

Housing Standards Working Group Report



As presented to the Scrutiny Overview Committee – 18 April 2024



Walsall Council

Foreword from the Lead Member Councillor A. Hicken.

The Scrutiny Overview Committee asked members to form a working group to address concerns in regard to housing standards across the borough. As committee members, five of us volunteered to take on this task and have met over a number of months to examine evidence and conduct research. I am pleased to present the Housing Standards Working Group report along with a series of recommendations.

If this working group had been established just a few years ago this report would have looked very different. Over the last few years we as a society have faced the coronavirus pandemic, a cost of living crisis, and an incredible surge in the demand for housing. This has led to incredible pressures on both individuals and families not only across the borough of Walsall, but also nationwide.

A war in Europe has pushed rising energy prices and has plunged more residents into fuel poverty. There has become a fear of the cost of heating homes, which has discouraged people from ensuring that their home is kept at a healthy temperature. This has also contributed to less ventilation and worsening health conditions as a result.

The changing housing market and surge in demand has led to severe pressure on the housing waiting list. This has led to individuals and families living in properties which are not suited to their needs. This can range from individuals with accessibility issues, to families without enough bedrooms.

As we have seen during the coronavirus pandemic that people depend upon access to public open space. As residents increasingly live in properties that are unsuitable for their needs access to good local amenities is essential.

Members of this working group have had to work within a tight timeframe for delivery of this report. As a result, we have conducted independent research to understand the difficulties which were facing residents. It has been challenging to understand the issues and to work through possible recommendations in such a short window of time. As part of our work, we questioned social housing landlords, private landlord representatives, and also from teams from across Walsall Council.

As we conclude our work, it has become clear that the standard of housing across the borough is not only unacceptable, in some areas it has worsened in recent years. This report shows the something clearly has to change. Over the last few years fuel poverty has grown as a result of rising energy bills. We also believe that health conditions caused or worsened by the standard of housing is avoidable and should be treated as such.

As well as concerns over the number of people on the housing waiting list, and the unsuitability of some properties, we also examined the risks to those living in temporary accommodation. There is a real risk that temporary accommodation

can become increasingly long-term as the demand for properties grows. This not only places significant financial pressure on local authorities, but also increases the harm of people being placed into unsuitable properties.

Whilst we cannot solve our housing crisis without government support, it has become clear that efforts to increase housing supply will alleviate some demand in the market. This will create opportunities for movement in housing supply and demand and create more opportunities to allocate the right homes to the right people.

We were pleased to hear that one of our local social housing landlords, whg, have partnered with local health providers to proactively solve housing issues that affect their residents. Work done in this area will possibly lead to health benefits and put less long-term pressure on healthcare providers. We believe that this kind of partnership work will help increase the quality of life for residents and is something that should be encouraged and expanded upon with other social housing providers.

We have also found through our work that social landlords are more likely to be engaged with retrofit projects than private landlords. Retrofit projects are likely to improve energy efficiency of dwellings and as such, lower heating bills and create a more comfortable environment for tenants. Private landlords are often dependent on grant schemes to engage in such projects, which means that their tenants can sometimes be faced with larger energy bills as their homes are less energy efficient.

We were also concerned that the move to reduce costs by eliminating gas supplies from properties, also meant that more residents were forced into expensive electric heating. This inadvertently increases the risk of individuals and families falling into fuel poverty, as their bills can sometimes be around four times more expensive than those with gas-powered heating systems.

We also examined energy performance of both existing and new build properties. We felt that it was of vital importance to see retrofits on existing properties, but also improved standards of new housing, so that the condition of housing across the borough improved. We found that there is a risk that even new build properties will not be built to a high enough standard to prevent the need for retrofitting in the future. This will lead to a additional costs that could have been avoided, and by their very nature, mean that families will be living in properties which could have been made to a better standard.

As part of our work to examine the condition of housing across the borough, we found that public amenity was of importance to those living in poor housing conditions. We have seen during the coronavirus pandemic that people value public spaces and that they can play a role in improving both mental and physical health. As such, we feel that investment in local parks and green spaces will improve the quality of life for residents.

Housing policies should take into account the need for open space if we are to build more housing. Higher densification of housing in existing areas will also

mean that more people will make use of green spaces. We should react accordingly and make sure that they are well placed to cater for their increased use. Investment in these areas may also help to achieve other health related targets.

In this report you will find further information and a series of recommendations that we believe should be considered by policymakers. I would like to thank all members of the working group for their input, and also to thank those who engaged with us in our work.

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Introduction and Context

Where people live impacts health, educational achievements, and life chances in general. Housing is a key determinant of health; poor quality housing being intrinsically linked with poor health. Condition of housing may either cause ill health or over the long term make health conditions worse. Addressing defect causes within homes can improve occupants' health and lower the costs to the NHS through fewer GP visits, fewer emergency admissions to hospital and fewer accidents that then require expensive and intensive rehabilitation.

