

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 15 September 2020 at 2.15 pm

### **Present**

#### **Councillors**

R J Dolley (Chairman)  
Mrs E M Andrews, G Barnell, J Cairney,  
D R Coren, L J Cruwys, C J Eginton,  
S J Penny and Mrs C P Daw

### **Apologies**

#### **Councillor**

S J Clist

### **Also Present**

#### **Councillors**

R Evans, F W Letch, R F Radford, C R Slade,  
Ms E J Wainwright, B G J Warren and Mrs N Woollatt

### **Also Present**

#### **Officers**

Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Claire Fry (Housing Services Operations Manager), Ian Chilver (Group Manager for Financial Services), Mike Lowman (Building Services Operations Manager) and Sarah Lees (Member Services Officer)

## **14 APOLOGIES AND SUBSTITUTE MEMBERS**

Cllr S J Clist had sent his apologies to the meeting. He was substituted by Cllr G Barnell.

## **15 PROTOCOL FOR REMOTE MEETINGS**

The protocol for remote meetings was noted.

## **16 PUBLIC QUESTION TIME**

Mr Quinn, a local resident, asked a question relating to agenda Item 8 – Financial Monitoring.

You will be getting the same verbal Financial Monitoring report that has been given to other Committees and Groups in this cycle. In it, you will be told that £600,000 is being taken from the Housing Revenue Account to settle a 'long running contractual dispute'.

The public have already asked questions, but got no answers - because the matter is subject to a 'confidentiality agreement'. The Officer giving the verbal Financial Monitoring report will probably be saying the same to you.

It seems strange that a 'confidentiality agreement' should have been signed, when much of information on this matter has already been put into the public domain - by both this Council and the liquidator of Pemberton Homes.

Council Officers have published risk reports informing Members of problems with the Palmerston Park and Birchen Lane developments and that a claim against the Council was being considered. Officers stated they were confident that any claim would be rebuffed, as they had obtained 'appropriate legal advice' before the Council terminated the contract – so the risk was 'low'.

The liquidator for Pemberton Homes Limited published the fact that a claim had been made against the Council in respect of the 'alleged wrongful termination of the contract'. The value of the claim was said to be nearly 7 Million Pounds.

The costs of dealing with this claim will also have come out of the Housing Revenue Account, so the total loss on this matter is much more than £600,000.

This is public money and its loss will have a significant impact. Questions should be asked and answered.

This 'confidentiality agreement' ensures that Officers can avoid answering difficult questions, from the public, about the loss of this public money. But Members can ask - internally.

My question to you is:

**What do Members of the Housing PDG intend to do about the loss, to the Housing Revenue Account, of more than £600,000 from this matter?**

The Chairman stated that since this matter was covered by a 'confidentiality agreement' the Group were not allowed to discuss, ask questions or put forward ideas about this issue in open session.

Mr Gerald Conyngham then asked a question in relation to item 9 on the agenda, concerning the Syrian Refugee Resettlement Scheme. He stated that..... I am the convenor of Welcoming Refugees in Crediton. Our original aim was to campaign for Mid Devon to join the Syrian Resettlement Programme which has happened and a commitment made to take up to 5 families over 5 years. Currently there are 3 families in the District. Our family arrived in March this year just before lockdown so their activities have been very restricted. However they have settled well, are learning English on line and have an allotment. Our group have organised some activities for them to meet people, within the Government guidelines.

We are not a community sponsorship group, however we welcome the plan to encourage community sponsorship and are pleased to hear there is a group in the District set up for this purpose. Not every community is able to undertake the work involved in community sponsorship and so we would like the council to back both types of scheme in the future ie Government and local authority run schemes (especially the new UK Refugee scheme) which are run in partnership with RSD and local communities, as well as community sponsorship schemes. Especially since the local authority scheme does not now involve work for MDDC officers since the work is contracted out to an agency run by South Hams and West Devon. So far only 3 families have been rehoused in mid Devon whereas the target is 5.

