

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 11 September 2018 at 2.15 pm

Present

Councillors

W J Daw (Chairman)
Mrs H Bainbridge, D R Coren, Mrs G Doe, P J Heal,
F W Letch and J D Squire

Apologies

Councillor

R J Dolley

Also Present

Councillor

R L Stanley

Present

Officers

Andrew Pritchard (Director of Operations), Claire Fry (Group Manager for Housing), Mark Baglow (Group Manager for Building Services), Joanne Nacey (Group Manager for Finance), Stephen Bennett (Building Surveyor), J P McLachlan (Principal Accountant) and Sarah Lees (Member Services Officer)

23 **Apologies and Substitute Members**

Apologies were received from Councillor R J Dolley.

24 **Public Question Time**

There were no questions from the members of the public present.

25 **Minutes**

The minutes of the meeting held on 17 July 2018 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

26 **Chairman's Announcements**

The Chairman reminded the Group that there would be a Landlord Networking event at Paschoe House, near Bow, Crediton, on Wednesday 19 September between 4pm and 9pm. Members of the Group were welcome to attend.

27 **Performance & Risk for 2018-19 (00:02:14)**

The Group had before it, and **NOTED**, a report * from the Director of Operations providing Members with an update on performance against the Corporate Plan and local service targets for 2018/19 as well as providing an update on the key business risks.

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

28 **Financial Monitoring (00:03:10)**

The Accountant provided a verbal update providing information in respect of the income and expenditure so far in the year. This included the following:

- It was still very early on in the financial year, however, at the present time the overall balance on the General Fund was estimated to have an overspend of approximately £242k. This related to a reduction in car parking income, a reduction in waste recycling (as the price for cardboard was less than it was previously) and also leisure and planning.
- The Housing Revenue Account was predicted to have an approximate underspend of £45k which was in part due to savings on the gas servicing contract and the major repairs fund.

29 **Review of Building Services Gas Safety Policy (00:07:23)**

The Group had before it a report * from the Group Manager for Building Services advising it of the review of the Gas Safety Policy.

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

- The Council, as a landlord, had a legal obligation to maintain and service all gas appliances in each of its properties which contain gas and this was conducted on an annual basis. For 60% of Council owned properties this did not present a problem but there were sometimes issues gaining access, first time, to the remaining 40% for a variety of reasons. For the most problematic of these properties it was necessary for the Council to be able to have a robust legal process in place (involving an escalation process) to enable it to take action and ultimately ensure the safety of those occupying the properties and using gas appliances.
- Tenants were provided with a copy of any gas safety certificates which was a legal requirement on the part of the landlord.
- The summary of additions and revisions to the Policy were discussed in detail.
- Appendix 2 set out a summary of regulation 36A which provided information about when the next safety check can now be completed in order to retain the existing deadline date, similar to the approach for a car's MOT. It also set out a one-off flexibility that landlords can use to align the date of an appliance check with that of other appliances at the same premises.

RECOMMENDED to the Cabinet that the revised Gas Safety Policy be approved subject to the following amendments providing legal clarification:

- a) Section 9.2 – remove the words 'No mutual exchange is to take place' from the second sentence.
- b) Section 13.1 – Amend the penultimate sentence to read: After court action and we receive the Injunction Notice, where a tenant does not provide access, we will seek to commit the tenant to prison for contempt of Court. Remove the following words from the same sentence '....if necessary force entry into the property to carry out the safety check and leave the property secure.'

- c) Section 13.2 – amend the wording of this section to read: ‘In addition to an injunction Mid Devon District Council may also seek possession of the property, which will run concurrently with the injunction.
- d) Section 13.3 – Is an additional paragraph and reads: ‘The Council, provided it is in its interests to do so, will continue with the legal proceeding(s) to reach a successful conclusion.’
- e) New Section 13.4 – insert new wording to state: ‘Under these circumstances it is the intention to ensure that a new LGSR is issued no longer than four months after the existing certificate has expired.’
- f) The previous Section 13.4 to now become Section 13.5 and all numbers to follow thereafter as before.

(Proposed by Cllr P J Heal and seconded by Cllr F W Letch)

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

30 **Review of Building Services Recharges Policy (00:29:28)**

The Group had before it a report * from the Group Manager for Building Services advising it of the revised Recharges Policy.

The contents of the report were outlined and reference was made to the following:

- The policy set out what the Council recharged for and the process it took to undertake this.
- The revised policy now included the addition of a compensation clause so that both tenants and the landlord could impose a change if prescheduled appointments were missed.

RECOMMENDED to the Cabinet that the revised Recharges Policy be approved.

(Proposed by Cllr D R Coren and seconded by Cllr Mrs G Doe)

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

31 **Neighbourhood Management Policy (00:40:49)**

The Group had before it a report * of the Group Manager for Housing. The Housing Services Neighbourhood Management Policy is due for review during 2018 and the revised draft contains a number of changes regarding the distribution of communal keys, the use of communal gardens and responsibility for the maintenance of gardens associated with tenancies. There was a regulatory requirement to have a policy and the suggested amendments were intended to reinforce the Council’s commitment to keep its neighbourhoods and communal areas clean and safe.

The Group Manager for Housing outlined the contents of the report with reference to the following:

- The Homes & Communities Agency required the Council to have a Neighbourhood Management Policy and as such this was a regulatory obligation.

- The revised policy strengthened what was already set out in the Tenancy Agreement.
- Changes in relation to the policy included:
 - Additional keys for communal doors would not now be provided as a matter of routine in order to maintain the security of flats.
 - BBQs in communal areas are permitted, subject to several conditions.
 - External Christmas decorations would not be permitted.
 - Toys must be removed overnight in communal areas and their use must be supervised.
 - The parking of mobility scooters in communal areas would be strictly forbidden.
- In the Tenancy Agreement it was clearly stated that the tenant had responsibility for maintaining their own gardens. If the tenant failed to comply with the agreement then the landlord would undertake the work and charge the tenant for having done so.

It was requested that information regarding the number of Council owned flats sharing communal areas be sent to the Group.

RECOMMENDED to the Cabinet that the revised Neighbourhood Management Policy be approved.

(Proposed by Cllr Mrs H Bainbridge and seconded by Cllr D R Coren)

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

32 **Housing update (00:58:25)**

The Group had before it, and **NOTED**, a report * from the Group Manager for Housing providing an update on the latest developments relating to social housing.

Particular reference was made to the Social Housing Green Paper 2018 which set out a proposed strategy for reforming social housing. Many of the proposals contained within the document were broad statements of intent, however, in some cases, the Government had suggested different options as a way forward to a particular issue and therefore views were being sought by way of a consultation process which was due to expire on 6 November 2018. Given the significance of this piece of legislation and the fact that the Council was a major stock holding authority the views of the Homes PDG in conjunction with the Cabinet Member for Housing were sought.

It was **AGREED** that a special meeting of the PDG take place during the middle October so that a response could be formulated and submitted to the Government. The Committee Clerk would circulate some suggested dates.

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

33 **Identification of items for the next meeting (01:11:02)**

No further items were requested to be on the agenda for the next meeting.

It was **NOTED** that the Severe Weather Emergency Protocol and Extended Winter Provision Protocol had moved to a biannual review and would therefore not be on the agenda for the next meeting.

(The meeting ended at 3.30 pm)

CHAIRMAN