 That the draft budget assumptions as set out in the report for the 2024/25 General Fund budget be noted.	N/A		Completed

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
20.11.23	BOS/23/01	Draft General Fund (GF) 2024/25 Assumptions	1.1 That the draft budget assumptions as set out in the report for the 2024/25 General Fund budget be noted.	N/A		Completed
			1.2 That the Director for Corporate Resources further assesses how the Council manages its income to further decrease the general fund deficit.	MeE		Completed

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
20.11.23	JOS/23/27	Homelessness Reduction and Rough Sleeping Strategy 2024	1.1 That the Overview and Scrutiny Committee commends the housing department for the work they are conducting to help reduce homelessness in the Districts and requests that officers taken on board the comments made at the meeting.	N/A		Completed
			1.2 That the Overview and Scrutiny Committee supports the vision and priorities of the draft Homelessness Reduction and Rough Sleeping Strategy and ensures that the Delivery Plan is reflective of the current challenges facing the Districts.	N/A		Completed
			1.3 That the Overview and Scrutiny Committee strongly supports the work being undertaken to meet the domestic abuse housing alliance accreditation.	N/A		Completed
			1.4 That Cabinet makes further plans to provide financial support for the services provided under the homelessness reduction and rough sleeping strategy beyond the end of the Rough Sleeper Initiative Funding in 2025.	DF/AAY	Communicated to Portfolio Holder and Leader.	Ongoing
			1.5 That Cabinet explores further means of providing assistance to those under 25 with becoming adequately housed in order to avoid an influx of young people becoming homeless.	DF/AAY	Communicated to Portfolio Holder and Leader.	Ongoing
			1.6 That Cabinet explores providing more resources to the housing department to assist with communicating about the services available from the Councils and Central Suffolk Lettings to those who are, or are at risk of becoming, homeless.	DF/AAY	Communicated to Portfolio Holder and Leader.	Ongoing

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
23.10.23	JOS/23/21	Annual Review of the Joint Homes and Housing Strategy	1.1 That Overview and Scrutiny Committee supports the strategic aims of the Homes and Housing Strategy ensuring the delivery plan is reflective of the current challenges facing the housing sector, whilst continuing to deliver the aims set out in the Homes and Housing Strategy.	N/A		Completed
			1.2 That officers explore ways of reducing the proposed 4-year timescale for completing a full stock condition audit of the Councils' properties.	DF/AAY	Methods have been explored and now the aim is to have a complete 100% audit of stock condition surveys within the calendar year.	Completed
			1.3 That Cabinet reconsiders the use of inhouse occupational therapists.	N/A	Communicated to Portfolio Holder and Leader.	Ongoing
			1.4 That Cabinet identify what housing is affordable in the private market to various demographics in the Districts to determine the most appropriate tenures to secure and deliver.	N/A	Communicated to Portfolio Holder and Leader.	Ongoing
			1.5 That officers incorporate a RAG status into future reports taken before Joint Overview and Scrutiny to provide more detailed focus on the associated risks of the delivery of the Strategy.	DF/AAY	Will be presented within the annual report that is scheduled to come to Overview and Scrutiny in October 2024.	Included in future report
			1.6 That the Cabinet undertake a clear refocus on housing and ensure that there is enough support for officers to achieve the housing needs of our residents.	N/A	Communicated to Portfolio Holder and Leader.	Ongoing

23.10.23	JOS/23/21	Annual Review of the Joint Homes and Housing Strategy	1.7 That officers are requested to involve all Members in any open sessions carried out by the Housing department.	DF		Completed
			1.8 That the Chief Planning Officer provides the Overview and Scrutiny Committee with an update on the number of dwellings with outstanding planning permission that have not yet begun construction.	PI/TB		Ongoing
			1.9 That officers identify residents who are most vulnerable so that services can be proactively designed around their needs and tailored to them when appropriate.	DF	Officers are now gathering information on resident vulnerabilities through customer satisfaction surveys which will form a data base, allowing officers to offer a more tailored service and support network.	Completed
			1.10 That Cabinet and officers explore methods of both providing and communicating to residents the option to downsize their properties.	N/A	Communicated to Portfolio Holder and Leader.	Ongoing
			1.11 That officers scrutinise and investigate private landlords before working collaboratively with them.	DF	Communicated to Portfolio Holder and Leader.	Ongoing
			1.12 That Cabinet reconsiders the means in which data is collected in support of community-led housing.	N/A	Communicated to Portfolio Holder and Leader.	Ongoing