My question to the committee is:

Will you back both types of schemes to enable more refugee families to come to Mid Devon, agree to join the new UK Refugee scheme, and commit to take at least 5 families, in addition to community sponsorship ones, once restrictions are lifted?

Anthea Duquemin spoke in relation to the same issue....I am the person who bought the house in Crediton that is being used for the resettlement scheme. I am really delighted with the way that things have worked out and I want to thank the committee and Mid Devon District Council for resolving previous difficulties by agreeing to use SeaMoor Lettings Agency as a third party solution. It seems to work well for everyone involved and SeaMoor make letting the house through the scheme completely simple for me as the landlord and as I understand it there are no associated problems for the Council. All costs to the Council are taken care of through the funds that are administered by the County Council. The family who live in my house are fantastically appreciative of their new lives in Crediton. They have received brilliant support from 'Welcome Refugees to Crediton and they seem to be settling in very well as Gerald has just said. There is no evidence of them experiencing problems similar to those mentioned in the report and it really seems that everything associated with the house in Crediton has been positive.

I am now aware of a specific person who wants to replicate the experience by buying a house for the resettlement scheme in Crediton. This person has cash and is actively looking for a property to buy that would fit the resettlement scheme requirements. With knowledge of how supportive 'Welcoming Refugees to Crediton Group' is and how well the family have settled, it seems ideal to introduce one more family to the town. Whilst the Crediton Group isn't well enough resourced to operate the community sponsorship scheme, they are brilliant at providing the level of contact needed and compliment the services of the refugee support network. It also appears as though the Crediton community have been generally welcoming and there is no reason to believe that another new family from Syria or elsewhere couldn't settle in equally well.

The report notes that 3000 pledges of support have been received from local authorities against a national target of 5000 for the year leading up to March 2021 so Mid Devon District Council's original pledge of 5 families to be resettled presumably means that our remaining 2 places are part of that pledge? So can the committee tell me please, once the international Covid restrictions are lifted sufficient for resettlement to happen again will the Council commit to honouring its original pledge of resettling 5 families under the Resettlement Scheme and can they reassure the potential house buyer that if the house is bought and can be approved suitable for the Resettlement Scheme, will the Council allow for at least 1 more family to be resettled in Crediton either under the existing Syrian Resettlement Scheme or under the UK Resettlement Scheme, whichever is current at the time when the house is approved?

The Chairman stated that the questions posed in relation to this item would be answered once the Syrian Resettlement Scheme was discussed at item 9 on the agenda.

## 17 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (00:00:18)**

Members of the Group declared the following personal interests in respect of items on the agenda:

- Cllr Mrs Eileen Andrews was a council tenant.
- Cllr Graeme Barnell taught English to Syrian refugees in Exeter.
- Cllr Jim Cairney had been to several meetings in Crediton to do with the resettlement of Syrian refugees.
- Cllr Mrs Chris Daw lived in the Westexe area.
- Cllr Ron Dolley was the Ward Member for Westexe, the ward where the Palmerston Park and Birchen Lane developments were and which were referred to in Mr Quinn's question.

**Note: ADDENDUM TO MINUTES – at a meeting of the Homes Policy Development Group on 10<sup>th</sup> November 2020 the Group agreed the following – that an amendment be made to minute no. 17 (Declaration of Interests under the Code of Conduct), in that the first bullet point be amended to read ‘Cllr Mrs Eileen Andrews is a council tenant.’**

## 18 **MINUTES (00:00:21)**

The minutes of the meeting held on 21 July 2020 were confirmed as a correct record.

## 19 **CHAIRMAN'S ANNOUNCEMENTS (00:00:24)**

The Chairman thanked Cllr F Letch, who had been replaced on the Group by Cllr S Clist, for his previous commitment and contributions to the work of the Homes Policy Development Group.

## 20 **PERFORMANCE & RISK REPORT (00:00:25)**

The Group had before it, and **NOTED**, a report \* from the Group Manager for Performance, Governance and Data Security providing it with an update on performance against the Corporate Plan and local service targets for 2020/2021 as well as providing an update on the key business risks.