Poor housing affects children particularly, not just in childhood but throughout their life. Guaranteeing all children, a decent quality home that their family can afford would transform lives for decades to come.

People should all be able to afford to rent or buy a home that meets their needs, whatever their income. Housing costs shouldn't stop people buying life's essentials or stand in the way of getting a job or higher pay.

All homes should be places of security and comfort, where people can relax free from risks and with the right support in place. Homes should support people's health and wellbeing, not make it worse.

Homes must be comfortable to live in, cheap to heat, and no longer reliant on burning expensive fuels for energy.

Investment in housing, and the dynamics of the housing market itself, have wide-ranging impacts on growth, jobs, skills, productivity, and financial stability at a local and national level. Housing strategies must actively support objectives for local growth and stability.

(‘Why We Need a Long-term Plan for Housing 2023’ - National Housing Federation)

Terms of Reference

The draft terms of reference were discussed and agreed by a meeting of the working group that took place on 23rd January 2024. The terms of reference were subsequently considered at a meeting of the Scrutiny Overview Committee on 14th March 2024.

The full version of the Working Groups terms of reference can be found at Appendix 1 to this report. The Working Group was supported predominantly by:

Elise Hopkins – Director (Customer Engagement)
Appollo Fonka – Strategic Housing and Standards Lead
Nikki Gough – Democratic Services Officer

Methodology

The Working Group has held six formal meetings during its investigations, considering the views of several witnesses. Members also met informally to progress their investigations.

The Working Group wished to understand how Walsall Council could design and deliver a long-term plan to meet the following themes, as set out in the National Housing Federation's report – 'Why we need a long-term plan for housing'.

1. Every child should live in a good quality, secure home with enough space to play and learn.
2. Everyone lives in a home they can afford, and that makes work pay.
3. Everyone lives in healthy and safe home, which meets their needs.
4. Everyone lives in a warm and energy efficient home.
5. Housing underpins local growth and economic stability.

In order to achieve this, adopted the following approach:

- Who do you want to see?
- When do you want to see them?
- What will you ask them?
- What other information will you want to see?

Members of the Working Group had regular informal meetings to information share and identify topics for further consideration. This was feedback at formal Working Group meetings.

Membership

The Working Group membership consisted of the following Councillors:

Councillor A. Hicken
Councillor A. Nawaz
Councillor V. Waters
Councillor M. Follows

Witnesses

The Working Group met and interviewed the following witnesses:

Director, Customer Engagement.
Strategic Housing and Standards Lead.
Representative from the Private Landlord Steering Group.
Whg
Green Square Accord.
The Head of Regeneration.
The Portfolio Holder for Regeneration

Working Group Findings

Enhancing Energy Efficiency

The cost of heating a home has risen in recent years, this has pushed families into fuel poverty. The Working Group considered how the reduction of energy bills was key to improving not only comfort levels, but also the quality of houses. Residents can be fearful of adequately heating and ventilating their home due to the high cost, this worsens health conditions and affects the fabric of the property through damp and mould.

Members discussed the ways in which high quality insulation, on both new builds and retrofits, could be used to lower energy bills for residents whilst maintaining or increasing the health of residents and their homes. Concern was expressed that there was a large stock of older homes within the Borough, meaning that fuel bills would remain high, and the housing standard would remain poor.

It was acknowledged by the Working Group that some work had been done by Registered Social Landlords to improve their properties, Private Landlords often relied on Government subsidies to fund such works. Without sufficient grant funding available, the Working Group were concerned that private landlords would be unwilling to improve the energy performance of their properties. As the percentage of those in rented accommodation increases, this leaves an increasing number of residents at risk of higher energy bills and suffering from health conditions linked to their home. The Working Group would therefore like to see higher quality homes being constructed, with energy efficiency being a key consideration in construction.

The Working Group heard that the Council had adopted the Home Energy Conservation Act Action Plan, which sought to tackle fuel poverty within the Borough. In addition to working with energy companies to seek to bring funds and help to residents, the Council had a duty to enforce minimum energy efficiency standards in private rented properties under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, which established a minimum level of energy efficiency for privately rented property in England and Wales.

Members discussed that energy efficiency and the reduction of energy bills for residents should be a key focus. It was acknowledged that an energy efficient home was more enjoyable and healthier to live in. The Working Group felt that it was important to encourage the adoption of better building standards for new constructions and the retrofitting of existing buildings with energy-efficient technologies. As new developments were created, communities could benefit from enhanced energy saving measures. It was acknowledged that homes built with better energy efficiency reduced energy usage and had lower energy bills, thus fuel poverty could be reduced. Members felt that in this request, consideration of appropriate energy efficiency should be done wherever possible, but with a particular focus on affordable homes.

