

## MID DEVON DISTRICT COUNCIL

### MINUTES of a MEETING of the DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP held on 16 June 2015 at 2.15 pm

#### Present

**Councillors** Mrs E M Andrews, Mrs G Doe, R Dolley, R Evans, P J Heal, J D Squire, L Taylor and R F Radford

#### Apologies

**Councillor(s)** Mrs H Bainbridge and W J Daw

#### Also Present

**Councillor(s)** C J Eginton and Mrs J Roach

#### Also Present

**Officer(s):** Andrew Jarrett (Head of Finance), Clare Fry (Housing Services Manager), Catherine Yandle (Internal Audit Team Leader), Mark Baglow (Repairs Manager), Helen Carty (Housing Policy Officer) and Sarah Lees (Member Services Officer)

#### 1 CHAIRMAN - ELECTION (CLLR T G HUGHES, VICE CHAIRMAN OF THE COUNCIL, IN THE CHAIR)

**RESOLVED** that Cllr P J Heal be elected Chairman of the Group for the municipal year 2015/16.

Cllr P J Heal then took the Chair.

#### 2 VICE-CHAIRMAN - ELECTION

**RESOLVED** that Cllr W J Daw (in his absence) be elected Vice Chairman of the Group for the municipal year 2015/16.

#### 3 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr Mrs H Bainbridge and W J Daw (who was substituted by Cllr R F Radford).

#### 4 PUBLIC QUESTION TIME (00:05:15)

There were no members of the public present.

#### 5 MINUTES (00:05:25)

The Minutes of the meeting held on 17 March 2015 were approved as a correct record and **SIGNED** by the Chairman.

## 6 CHAIRMAN'S ANNOUNCEMENTS (00:06:35)

The Chairman had the following announcements to make:

- a) He welcomed the new Members to the Group.
- b) He reassured new Members that the agendas for their meetings were not usually this long. It was unfortunate that such a large number of policies had come together for approval at the same time.

## 7 MEETING MANAGEMENT (00:07:00)

The Chairman stated that there would be a re-ordering of the items on the agenda so that items 17, 16, 12 and 15 would be brought forward and dealt with in that order. All remaining items would be dealt with after that.

## 8 TRANSFER OF RESIDENTIAL CARE HOMES TO MDDC - VERBAL UPDATE (00:08:18)

The Head of Housing and Property Services had not been able to attend the meeting but through the Chairman had provided an update regarding the two Council approved Motions from Cllr Mrs Roach. These Motions had been as follows:

1. That the Council considers and investigates the possibility of applying to the Secretary of State to transfer Charlton Lodge to Mid Devon District Council (Localism Act Sect 15) to enable Mid Devon District Council to provide a scheme similar to the Abundant Life Project run at Dartington.

Resolution: Council recommended to support the Motion.

2. That the Council resolves to investigate the possibility of acquiring Charlton Lodge, Orchards :Lea and Bampton residential homes in order to meet unmet housing needs in the district

Resolution: Worthy of further investigation.

The Head of Housing and Property Services (HoHPS) had contacted Mathew Jones, Strategic Property Manager, at Devon County Council advising him of the Council Motions and asked for information as detailed below. Mr Jones had advised that he would respond during the following week.

The HoHPS informed Mr Jones that he was currently looking at carrying out a piece of work to consider the ideas contained within the Motions and would be grateful if he could provide him with some information or point him in the right direction. The following questions were asked:

1. Constitution Part 5 Democracy in Devon identifies that Strategic Heads / Heads of Service should seek to identify property that will become surplus to requirement. Therefore does DCC have any plans for these schemes? Have you a strategy to sell them or redevelop them in some way? Are you able to share these plans with me?
2. Do you have disposal values for these properties and are you able to share these with me? Would DCC be in a position to transfer these properties to say

MDDC or the community at less than this value or would they be subject to market valuations or perhaps a long leasehold at a peppercorn rent?