The contents of the report were outlined with reference to the following:

- Since the publication of the report a number of targets which had shown as not being met were now back on track. This was the case with the number of empty homes. The report had stated that this would not be reported on next year but it was felt that, as part of a review of the housing strategy, reporting in this area would still be a valuable performance indicator.
- Work in the gas servicing area had been particularly challenging during the lockdown period with some tenants being loathed to let people in to their homes. However, this was now coming back on track since the easing of the restrictions.
- It was confirmed that 240 boilers had been checked.
- The full extent of the pandemic on housing supply and homelessness was yet to be seen. Nationally the country was in a deep, far reaching, recession and

this was likely to be reflected with regard to risk management for some time to come.

Discussion took place with regard to:

- Whether it was possible to have target data in the report with regard to Houses of Multiple Occupation (HMO's) showing the number that should be registered and licenced. It was explained that an appropriate metric was being investigated, however, the number of HMO's available was not under the control of the Council. A percentage number could be applied as to an appropriate minimum number but the response from landlords varied from case to case. It was up to landlords whether or not they wished to have their properties licenced.
- Whether it would be useful to have a metric for social rented housing and affordable housing reflected in the report going forwards. It was explained that officers would discuss this with the Cabinet Member and agree a way forward.

Note: \* Report previously circulated; copy attached to the signed minutes.

## 21 **FINANCIAL MONITORING (00:00:36)**

The Group Manager for Finance provided the Group with a verbal update regarding the financial position so far in the year and highlighted the following key pieces of information:

- Information was now available from 1 April to the end of July 2020 showing the effect of the pandemic on the Council's finances so far.
- As at the end of June the Council had been looking at a deficit of £1.5m, however, this had reduced to a deficit of £1.2m as at the end of July.
- Significant income deficits were predicted in the areas leisure services and housing rents. Against this some salary savings had been identified and the opening up of the Leisure Centres was helping to improve the position month by month.
- A number of grant receipts had been received from central Government to help local Councils. This would include assistance under the Income Protection Scheme. The Council would receive 75p in every pound for predicted income losses over 5%. Work was currently being undertaken to predict those losses and it was anticipated that the deficit predicted of £1.2m may reduce to £0.4m as a result of the Income Protection Scheme with the balance having to be found elsewhere.
- Post lockdown recovery was continuing but the Council remained very cautious as the upward trajectory was very slow and there was still a lot of uncertainty.
- With regard to the Housing Revenue Account, the predicted deficit was just over £1m with the vast majority of this being related to the loss of housing rental income.

A question was asked as to what the predicted saving would be terms of Members mileage claims for the whole year given that meetings were currently being held remotely by Zoom and would continue to be for some time yet. The Group Manager for Finance stated that he did not have the exact information to hand but that he would circulate this to the Group following the meeting.

The information provided was **NOTED**.

**Note: ADDENDUM TO MINUTES – at a meeting of the Homes Policy Development Group on 10<sup>th</sup> November 2020, the Group agreed the following – that an amendment be made to minute no. 21 in that the last bullet point be amended to state:**

**‘With regard to the Housing Revenue Account, the predicted deficit was just over £1m. This relates to the settlement of a long standing contract dispute and the potential loss of housing rental income due to the pandemic’.**

## **22 SYRIAN VULNERABLE PERSONS REFUGEE SCHEME AND THE NEW UK RESETTLEMENT SCHEME (00:48:00)**

The Group had before it a report \* from the Group Manager for Housing Services providing a written briefing on the latest developments relating to the Syrian Refugee Settlement Scheme and the new United Kingdom Resettlement Scheme seeking decisions relating to the Council’s continuing involvement; and approval for a proposal made by a community sponsorship group to support the resettlement of an additional household in Mid Devon, and to agree consent to enable this to move forward.