Independent research was conducted by Members, and through this it became apparent that the current model of Energy Performance Certification was becoming increasingly ineffective in calculating energy efficiency improvements. Consideration was given to the suitability of the Energy Performance Certification (EPCs) and the benefits that this provided to residents. The Working Group was concerned that EPCs were not fit for purpose and suggested that a new approach to assess energy efficiency should be considered as EPC's were not effective at assessing the true energy cost of a property. This undermined efforts to create more affordable and healthier homes in communities. A Working Group Member provided information on 'Passivhaus', which was a system that used just 10% of the energy to heat a home compared to the UK average property would only ever reach an EPC-rating of 'C' due to the criteria used.

Members felt that it would be beneficial for the local authority to work with Registered Social Landlords to develop a comprehensive programme for retrofits to make homes more energy efficient. Members considered the role of the West Midlands Combined Authority and the Local Authorities' role in managing the issuing of grants for the renovation of social housing and in developing and managing a retrofit plan for Walsall. As part of this plan, it was considered beneficial to examine which areas of the Borough were most in need of energy saving measures and to assess the cost of such a plan.

Quality of Housing

The Working Group considered the standard of housing in Walsall and was informed by the Strategic Housing and Standards Lead that the following types of complaints were most prevalent from service users:

1. Issues relating to damp and mould.
2. Excess cold due to lack of heating.
3. Falls around the home.

Preventing and treating damp and mould was highlighted by the Working Group as a priority. The Working Group considered ventilation and felt that it would be beneficial to conduct assessments to identify measures which could address any issues identified. This could include retrofitting older buildings with new ventilation systems or installing trickle ventilation.

Census data indicated that 7.8% of properties in Walsall had electrical central heating, which increased to above 35% in some areas of the Borough, and increased to 60-80% in some particular areas. The cost of heating properties using electric panel and oil radiators was far higher than other heating systems. The Working Group was concerned that an increasing number of tenants were facing fuel poverty, were struggling to heat their homes, and may therefore be fearful of allowing adequate ventilation into their properties. This could inevitably cause long-term health problems and should be a serious public health concern. The Working Group thought that improving the overall standard of housing by ensuring landlords were informed and engaged was important.

Members felt that poor air quality impacted on housing standards, and that a pro-active approach to the maintenance of properties to prevent poor health should be adopted by the local authority – this should include work to make sure that air quality was monitored.

The Working Group were supportive of a scheme operated by Walsall Housing Group which received referrals from healthcare providers if there was a health issue which could be related to housing standards. It was felt that this could be further expanded to identify such links and support that could be provided to residents.

There was an acknowledgment that the impact of anti-social behaviour on residents' health and wellbeing. Although outside of the remit of the Working Group it was suggested that the Council should give further consideration to the impact of anti-social behaviour on the quality of life of residents and how it could be tackled.

There was a concern regarding the increased use of temporary accommodation due to ongoing difficulties in the housing sector. This brings both a higher cost to the Council, but also often places families in unsuitable or unsustainable properties. It was suggested that where possible, and whilst demand dictated, reclaimed land and new housing supplies should be utilised to cater for those families currently living in temporary accommodation to mitigate this issue.

Promotion of Housing Standards

The Working Group learned that the Housing Standards Service in Walsall was until August 2023, provided as part of the Housing Standards and Improvement Team. However, this team had been incorporated into Housing & Resettlement. Members were informed that the work of the team and noted that the team was principally one of law enforcement to secure remedial works in dwellings and supporting activities for landlords to help them provide safe and healthy dwellings for their tenants. Providing advice to tenants and acting as liaison between tenants and landlords was also routine for the team.

The Working Group heard that the Council responded to queries and complaints from tenants and other residents regarding problem private properties and where appropriate, took enforcement action using a range of legislation. Over the past 6 years, the team had received an average of around 715 service requests annually. Most of these related to general advice on tenancy related matters and to unsafe and dangerous living conditions in privately rented dwellings.

Members of the Working Group were happy to hear that the Housing Standards Team had a close working relationship with other sections of the Council including, Housing & Welfare Support, Community Protection, Environmental Health, Legal, Asset Management, Public Health, Planning and Building Control. It also worked closely with external organisations such as the West Midlands Fire and Rescue Service and the West Midlands Police. The Group noted that there were often overlaps between housing standards work and community protection enforcement functions such as empty properties, elements of drainage, structural noise in residential properties, and rubbish accumulations and pest infestation in residential premises.