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
18.09.23	JOS/23/15	Review on Current Levels of Untreated Sewage Discharges to Waters in Babergh and Mid Suffolk	1.1 That the Joint Overview and Scrutiny Committee thanks Anglian Water, the Environment Agency, Natural England, and the River Stour Trust for their attendance and for the answers	N/A	All recommendations presented to Council in October 2023.	Completed
			1.2 That the Chairs of Overview and Scrutiny provide a report and verbal update on the contents and outcomes of the Committee meeting at the next Full Council meetings.	AN		Completed
			1.3 That the Joint Overview and Scrutiny Committee requests for more information from the external representatives, specifically including the phosphate reducing programme, and asks that this be fed back to the Committee via an information bulletin.	AN		Completed
			1.4 That the Joint Overview and Scrutiny Committee requests for a wider publicity campaign for residents, staff, and Councillors regarding materials that cannot be put into the sewage system.	BJ		Completed
			1.5 That the Joint Overview and Scrutiny Committee requests for Cabinet to investigate the possibility of running a campaign regarding the provision of water butts for residents.	MaE		Completed
			1.6 That the Joint Overview and Scrutiny Committee requests for Council to consider supporting "citizen science" projects	N/A		Completed

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
21.08.23	JOS/23/08	CIFCO Performance Report (2022/23) and Business Plan (2023/24)	1.1 That the Joint Overview and Scrutiny Committee notes the CIFCO Business Trading and Performance Report and asks that the minutes of the meeting be taken into account when CIFCO is next considered at Full Council.	EA	Presented to Council on 18th September.	Completed
	JOS/23/09	Cost of Living: Review of 6 Month Plan and Beyond	1.1 To note phase 3 of the Cost of Living Action Plan and endorse the commitment to develop a longer term approach to preventing poverty, which seeks to understand the underlying drivers of poverty across both districts at a hyper-local level, through continued work with internal and external stakeholders and to include wider engagement with Town and Parish Councils.	SW/SL		Completed

Date	Item Ref	Item Title	Recommendations	Key Officer	Progress	Status
24.07.23	JOS/23/02	Western Suffolk Community Safety Partnership	1.1 That the Joint Overview and Scrutiny Committee notes the report and commends the Officers involved for their work within the Partnership.	N/A		Completed
			1.2 That an All Member Briefing and further training be delivered for all Councillors regarding the topics covered by the Western Suffolk Community Safety Partnership, including how to report ASB and an updated contact list.	DR/VM	26/01: Update requested from Officers. Awaiting response.	Not Started
			1.3 That a review of the current costs of Babergh and Mid Suffolk resources and the potential impact of further statutory responsibilities is undertaken and reported back to the Joint Overview and Scrutiny Committee.	DR/VM		Included in future report
			1.4 That the level of engagement with community groups within the Districts is incorporated into the next review of the Western Suffolk Community Safety Partnership and is reported to the Joint Overview and Scrutiny Committee.	DR/VM		Included in future report
			1.5 That a review is undertaken of the Western Suffolk Community Safety Partnership's position within the Babergh and Mid Suffolk Significant Business Risk Register.	DR/VM		Included in future report
			1.6 That more formal communication procedures are put in place between the Western Suffolk Community Safety Partnership and our Parish / Town Councils.	DR/VM	26/01: Update requested from Officers. Awaiting response.	Ongoing

Agenda Item 12

BABERGH OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2024/25:

TOPIC	PURPOSE	LEAD OFFICER	CABINET MEMBER
17 JUNE 2024			
15 JULY 2024			
Western Suffolk Community Safety Partnership	To conduct an annual scrutiny review of the works and aims of the WSCSP to fulfil statutory requirements.	Director – Sustainable Communities and Economy	Cabinet Members for People and Place
12 AUGUST 2024			
16 SEPTEMBER 2024			
14 OCTOBER 2024			
Annual Review of the Joint Homes and Housing Strategy	To conduct an annual scrutiny review of the work and aims of the Joint Homes and Housing Strategy.	Director - Housing	Cabinet Member for Housing
Tenant-led Scrutiny: 6 Month Review	To conduct a bi-annual review of the work scrutinised by the tenant board.	Director - Housing	Cabinet Member for Housing
11 NOVEMBER 2024			
Draft General Fund (GF) and Housing Revenue Account (HRA) – 2025/26 Assumptions	To scrutinise the draft versions and assumptions for the 2025/26 General Fund (GF) and Housing Revenue Account (HRA).	Director – Finance and Procurement	Cabinet Member for Finance, Assets, and Investments

16 DECEMBER 2024			
13 JANUARY 2025			
General Fund (GF) and Housing Revenue Account (HRA) – 2025/26	To scrutinise the final General Fund (GF) and Housing Revenue Account (HRA) figures before approval by Cabinet and Council.	Director – Finance and Procurement	Cabinet Member for Finance, Assets, and Investments
17 FEBRUARY 2025			
17 MARCH 2025			
Tenant-led Scrutiny: 6 Month Review	To conduct a bi-annual review of the work scrutinised by the tenant board.	Director - Housing	Cabinet Member for Housing
14 APRIL 2025			
12 MAY 2025			
CIFCO Performance Report (2024/25) and Business Plan (2025/26)	To conduct an annual scrutiny review into the CIFCO service and its delivery before reporting to Full Council.	Director – Property, Development, and Regeneration	Cabinet Member for Finance, Assets, and Investments

Agenda Item 13

MID SUFFOLK OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2024/25:

TOPIC	PURPOSE	LEAD OFFICER	CABINET MEMBER
20 JUNE 2024			
18 JULY 2024			
Western Suffolk Community Safety Partnership	To conduct an annual scrutiny review of the works and aims of the WSCSP to fulfil statutory requirements.	Director – Sustainable Communities and Economy	Cabinet Members for Thriving Towns and Rural Communities / Environment, Culture, and Wellbeing
15 AUGUST 2024			
19 SEPTEMBER 2024			
17 OCTOBER 2024			
Annual Review of the Joint Homes and Housing Strategy	To conduct an annual scrutiny review of the work and aims of the Joint Homes and Housing Strategy.	Director - Housing	Cabinet Member for Housing and Property
Tenant-led Scrutiny: 6 Month Review	To conduct a bi-annual review of the work scrutinised by the tenant board.	Director - Housing	Cabinet Member for Housing and Property
14 NOVEMBER 2024			
Draft General Fund (GF) and Housing Revenue Account (HRA) – 2025/26 Assumptions	To scrutinise the draft versions and assumptions for the 2025/26 General Fund (GF) and Housing Revenue Account (HRA).	Director – Finance and Procurement	Cabinet Members for Finance and Resources / Housing and Property

19 DECEMBER 2024			
16 JANUARY 2025			
General Fund (GF) and Housing Revenue Account (HRA) – 2025/26	To scrutinise the final General Fund (GF) and Housing Revenue Account (HRA) figures before approval by Cabinet and Council.	Director – Finance and Procurement	Cabinet Members for Finance and Resources / Housing and Property
20 FEBRUARY 2025			
20 MARCH 2025			
Tenant-led Scrutiny: 6 Month Review	To conduct a bi-annual review of the work scrutinised by the tenant board.	Director - Housing	Cabinet Member for Housing and Property
17 APRIL 2025			
15 MAY 2025			
CIFCO Performance Report (2024/25) and Business Plan (2025/26)	To conduct an annual scrutiny review into the CIFCO service and its delivery before reporting to Full Council.	Director – Property, Development, and Regeneration	Cabinet Member for Finance and Resources