

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 12 March 2019 at 2.15 pm

Present

Councillors

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

Apologies

Councillors

Mrs E M Andrews, Mrs H Bainbridge, D R Coren and
R J Dolley

Also Present

Councillor

R L Stanley

Also Present

Officers

Claire Fry (Group Manager for Housing), Simon Newcombe (Group Manager for Public Health and Regulatory Services), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Michael Parker (Housing Options Manager), J P McLachlan (Principal Accountant) and Sarah Lees (Member Services Officer)

64 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from:

Cllr Mrs E M Andrews
Cllr Mrs H Bainbridge
Cllr D R Coren
Cllr R J Dolley

65 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

No interests were declared under this item.

66 **PUBLIC QUESTION TIME**

There were no members of the public present.

67 **MINUTES**

The minutes of the meeting held on 15 January 2019 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

68 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

He reminded the Group that there was a joint meeting of the Homes, Environment and Community PDG's on Friday 15 March at 11.30am to discuss the Enforcement Policy for the Operations Directorate. It was imperative that each PDG represented at the meeting was quorate so if Members were unable to attend then they needed to let the clerk know.

69 **PERFORMANCE & RISK REPORT FOR 2018-19 (00:02:04)**

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.

The following was highlighted within the report:

- The report contained data up until the end of January 2019.
- An update was provided in relation to the Corporate Plan Aim: **Build more council houses**: 12 units at Palmerston Park did not now need to be completed in March but could be delivered as part of the handover of all 26 units in August 2019.
- One property's gas certificate had expired. The tenant had passed away and so this would be remedied whilst the property was void.

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

70 **FINANCIAL MONITORING (00:04:10)**

The Group received, and **NOTED**, a verbal update from the Principal Accountant presenting a financial update in respect of the income and expenditure so far in the year.

The following was reported:

- Current figures were showing a £20k improvement from the previous month which was having a positive effect upon the General Fund.
- There had been a reduction in underspend in the Environmental Services area with S106 air quality funds being utilised.
- There had also been an increased underspend in the Customer Services area with a salary reduction.
- The favourable variance in the Housing Revenue Account (HRA) had increased from £58k to £213k due to some salary savings.

71 **DEVON WIDE HOUSING ASSISTANCE POLICY 2019-22 AND ECO FLEX 3 (00:07:29)**

The Group received a report * from the Group Manager for Public Health and Regulatory Services presenting a revised Housing Assistance Policy under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 following the one year review of the existing policy that was agreed and adopted in February 2018 (Housing Assistance Policy 2018-2019).

The following was highlighted within the revised policy:

- The policy aimed to provide a targeted consistent approach to providing funding where it was most needed. The Government was encouraging council's to allow people to stay in their homes wherever they could.
- The Better Care Fund (BCF) intentionally provides more funding to Devon than is currently required to meet the demand for mandatory Disabled Facility Grant's (DFG) only. A wider policy was now needed to allow the Devon councils to spend the BCF on assistance that helped a wider range of households and met the broader BCF objectives. In addition there had been changes to the ECO flex fund and therefore this needed to be reflected in the Statement of Intent (SOI).
- The delivery of the DFG programme was mandatory and a statutory function of the local housing authority. There were no proposed changes to this part of the policy other than to introduce clarification that additional works specifically required to manage disability caused by dementia or related conditions were eligible.
- The policy was designed to have more flexibility thereby reducing the process time previously endured by people needing help quickly.
- It was **AGREED** that in section 4.5, under 'Eligibility' the first bullet point be removed from the policy.
- ECO3 supports low income, vulnerable and fuel poor households meaning that all measures should be delivered to these groups. The scheme helped homes to reduce their energy bills and consequently tackled fuel poverty and vulnerability to the cold. However, one key change was that funding would not be available for replacement of oil or coal heating systems. In future, systems would be funded under schemes that sourced renewables such as air source heat pumps, ground source heat pumps and biomass boilers.

The following was discussed with regard to the Statement of Intent:

- Private homeowners qualified to apply through ECO flexible eligibility subject to meeting category 1 and category 2 eligibility criteria. Private tenants and residents of park homes would be eligible regardless of income.
- A reasonable gross household income for a couple had been set at £38k.
- If a large expensive adaptation had taken place on a property and then the tenant had passed away a charge would be place on the property in order to recoup some if not all of the costs.
- Mention of 'Pregnant mothers' in Category 2 of the SOI should be amended to read 'Pregnant women'.
- It was felt that the 'at risk' categories were very broad and that it would be helpful to keep a watching brief on this and review categorisations in a year's time once more data was available.

RECOMMENDED to the Cabinet that:

- a) The revised Housing Assistance Policy 2019-22 attached in Annex 1 be approved.
- b) The ECO Flex Statement of Intent (SOI) attached in Annex 4 associated with the revised Housing Assistance Policy be approved.

- c) Delegated authority be given to the Group Manager for Public Health and Regulatory Services in consultation with the Cabinet member for Housing to make minor adjustments to the policy based on demand and local priorities.
- d) Delegated authority be given to the Group Manager for Public Health and Regulatory Services in consultation with the Cabinet member for Housing to suspend some or all non-mandatory parts of the revised Housing Assistance Policy attached in Annex 1 (all elements of the Policy other than section 4.1 Disabled Facilities Grants) if adequate funding is not available.