3. Depending on the answer to 1). do you have any existing floor layouts that I can have a copy of to aid consideration as to whether or not they are capable of some sort of conversion?
4. I am aware that these assets are not included on Mid Devon's Assets of Community Value – are you aware of any other Devon Local Authorities that have nominated them for inclusion onto the register?

Cllr Mrs Roach, who was in attendance, was asked to comment on this item. She stated that it was unfortunate that a question she had asked in February regarding whether it was legally possible for the Council to apply for a transfer of assets, still remained unanswered. She also queried what the actual unmet housing need was within the district. The Chairman responded by saying that it was unfortunate that the HoHPS and the Cabinet Member for Housing had not been able to attend the meeting today due to urgent business in London. However, he would personally contact the HoHPS to feed back the comments made today and would ask him to bring a report to the next meeting which would hopefully contain a detailed response from DCC.

## 9 **PERFORMANCE AND RISK OUTTURN REPORT FOR 2014/15 (00:16:05)**

The Group had before it, and **NOTED**, a report \* from the Head of Communities and Governance providing Members with an update on performance against the Corporate Plan and local service targets for 2014/15 as well as providing an update on the key business risks.

It was explained that targets in relation to the first two indicators regarding bringing empty homes back into use and the number of affordable homes delivered, were outside the District Council's direct control. Rent collection was well below target but in the highest benchmarking quartile and 100% of homes had achieved the Decent Home Standard as at 31 March 2015.

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

## 10 **COMPENSATION POLICY (00:20:45)**

The Group had before it a report \* from the Head of Housing and Property Services advising Members of the new Compensation Policy.

The Building Services Manager introduced himself and outlined the contents of the report. There were some statutory obligations upon the Council such as the 'right to repairs' which had to be completed within certain timescales. In the recent past there had been claims for damage to property in sheds. However, it was explained that these structures had not been designed for storing modern day items, having originally been built for the storage of coal for example.

Discussion took place regarding:

- Solar panels and who the liability lay with if there was damage, It was explained that if the damage was as a result of the panel fitting then the liability would lay with the supplier but if the roof upon which the panels were installed needed repair then the Council would fund this.
- The need for tenants to report all instances of damage to the Council.
- The Council was entitled to make a claim against a tenant if, for example, they put a wall up or took a conservatory down without the Council's knowledge.

**RECOMMENDED** to the Cabinet that the adoption of the Compensation Policy be recommended to Council.

(Proposed by Cllr R Evans and seconded by Cllr R F Radford)

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

## 11 **REVENUE AND CAPITAL OUTTURN 2014/15 (00:29:28)**

The Group had before it, and **NOTED**, a report \* from the Head of Finance presenting the revenue and capital outturn figures for the financial year 2014/15. This report had been received and discussed by the Cabinet at its meeting on 4 June 2015.

The Head of Finance and Principal Accountant summarised the sections of the report which specifically related to the services which fell under the remit of this Group. These included the following:

- The General Fund had finished the financial year in a strong position. There had been an overspend of £97k but this had mainly related to redundancy costs. Had these not been incurred the Council would have ended up with a £160k surplus. The Council had also been able to add to the earmarked reserves.
- The emergency budget (due on 8 July 2015) and autumn statement from central government was likely to bring further financial pain to all local authorities.
- The Housing Revenue Account (HRA) had finished the year with a £125k surplus. The Council had managed to reduce its bad debt provision having been able to recover monies through the Deposit and Rent Scheme. There had also been an underspend on salaries in the Housing Service.
- It was confirmed that funding provided by DCC for a Homelessness Officer would continue for the foreseeable future.
- The main variances within the HRA outturn summary included:
  - £784k major works expenditure funded by earmarked reserves
  - A saving of £56K due to the cessation of the warden's service
  - £182k income from solar panels

A brief discussion took place regarding the income from solar panels on Council properties and the fact that on a sunny day a tenant could be using appliances within their home without incurring any charge whilst the Council also benefitted in reduced energy tariffs.