There was a recognition of the role of the team in regulating the private rented sector and to improve the standard of properties through enforcement action, education, advice, and grant assistance. This was achieved through property inspections/visits, preparing, and issuing enforcement notices, preparing and issuing financial penalty fines, dealing with service requests, processing and issuing HMO and caravan site licences, reviewing and commenting on relevant planning applications, and seeking to bring long term nuisance empty properties back into use.

The Working Group considered the Renters Reform Bill which proposed considerable changes to the private rented sector with the intention of creating more security for tenants. Because the changes were so significant, the Government had consulted with tenants, landlords and agents.

The Working Group heard details of the proposed changes as detailed in the Renters Reform Bill, which included the following: -

- Section 21 or 'no fault evictions' would be abolished. Landlords would not be able to evict tenants after the end of a fixed term without giving a specific reason.
- Rented properties would not have a fixed term, they would have a "periodic tenancy" which means a rolling tenancy each month and no specific end date.

Two months' notice would be required by the landlord/tenant for the tenant to leave unless there were issues with rent payments or anti-social behaviour.

- Rents to be increased on an annual basis only, requiring two months' notice and tenants would be allowed to challenge excessive rises.
- Landlords would be required to join an Ombudsman Scheme.
- A new 'Privately Rented Property Portal' would be introduced to give landlords and tenants information on their rights and responsibilities. The portal would ensure that landlords demonstrated they were compliant with lettings legislation for example, showing their membership of the Ombudsman Scheme, who owned the property and the property's energy performance.
- Landlords would not be able to flatly refuse tenants with pets unless the property wasn't 'suitable', for example a large dog in a small flat or ownership was banned by a leasehold agreement. Both landlords and letting agents should be able to require pet insurance to cover any damages.
- Local authorities would be given more enforcement powers to crack down on criminal landlords.

In the future, landlords would also be required to provide homes which were of a specified 'decent standard' and would not be able to reject tenants because they had children or received benefits.

The Working Group was advised that where new legislation was introduced, there was often no corresponding resources to allow for its enforcement. For example, the proposals to the sector through the Renters Reform Bill. If approved, this bill would bring in additional responsibilities that the team would have to comply to on behalf of the Council. As such, additional requirements, would lead to an increased volume of work.

It was noted that there was not a national register of landlords in Walsall, however, there was a mailing list of landlords who had opted to join. This was alongside a landlord steering group to discuss common themes between landlords, the Council and other partners. The Working Group met with the Chair of the Landlord Steering Group to discuss challenges faced by the sector and explore the support it needed to provide a high quality of housing to Walsall residents. This included a better partnership with the Council and access to information and support in a timely manner. Members heard that this was previously provided and had been of great benefit to the sector.

There was a consideration of the challenges facing the sector, which included the complexity of the regulatory framework along with limited resources and capacity within Councils. It was noted that there was a lack of awareness of rights and responsibilities among both tenants and landlords. There were concerns that due to an ever-increasing housing demand, there was an imbalance of power between landlords and tenants, and this limited choice in the market. Members also considered the fast-changing nature of the sector (Air BnB, guardianship, rent-to-rent).

There was an acknowledgement that there were numerous high-quality landlords and letting agents providing a range of property types throughout the Borough to meet a broad range of housing needs. Whilst the biggest proportion of the private rented sector was well run by responsible landlords there was a serious concern about the housing standards of the bottom end of the housing market and the vulnerable residents who accessed it.

Housing Supply and Demand

The Working Group heard from the Group Chief Executive and the Corporate Director of Operations & IT (whg) and considered the context and history of the social housing stock transfer in 2003. As part of this discussion, it was noted that Walsall's affordable housing stock had remained static over the last decade accounting for a quarter of the stock. Housing growth (5.7%) had kept up with household growth (4%) between 2011 and 2021 (ONS 2011 & 2021 Census), private sector properties made up 16% of the total stock.

The Group questioned challenges facing the social housing sector and was informed that demand far outweighed the supply of housing, despite whg being the biggest house builder in Walsall. An issue for whg was the lack of land supply, and often premium priced land. Land which had previously been used for industrial use was often uneconomical for landowners to sell, the Working Group was informed that construction costs had increased by 25%. Members also learned that it could prove difficult for whg to source contractors.

The Chief Executive informed the Group that a significant proportion of their stock was under occupied, despite efforts to provide incentives to free up larger houses. It was acknowledged that this may in part be due to close knit communities who did not want to move from their locality. To continue to build and invest more homes in the Borough it may be necessary to densify and design homes in a different way.

The types of homes being built was discussed and it was noted that it could depend upon the size of the site, although often a range of properties were built. Members wished to explore the use of modular homes in Walsall, however the Chief Executive stated that this type of housing would not necessarily achieve a quicker turnaround. This type of housing was not, by default, of better quality or cheaper by a significant amount to be of benefit. whg prioritised build quality, and it was stressed that a more energy efficient home had a higher build cost.