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

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

72 **PRIVATE SECTOR HOUSING FEES AND CHARGES 2019/20 AND ENFORCEMENT UPDATE (00:25:16)**

The Group had before it a report * from the Group Manager for Public Health and Regulatory Services providing Members with the revised fees and charges in addition to an enforcement update for the relevant statutory and discretionary Private Sector Housing functions within the Community Team of Public Health and Regulatory Services.

The following was highlighted within the report:

- The rationale for coming to a revised cost in each area was provided by the Group Manager.
- Legislation provided the Council the power to recover all reasonable costs associated with the administration of the Houses of Multiple Occupation (HMO) licensing function. The officer time and resources involved in processing a new application had been reviewed and a revised fee calculated. It was proposed to charge a nominal administration fee for providing the register in electronic form or hardcopy.
- Proposed changes relating to the charging for enforcement action were described, for example, Prohibition Orders and Demolition Orders would now be charged for up front.

A brief discussion took place regarding the proposed increase in charges in the enforcement action area. It was noted that the increase proposed was 30% up on the previous year. It was explained that the previous year had been the first year these charges had been introduced and at the time a guess had had to be made as to what the level of costs were likely to be. It had since been discovered that the council had been undercharging and the proposed increase was merely a means of recouping the actual costs incurred.

RECOMMENDED to the Cabinet that:

- a) The revised fees and charges as set out in Annex 1 be approved.
- b) That Public Health and Regulatory Services are authorised to enforce The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 as amended 2016.

- c) That a charge is made for providing copies of the Mandatory HMO Licensing Public Register when requested.

(Proposed by Cllr P J Heal and seconded by Cllr Mrs G Doe)

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

73 EMPTY HOMES PLAN 2019-2022 (00:37:50)

The Group received, and **NOTED**, a report * from the Group Manager for Public Health and Regulatory Services providing Members with the revised Empty Homes Plan for 2019-2022.

- The Empty Homes Plan had been revised to reflect the progress that had been made and the learning of the team in delivering the current plan.
- Income generation from the New Homes Bonus (NHB) had become tighter and whilst the thresholds had been maintained for 2019/20 it was not certain what would happen in the future. Since the NHB funding was used to deliver the Empty Homes Plan this was a concern. The plan would need to be reviewed once the funding situation going forwards had been clarified.
- 140 properties had been brought back into use this year alone. This had far exceeded expectations and the team were congratulated.

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

74 ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (00:43:35)

Prior to considering the following item on the agenda, discussion took place as to whether it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15 15.02(d) (a presumption in favour of openness) of the Constitution. The Group decided that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

It was therefore:

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

(Proposed by the Chairman)

75 DEPOSIT AND RENTAL SCHEME (DARS)

The Group received, and **NOTED**, information regarding the Deposit and Rental Scheme from the Group Manager for Housing.

Note: (i) Report * previously circulated.

(ii) Following consideration of this item the Group **AGREED** to return to open session.

76 **HOUSING UPDATE (00:45:00)**

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

The following was highlighted within the report:

- Fire safety was still high on the agenda nationally in the wake of the Grenfell disaster.
- Recent court cases where severe penalties had been issued following a breach of health and safety laws.
- A Barking and Dagenham Council decision to set up, 'in principle', a housing association division for its housing company.
- Homes England had announced more strategic partners who would be expected to build approximately 11,000 new homes across the UK. This would include some social housing.
- The National Housing Federation, which represented housing associations, was raising concern with the Department of Work and Pensions regarding issues relating to Universal Credit payments during 2019/20. Many landlords charged rent every Monday. This meant that periodically there was a year with 53 weeks where rent is payable. 2019/20 would be one of those years.
- Universal Credit brought with it a big culture change with lots of Housing Associations predicting that tenants would not have enough money to pay their rent. Mid Devon District Council had a specialist team and would be working closely with tenants in regard to this issue.
- The High Court had found that a north London Housing Association had not discriminated against two non-Jewish families in a recent case regarding the allocation of housing to the orthodox Jewish community. This highlighted the need for all registered housing providers to comply with equalities legislation.

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

77 **CHAIRMAN'S ANNUAL REPORT FOR 2018/19 (00:53:34)**

The Group had before it, and **NOTED**, a draft report * by the Chairman of the Group since May 2018, a final copy of this report would be submitted to Council on 24 April 2019.

He stated how proud he was of the housing department and how efficiently it was run. He asked for his comments to be taken back to the housing teams and for them to be thanked and congratulated.

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

78 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (00:55:00)

There was some uncertainty regarding the long list of policies coming to the next meeting but every effort would be made to bring what could be mindful that it was the first meeting of the new Council. Some policies might need to be moved forward to the August meeting.

In addition to the items listed it was also requested that items be brought in relation to:

- Band E
- Deposit and Rental Scheme
- A update on the situation regarding the Syrian Refugee Settlement Scheme

(The meeting ended at 3.30 pm)

CHAIRMAN