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

## 12 **HOUSING SERVICE ANTI-SOCIAL BEHAVIOUR POLICY & PROCEDURES (00:42:10)**

The Group had before it a report \* from the Housing Services Manager setting out the revised anti-social behaviour (ASB) policy and procedures. Having introduced herself and having listed the areas of the Housing Service which fell under her remit she outlined the contents of the report. She emphasised the fact that the Housing Service was regulated by the Homes and Communities Agency which requires registered providers of social housing to have in place policies setting out how they will tackle anti-social behaviour. She also stated that having policies is important so that everybody knows where they stand and to provide transparency. In addition to this, she said that housing complaints were investigated by the Housing Ombudsman Service and that their starting point was to always ask for a copy of the Council's policy on the area being complained about.

Discussion took place regarding:

- The options open to the Council and tenants in the treatment of noise nuisance. It was explained that the Housing Service could not work in isolation but needed to liaise closely with Environmental Health. Noise monitoring equipment could be deployed but a regular pattern of disturbance needed to be detected first.
- Neighbours talking to each other was strongly encouraged as a means of coming to an agreement.
- Out of hours telephone calls were logged. In addition, all incidents are recorded on an incident management system and followed up wherever possible. This system could detect a trend in particular issues.
- A pragmatic approach needed to be employed wherever possible such as with smells from barbecues.
- Housing Officers offered mediation as a way forward where there is low level nuisance or a neighbour dispute.
- There were data protection processes in place. The Council had to have the express permission of a complainant before forwarding information to Ward Members.

**RECOMMENDED** to the Cabinet that the revised Housing Services anti-social behaviour policy and procedures be approved.

(Proposed by Cllr Mrs E M Andrews and seconded by Cllr R Evans)

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

## 13 **HOUSING SERVICE HARASSMENT POLICY 01:02:45)**

The Group had before it a report \* from the Housing Services Manager regarding the need for the Housing Service to have a policy and procedural commitment to the prevention and management of racial and other harassment. She explained that having a policy made it clear to tenants that they would be seriously listened to should they feel they were suffering harassment. The different types of harassment

were summarised and could include hate crime, racism, verbal abuse, physical abuse and damage to property.

**RECOMMENDED** to the Cabinet that the adoption of the new Harrassment Policy be recommended to Council.

(Proposed by Cllr Mrs E M Andrews and seconded by Cllr Mrs G Doe)

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

#### 14 **HOUSING SERVICE DOMESTIC ABUSE POLICY (01:07:09)**

The Group had before it a report \* from the Housing Services Manager regarding the need for the Housing Service to have in place policy and procedural commitments relating to domestic abuse. The policy not only provided clarity to tenants reporting domestic abuse but also to officers having to get involved in very stressful and upsetting situations.

A brief discussion took place regarding partnership working and how it is key to the work of the Housing Service when tackling domestic abuse issues. It was explained that victims needed to report the abuse in the first place and permission was needed before disclosure. Sometimes abuse victims may feel that they would not be listened to and previous research had shown that an abuse victim will often suffer many instances of abuse before reporting it. It was a sensitive issue and Officers take care to respond in an appropriate way to any reports of domestic abuse.

Sometimes referrals were received from the Police and on occasions it had been necessary to re-house people well away from the area. Above all, a pragmatic approach was needed whilst working in close partnership with other agencies.

**RECOMMENDED** to the Cabinet that the adoption of the new Domestic Abuse Policy be recommended to Council.

(Proposed by Cllr Mrs G Doe and seconded by Cllr R J Dolley)

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

#### 15 **HOUSING SERVICES HOARDING POLICY (01:13:43)**

The Group had before it a report \* from the Housing Services Manager explaining the need for a new policy for the Housing Service relating to hoarding.

It was explained that this can be a difficult area for the Housing Service to deal with. There was a programme of Tenancy Checks in place which helped to identify problems. However, sometimes there were mental health issues to consider as well as the fact that standards of tidiness differed from person to person. Serious cases could have health and safety implications. For example, there may be a fire hazard or issues relating to rodent infestations. In such cases sensitive handling was needed. Again, partnership working was essential and the policy gave housing officers a toolkit to work with.