Members were informed that a key form of private rented property in Walsall was Houses in Multiple Occupation (HMO). The Working Group learned that the definition of a HMO included bedsits, shared houses, flats, lettings with their own facilities but which were not self-contained, and some types of poorly converted 'self-contained' flats. HMOs were properties that were occupied by a least 3 different tenants, forming more than 1 household whereby the tenants shared facilities such as cooking or sanitary facilities. The Working Group were concerned that HMO's may not provide a good standard of housing.

An assessment of HMO conditions (based on the 2019 Stock Condition Survey) had been undertaken and the details below summarised some key data:

- 2,030 HMOs (11.3% of all private rented stock).
- 356 HMOs (17.5% of all HMOs) have a Category 1 hazard.

Members discussed HMOs and were informed that in general they were both a popular and valuable type of residence for many younger residents and for residents on lower incomes who needed an affordable home. It was a more accessible form of tenure for many vulnerable residents than other forms. The Council was committed to ensuring that this type of accommodation, as with other forms, were of a good quality. Quality in this type of accommodation was represented by homes that were kept in good repair condition, not overcrowded, were safe and offered a reasonable standard of basic amenities such as bathrooms, bedrooms, and kitchens. It was recognised however, that there were landlords and agents who were not managing their HMOs effectively, however the Working Group noted the work of the Council to mitigate this issue.

The Head of Planning presented information in relation to a 'Article 4 direction' which was described as the removal of permitted development rights (meaning small HMOs would need to apply for planning permission). Walsall Council did not currently use Article 4 Directions to restrict houses in multiple occupation, however the Council had commissioned a company to gather data to determine if there was a need to apply for an Article 4 Direction. It was clarified that Article 4 Directions were for perpetuity. The use of supplementary planning documents (SPDs) was explored as a tool to improve the standard of HMOs. Officers confirmed that these could be built into the Walsall Local Borough Plan. When considering Article 4 directions, the Working Group felt that the following point should be acted upon and carried out:

- a) Conduct consultations with stakeholders, including landlords, tenants, local residents, businesses, and community groups to justify the introduction of the direction.
- b) Create detailed guidance documents for property owners, outlining the requirements and implications of the Article 4 direction including information as such as planning permissions, exemptions, and the application process for converting properties into HMOs.
- c) Allow a reasonable transition period for existing HMOs and those in the planning stages, providing clarity on how existing properties will be treated and any grace periods for compliance.
- d) Outline a clear enforcement strategy for non-compliance, including penalties and the process for addressing unauthorised HMOs.
- e) Provide resources and support for landlords to understand their responsibilities under the new regulations and for tenants to understand their rights.
- f) Establish a system for monitoring the impact of the Article 4 direction on the local housing market and community. Regularly review and, if necessary, adjust the approach to ensure it remains effective and responsive to changing circumstances.
- g) Launch a public awareness campaign to inform the community about the Article 4 direction, its objectives, and the benefits it aims to bring to the area.
- h) Consider collaborating with neighbouring local authorities to ensure a coordinated approach to HMO management, especially in areas where housing markets are interconnected such as the neighbouring Black Country authorities.

- i) Encourage the improvement of HMOs' sustainability and living standards by linking the Article 4 direction with broader housing quality initiatives, such as energy efficiency programs and minimum space standards.

The Working Group found that due to the lack of housing availability, residents were more likely to be in properties which were unsuitable for their needs. From growing families to people with accessibility issues, the definition of unsuitable was very dependent on the circumstances of the individual or family.

As the demand for housing increases and the availability of properties remains a challenge, the Working Group considered it important that a solution was found to these issues. Living in unsuitable properties could pose a risk to the health of the occupant and affect their quality of life.

Healthy Spaces and Communities

The Working Group felt that the promotion of healthy spaces and communities was integral to the overall wellbeing of residents and contributed to the social, economic, and environmental vibrancy of an area. Members felt that further work should be done by the Council to facilitate healthy spaces when new developments were at the planning stage. If new developments considered physical activity, social cohesion, and access to green spaces it would benefit the health and wellbeing of communities.

The Working Group considered extreme weather events and measures that could take place to reduce their impact on communities. The following methods were considered to be of benefit and could be investigated further by the Council.

- a. Flood defences.
- b. Heatwave mitigation through tree planting and reducing the urban heat island effect.
- c. Sustainable urban drainage systems.

A Member conducted independent research into the principles outlined in the National Planning Policy Framework (NPPF) section on 'Promoting Healthy and Safe Communities'. Members felt that it was essential that communities were able to benefit from well maintained and good quality public amenities. As was seen during the pandemic, parks and open spaces were highly valued among residents and were beneficial in improving mental health and increasing levels of physical activity. As housing challenges continue, the Working Group considered good public amenities to be essential for health and wellbeing.