The Group Manager for Public Health and Regulatory Services provided a response to the questions posed during Public Question Time:

### **Will you back both type of schemes to enable more refugee families to come to Mid Devon?**

Members had previously agreed to support the existing Syrian refugee scheme so this was not a specific matter for consideration in the report presented to the PDG today. The decision on whether to recommend to Cabinet whether MDDC takes part in the new UK Refugee scheme was covered by recommendation 2 of the report (item 9).

### **Commit to take at least 5 families?**

Potentially another family could be supported by the existing scheme, as set out in recommendation 1 of the report, subject to the scheme reopening post-Covid pandemic. Whether one or more additional families were supported under the new scheme was a matter for recommendation 3. Context on the numbers of additional families being supported by other Devon LAs was set out in section 8.5 of the report.

Regarding the question posed by Anthea Duquemin, the Group Manager stated that it was very challenging to provide assurance to a person wishing to purchase a property at this point in order to resettle a refugee family. There remained to be significant risks involved.

The contents of the report were outlined with particular reference to the following:

- There had been 3 families settled under the ‘old’ scheme, however, this scheme had currently paused nationally as a result of the pandemic.

- It was envisaged that the 'new' scheme would operate much in the same way as the 'old' scheme and would continue to be administered by Devon County Council.
- Regarding community sponsorship the Council was required to indicate whether to support this or not.
- The Council's involvement could be limited to the provision of a health and safety assessment of a property being made available to the scheme.

Consideration was given to:

- The number of families resettled by other local authorities in Devon.
- Problems caused by the rural locations of some of the properties in relation to transport, a lack of halal food, access to education and health care services.
- The generosity of the people of Crediton who had generally been very welcoming to the refugee families.
- Good transport links to and from Crediton and Exeter.
- Confusion regarding the total number of families to be permitted under the 'old' and 'new' scheme.

**RECOMMENDED** to the Cabinet that:

- a) The proposal made by a community sponsorship group with regard to the resettlement of an additional refugee household in the district under the existing Syrian Refugee Resettlement Scheme be approved.

(Proposed by Cllr J Cairney and seconded by Cllr G Barnell)

- b) The Council should take part in the new United Kingdom Refugee Scheme (UKRS).

(Proposed by Cllr G Barnell and seconded by Cllr J Cairney)

- c) A maximum of 5 additional families are supported through either the existing or the new scheme. Should the existing Syrian scheme reopen and be available locally then under existing commitments 2 of these additional 5 families should be supported through that scheme, leaving a balance of 3 families to be supported under the new UK scheme. If none or just 1 family can be supported under the Syrian scheme then the balance of placements should be rolled over into the new scheme.

(Proposed by Cllr Mrs C Daw and seconded by Cllr L Cruwys)

**Reason for the decision:**

The Council is required to agree the proposal relating to community sponsorship before it can go forward, in line with Home Office rules. However, once agreed, the community group will take the lead on this. The Council will be required to confirm that any property chosen complies with relevant health and safety legislation and will be invited to participate in post- arrival visits but there is no requirement to join these visits as DCC can take the lead and report back, as appropriate.

Other local authorities in Devon have pledged to support the UKRS and DCC are keen to promote Devon as a county welcoming to refugees.

Officers recommend that the decision relating to the number of households to be re-settled in the District under UKRS should take account of the pledges made by other local authorities in the County.

Note: (i) \* Report previously circulated; copy attached to the signed minutes.

(ii) Cllr C Eginton requested that his vote against recommendation (c) be recorded.

## 23 **GRASS VERGES LOCATED ON HOUSING REVENUE ACCOUNT LAND (01:46:00)**

The Group had before it a report \* from the Group Manager for Housing Services setting out the background and to agree a way forward with regard to decision-making relating to maintenance responsibilities for those grass verges which are located on land owned by the Housing Revenue Account.

The contents of the report were outlined and the complexity of the issues involved explained. The regulatory framework for social housing contains some consumer standards which are also relevant. The Neighbourhood & Community standard applies with regard to grounds maintenance on housing estates, and the Tenant Involvement and Empowerment Standard is also relevant. In line with this, tenants need to be consulted with in terms of any future proposals.