Discussion took place regarding:

- Extreme cases and what could happen. It was explained that if there was a mental health issue and the person had a representative to act on their behalf then it could be argued that the tenant was not making themselves intentionally homeless. However, officers were trained to try and resolve issues before they escalated to this stage.
- Costs relating to rechargeable repairs and whose funding responsibility this was. It was explained that each case was different and that it depended on whether or not there was deliberate damage and/or mental health issues.

**RECOMMENDED** to the Cabinet that the adoption of the new Hoarding Policy be recommended to Council.

(Proposed by Cllr R J Dolley and seconded by Cllr Mrs E M Andrews)

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

## 16 **HOUSING SERVICES PETS AND ANIMALS POLICY (01:23:57)**

The Group had before it a report \* from the Housing Services Manager regarding the need to review the existing pets and animal policy. She explained that the policy had to be reviewed to take account of a number of instances that had occurred in recent years. She stated that Council houses represented an enormous asset to the Council and it was important to protect them from deterioration wherever possible. Problems relating to the keeping of animals could include, defecation, dog barking, cockrels crowing early in the morning to dangerous dogs. Reference had been made to the RSPCA guidance in the drawing up of the policy.

This was another area where sensitivity was needed as issues relating to animals could be very emotive. Issues had to be dealt with on a case by case basis.

Discussion took place regarding:

- Tenancy checks being crucial in identifying problems.
- The Council could not terminate tenancies themselves due to issues with pets and animals, a possession order would need to be sought through the court.
- There were no prescriptive answers, each request would be considered on its own merits, for example, a tenant may request to create a garden pond. However, it was explained that there was a clause in each tenancy agreement that a property be returned to the state in which it was originally occupied.

The Group wished for its thanks and congratulations to be passed on to the Housing Services Manager and the Housing Policy Officer for the way in which this and the other policies discussed today had been written in plain English and were easy to understand.

**RECOMMENDED** to the Cabinet that the revised pets and animal policy be adopted.

(Proposed by Cllr L Taylor and seconded by Cllr Mrs G Doe)

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

## 17 **TENANT INVOLVEMENT POLICY (01:37:23)**

The Group had before it a report \* from the Housing Services Manager regarding the need to review the existing Tenant Involvement Policy. It was explained that tenant involvement was a regulatory requirement. Tenants were actively encouraged to be involved in improving the service. They were at the heart of everything the Housing Service did, however, the biggest problem was apathy amongst the tenant population; often this reflected the fact that people were generally happy with the service. A survey had been conducted in the previous year which had produced a low response. Most tenants wanted to communicate electronically and there was now a very active Facebook page with daily debate.

It was further explained that the Council used a menu of involvement techniques including the ability to get involved in scrutiny activity, editing, a regular newsletter and becoming an estate representative. The Council would also cover the cost of sending some tenants on training courses and for printing expenses and travel costs.

**RECOMMENDED** to the Cabinet that the revised Tenant Involvement policy be adopted.

(Proposed by Cllr R Evans and seconded by Cllr R J Dolley)

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

## 18 **TENANT INVOLVEMENT STRATEGY (01:43:05)**

The Group had before it a report \* from the Housing Services Manager regarding the need to review the existing Tenant Involvement Strategy.

**RECOMMENDED** to the Cabinet that the revised Tenant Involvement Strategy be adopted.

(Proposed by Cllr Mrs E M Andrews and seconded by Cllr Mrs G Doe)

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

## 19 **START TIME OF MEETINGS (01:44:05)**

It was **AGREED** that the Group continue to meet on Tuesday's at 2.15pm.

## 20 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:44:30)**

There were no further items identified for the next meeting other than those already listed in the work programme.

(The meeting ended at 4.00 pm)

**CHAIRMAN**