Local Planning Policies and the Housing Strategy

The Working Group received and considered the Housing Strategy, which aimed to deliver the Walsall Plan priorities and support the Council's other strategies.

Members considered its six objectives:

1. Increase housing supply and choice for our residents.
2. Improve the energy efficiency of homes.
3. Improve housing conditions and tackle rogue landlords.
4. Create and maintain resilient and integrated communities.
5. Promote independent living, and health and wellbeing.
6. Preventing and reducing homelessness.

Members of the Working Group discussed key targets that had been set to deliver the strategy and the progress made to achieve these. The Group noted key targets and deliverables set in the Housing Strategy including achieving 25% of affordable housing on all applicable sites, which had been accomplished.

The Working Group considered that the Walsall Borough Local Plan outlined the Council's vision for the Borough. Policies should promote sustainable development while protecting and enhancing the local environment. Members acknowledged that the Council was in the process of preparing the Walsall Borough Local Plan and suggested that this was an opportunity to influence and shape the way that homes were built in the Borough.

Policies in relation to 'Technical Housing Standards', particularly with a focus on aspects like the 'Nationally Described Space Standard' (NDSS) were considered crucial for ensuring quality, sustainability, and comfort in housing. By focusing on these areas, new housing developments could not only meet the minimum space and quality requirements but also contribute positively to the overall living environment and community well-being.

The Working Group considered the following areas of benefit:

- Regular review of local building regulations and alignment with the latest Technical Housing Standards and best practices in housing design and construction.
- Technical Housing Standards to emphasise sustainability and accessibility.
- Implementation of a robust system for monitoring and evaluating the impact of the Technical Housing Standards on new housing developments.
- The balance of high standards alongside the need for affordable housing.
- Partnership work with housing associations, non-profit organisations, and community housing groups to ensure that standards were met in all sectors of the housing market, including social housing.

Conclusion

As part of the Working Groups efforts to examine housing standards across the Borough, Members have become concerned at the issues facing families and individuals. There is a large proportion of individuals living in fuel poverty, and the standard of some housing is poor. Preventing and treating damp and mould should be particularly highlighted as a cause of deep concern.

Improving the standard of the housing stock in Walsall is a complex situation which does not have a simple fix. New build suitable housing for residents is dependent upon land availability and willingness of owners to supply that land, which is linked to commercial viability for the landowner. Where land is secured for construction and homes are built to a higher standard/more energy efficient this is more expensive to construct and purchase/rent – which is again linked to commercial viability. Social landlords in the Borough face issues with land availability and cost, and demand far outweighs supply.

Retrofitting of older stock is costly, slow and can displace residents, meaning careful partnership working is needed if any future large-scale schemes were to be planned. Social landlords will need to consider if retrofitting older homes is cost effective and the best way to improve housing standards in the Borough.

It is clear that, all Partners have a role to play in ensuring that the current and future housing stock of Walsall is of a good standard. This work will be underpinned by the Housing Strategy and legislation which gives the Council the power to become involved where necessary. The Group noted that the issues faced in Walsall are replicated nationally, with no clear best practice to draw from.

Through the investigations and information gathered by the Working Group, several recommendations have been identified and are listed below. These include work to educate homeowners/landlords, the improvement of existing properties and the construction of new properties. This combined with the use of planning policies can help to improve and future proof properties for the future – providing a higher standard of housing for Walsall residents.

Recommendations

Enhancing Energy Efficiency

In order to improve the standard of housing in Walsall, the following is recommended:

1. That the Council consider a grant scheme or other incentives for property owners who improve their buildings energy performance.
2. That the 2025 – 2030 Housing Strategy contains priorities and actions on retrofitting properties to improve energy efficiency.
3. The Council works in partnership with Registered Social Housing Landlords and other Partners to review the cost effectiveness and benefits of retrofitting the housing stock in Walsall.
4. That Cabinet calls upon the West Midlands Combined Authority to write to the Government requesting that Councils be given the power to be more actively involved in the retrofitting plans for their area.
5. The Chairman of the Housing Standards Working Group, in conjunction with the Chair of the Scrutiny Overview Committee, write to Government to call for a review the methodology used to create Energy Performance Certificates to ensure they remain fit for purpose.