Since this was an issue which the Environment PDG were also interested in and they had been invited to attend the meeting to contribute to the discussion of this item.

Discussion took place regarding the following:

- There was no such thing as a traditional 'Council estate' anymore.
- The range, diversity and conflicting nature of opinion from various groups in relation to this issue.
- Biodiversity factors and the need for a possible policy in relation to this to link in with the work of the Net Zero Advisory Group.
- Funding pressures on the HRA especially given the imminent end of the current furlough scheme and its likely effect on rental receipts.
- The amount of confusion and frustration in relation to this ongoing issue.
- Whether a Task and Finish Group was the most productive or efficient way to proceed.
- The onerous extent of the consultation that would be needed with all interested parties including 62 Towns and Parishes.
- Whether a policy based approach was needed rather than a site by site approach.
- The need to move the issue forward somehow and present a position to the Cabinet for a final decision.

- The need for clear timescales and terms of reference for the Task and Finish Group.

The Group **RESOLVED** that a Task and Finish Group be established to consider the issue further and agree a way forward. This Group to consist of 3 Members from the Homes Policy Development Group (Cllrs: Mrs Andrews, L Cruwys and C Eginton) and also 3 Members from the Environment Policy Development Group (Cllrs: R F Radford, R L Stanley and B Warren).

(Proposed by Cllr L Cruwys and seconded by Cllr C Eginton)

Note: (i) \* Report previously circulated; copy attached to the signed minutes.

- (ii) Cllr B Warren declared a personal interest in that he was Chairman of Willand Parish Council and Chairman of the Environment PDG. Both forums had discussed this issue in the past.
- (iii) Cllr R J Dolley declared an interest in that he was the Ward Member in which the Walronds was located.

## 24 **UPDATE ON HOUSES IN MULTIPLE OCCUPATION (02:34:00)**

The Group had before it, and **NOTED**, a report \* from the Group Manager for Public Health and Regulatory Services providing an update on the current activities being undertaken in relation to Houses in Multiple Occupation (HMOs) and HMO Licensing.

The contents of the report were outlined with reference to the following:

- A recent press release regarding a property in Cullompton where there had been a successful prosecution.
- The Council was aware of approximately a potential 50 HMO's of which just under 20 were licenced.
- The current approach had been to identify and try and work with the landlords in question. Some flexibility had been exercised in terms of the regulatory regime in order to seek compliance and bring properties to order.

Consideration was given to:

- Several unlicenced HMO's were known to exist in Cullompton. There had also been rumours of 'hot bedding'.
- Responsibility lay with the property owners but the Council also had a duty to seek registration where it could.
- The need to share intelligence with partner agencies.
- Links to issues around modern slavery and human trafficking.
- Common denominators were accommodation and vulnerability.

Note: \* Report previously circulated; copy attached to the signed minutes.

## 25 **HOUSING SERVICE DELIVERY REPORT (02:53:00)**

The Group had before it, and **NOTED**, a report \* from the Group Manager for Housing Services providing an update to Members on enforcement and other activity undertaken by Officers in the Housing Services.

The contents of the report were outlined with reference to the following:

- It was hoped that the report provided a true flavour of the range and scope of housing officer's work and that such a report would be forthcoming at future meetings.
- Anti-Social Behaviour, safeguarding and fraud took up a lot of officer time as large amounts of evidence had to be collected.
- Some of the work could be very sensitive and challenging.
- Increased pressure facing officers working remotely during the pandemic.

Note: \* Report previously circulated; copy attached to the signed minutes.

## 26 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (02:59:00)**

In addition to the items already identified in the work programme for the next meeting the following was requested to be on the agenda for the next meeting:

- Now that the weed team had been removed – the effect of this on housing estates. It was explained that this might not be the correct Policy Development Group for this discussion but that the highlighted issue would be directed to the correct forum.
- Housing Service delivery update.

(The meeting ended at 5.18 pm)

**CHAIRMAN**