Quality of Housing

To improve the quality of housing in Walsall, the Council should:

6. Launch public awareness campaigns to educate residents and businesses about the importance of good ventilation and indoor air quality, including practical tips for improving air flow and reducing indoor pollutants.
7. Implement a program for monitoring indoor air quality in public buildings, such as schools, libraries, and community centres, to ensure they meet health-based standards. Publish the results to promote transparency and accountability.
8. Extend the scheme operated by WHG in offering housing assessments for individuals with health conditions living in all housing types.
9. Integrate ventilation and air quality improvements into broader climate adaptation plans, ensuring that buildings remain resilient and habitable as temperatures rise and air quality challenges increase.
10. Include air ventilation as a metric in future stock condition surveys.

Promotion of Housing Standards

11. That the Council should consider the following actions in relation to the promotion of Housing Standards:
 - a) Ensure regular inspections of privately rented properties to ensure compliance with housing standards and use enforcement powers to compel landlords to carry out necessary repairs and improvements, especially in cases where tenants' health and safety are at risk.

- b) Run public awareness campaigns to educate both landlords and tenants about the importance of regular maintenance, the potential health impacts of neglected repairs, and the support available from the council.
 - c) Support community-based initiatives and social enterprises that provide free or low-cost repair and maintenance services, especially targeting vulnerable populations or areas with higher needs.
 - d) Develop a robust system for reporting and tracking housing repair issues within the private rented sector.
 - e) Offer training and resources for landlords on property maintenance, legal responsibilities, and best practices in property management.
12. The Council should consider the assignment of a link officer to improve engagement with the Landlord Steering Group and the establishment of a Registered Social Landlord steering group to improve access to support services for landlords and to share best practice and common issues.

Housing Supply and Demand

13. Building on the work of the Derelict Land Taskforce, a Housing Land Taskforce be established to:
- a) unlock the borough's land supply, to continue to identify underused, derelict, or brownfield sites within the borough for residential development.
 - b) Engage with the West Midlands Combined Authority and/or Homes England to utilise their CPO powers to assist with this objective.
 - c) Set a target for the completion of a number of Compulsory Purchase Orders on derelict land and empty properties each year.
14. The Council should consider the evidence in favour of applying for an Article 4 direction to provide a strategic approach to manage and control the number of HMOs, ensuring that housing standards and community cohesion are maintained. If possible, the Article 4 direction should cover the entire Borough of Walsall, and/or a particular focus on areas where the proliferation of HMOs could detrimentally impact the housing market or community balance. This should include the following objectives:
- Preserving housing stock for families.
 - Maintaining neighbourhood character.
 - Ensuring a balanced community.
 - Sufficient provision for cooking and washing facilities.
15. The Council introduce policies to control and manage the growth of HMOs in a sustainable and proportionate way – limiting the effects of over-supply on local communities. The policy should also consider off-street parking, the sandwiching effect, radius, and proximity of other HMO's.
16. The Council should investigate the potential to establish a local lettings agency within the Council to manage private rental properties on behalf of landlords, offering a guaranteed rent scheme to provide a more cost-effective source of temporary accommodation and better standards for tenants.

Healthy spaces and Communities

To create healthy spaces and communities, the Council should consider the following:

17. New developments should contribute positively to the health and wellbeing of community by reducing environmental pollution and by engaging with communities in the planning process.
18. Develop policies to deal with climate change prevention measures to reduce vulnerabilities of communities to extreme weather events.

Local Planning Policies

That in recognition of the importance of the Walsall Borough Local Plan and associated planning policies, the following points are considered for inclusion:

19. Promote higher standards of construction, in relation to energy efficiency, for new build properties in the upcoming Walsall Borough Local Plan and associated planning documentation as required, such as Passivhaus.
20. That as part of the Walsall Borough Local plan the following should be promoted:
 - a. Mechanical ventilation systems are installed as standard on new-build.
 - b. Heat exchanger technology to recover heat and therefore lower energy usage whilst still maintaining adequate ventilation.
 - c. New builds to exceed national standards for ventilation and indoor air quality. (This would include advanced ventilation systems that ensure a consistent supply of fresh air).
 - d. Promote the development of green roofs, walls, and other green infrastructure, which can improve outdoor air quality and reduce pollution infiltration into buildings.
 - e. Consider introducing air quality as a planning consideration.
21. Technical Housing Standards, including space standards, are integrated into the local development plans and frameworks, such as the Walsall Borough Local Plan. This integration should consider the specific needs and characteristics of the local area while adhering to national standards.
22. Formally adopt the Nationally Described Space Standard within local planning policies to ensure that all new dwellings meet minimum space requirements. (This adoption should be backed by clear enforcement mechanisms to ensure compliance).
23. Ensure that the technical housing standards emphasise sustainability and accessibility, energy efficiency, water conservation, and design features that support aging in place and accessibility for people with disabilities.

Scrutiny Overview and Scrutiny Committee – Housing Standards Working Group

Initiation Document

Working Group Name:	Housing Standards Working Group
Committee:	Scrutiny Overview Committee
Municipal Year:	2023/24
Chair:	Councillor Hicken
Lead Officers:	Elise Hopkins (Director, Customer Engagement) Appollo Fonka (Strategic Housing and Standards Leas) Nikki Gough (Democratic Services Officer)
Membership	Councillors A. Nawaz, V. Waters, P. Bott, A. Hicken, Follows
Co-opted Members	Not specified

Context

- 1.1 During the first round of Overview and Scrutiny meetings, Housing Standards was identified as a potential working group topic. It was agreed that this Working Group would commence in January 2024.
- 1.2 Where people live impacts health, educational achievements, and life chances in general. Housing is a key determinant of health; poor quality housing being intrinsically linked with poor health. House condition may either cause ill health or make it worse. Addressing defect causes within homes can improve occupants' health and lower the costs to the health service through fewer GP visits, fewer emergency admissions to hospital and fewer accidents that then require expensive and intensive rehabilitation.
- 1.3 Poor housing affects children particularly severely, not just in childhood but throughout their life. Guaranteeing all children, a decent quality home that their family can afford would transform lives for decades to come.
- 1.4 People should all be able to afford to rent or buy a home that meets their needs, whatever their income. Housing costs shouldn't stop people buying life's essentials, or stand in the way of getting a job or higher pay.
- 1.5 All homes should be in places of security and comfort, where people can relax free from risks and with the right support in place. Homes should support people's health and wellbeing, not make it worse.
- 1.6 Homes must be comfortable to live in, cheap to heat, and no longer reliant on burning expensive fuels for energy.
- 1.7 Investment in housing, and the dynamics of the housing market itself, have wide-ranging impacts on growth, jobs, skills, productivity and financial stability

at a local and national level. Our housing strategy must actively support our objectives for local growth and stability.

Objectives

- 2.1 To determine how Walsall Council can design and deliver a long-term plan to meet the following themes, as set out in the National Housing Federation's report – 'Why we need a long-term plan for housing'.
- 2 Every child should live in a good quality, secure home with enough space to play and learn.
- 3 Everyone lives in a home they can afford, and that makes work pay.
- 4 Everyone lives in healthy and safe home, which meets their needs.
- 5 Everyone lives in a warm and energy efficient home.
- 6 Housing underpins local growth and economic stability.

Scope

In order to review the Borough's readiness to meet the themes outlined in the plan the working group will consider the following:

- 'Why we need a long-term plan for housing' - National Housing Federation's report.
- Stock Condition Survey 2019.
- Walsall Council Housing Strategy.
- Housing availability and need.
- Understanding the responsibility of tenants and landlords.
- Feedback from local residents.

In addition to the above we will also consider the readiness of other providers such as:

- Social Housing providers.
- Private Landlords.
- Housing of Multiple Occupation providers.

Equalities Implications

The Equality Act 2010 protects children, young people and adults against discrimination, harassment and victimisation in relation to housing, education, clubs, the provision of services (including healthcare) and work.

The public sector equality duty in Section 149 of the Equality Act requires public bodies, including local authorities and healthcare providers, to take active steps to eliminate discrimination and to do positive things to promote equality.

Who else will contribute?

6.1 Walsall Housing Group, Green Square Accord, Head of Regeneration, Cabinet Members National Housing Federation, National/local landlord forums. Feedback from local residents.

Timescale and Reporting Schedule

The following dates are based upon the need for the working group to be completed in the same municipal year:

Terms of Reference to be approved by Overview Scrutiny Committee – 6 February 2024

Draft report to be considered by Working Group – Early April 2024

Final report to be considered by Overview and Scrutiny Committee – 18 April 2024

A detailed timetable of meetings and activities can be found at Appendix A.

Risk Factors

The following table documents potential obstacles to the progress of the working group:

Risk	Likelihood	Mitigation
Short timescale to complete work.	Medium	Realistic expectations of what can be achieved. Clearly defined objectives and timetable.
Social Landlords are not able to engage within timescale.	Medium	Invite Partners as soon as possible, allow virtual attendance.
Objectives of the Group are broad within the timescales available.	Medium	Members complete research and information gathering outside of meeting – report back at meetings.

Appendix A Timetable

Date at 5pm.	Activity
23 rd January	Initial meeting – Terms of Reference agreed.
6 th February	Terms of Reference presented to Scrutiny Overview Committee.
13 th February	Information and evidence gathering by Working Group.
26 th February	Information and evidence gathering by Working Group.
12 th March	Information and evidence gathering by Working Group.
21 st March	Information and evidence gathering by Working Group.
8 th April	Draft conclusions and recommendations agreed by Group.
18 th April	Present final report and recommendations to Scrutiny Overview Committee.