

**MINUTES** of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 21 November 2023 at 2.15 pm

**Present**

**Councillors**

C Adcock (Chairman)  
J Cairney, S Chenore, A Glover, F W Letch, N Letch,  
S Robinson and H Tuffin

**Apology**

**Councillor**

C Harrower

**Also Present**

**Councillors**

D Broom, J Buczkowski, C Connor, R Gilmour and D Wulff

**Present**

**Officers**

Paul Deal (Corporate Manager for Finance, Property and Climate Change), Claire Fry (Operations Manager for Housing Management Services), Mike Lowman (Building Services Operations Manager), Dr Stephen Carr (Corporate Performance & Improvement Manager), Lisa Harber (Neighbourhood Team Leader), Rosie Williams (Building Services Office Manager), Carole Oliphant (Member Services Officer), Laura Woon (Democratic Services Manager), David Parker (Democratic Services & Policy Research Officer) and Sarah Lees (Democratic Services Officer)

**40 Apologies and Substitute Members**

Apologies were received from Cllr C Harrower.

**41 Public Question Time**

No members of the public had registered to ask a question.

**42 Declaration of Interests under the Code of Conduct**

Councillor A Glover declared a Personal Interest as she was a Council tenant.

**43 Minutes**

The minutes of the meeting held on 26 September 2023 were approved as a correct record of the meeting and signed by the Chairman.

#### 44 **Chairman's Announcements**

The Chairman thanked the officers for providing the reports to the meeting.

#### 45 **Quarter 2 performance dashboard (00:05:00)**

The Corporate Performance and Improvement Manager provided the Group with a verbal update on performance in the housing area for quarter 2. To aid discussion two dashboard slides were presented giving a visual representation of the important figures in relation to the General Fund and the Housing Revenue Account. It was confirmed that all aspects of social housing were covered by the slides, including those properties that were empty and unfurnished.

The information presented was **NOTED**.

#### 46 **Mid Devon Service Delivery Report: Q1 and Q2 2023-24 (00:10:00)**

The Group had before it, and **NOTED**, a report \* from the Corporate Manager for Public Health, Regulation and Housing continuing the previous arrangement to provide a quarterly update to Members on enforcement and other activity undertaken by Mid Devon Housing (MDH), albeit in a new format for 2023/24 onwards.

The contents of the report were outlined and the following was highlighted:

- The new housing regulations required Mid Devon Housing to provide effective assurance to their governing bodies on activities within their area which is why the performance report was before Members.
- This report showed the outturn position and included benchmarked data.
- It was confirmed that senior managers were moving forwards with service improvements.

Consideration was given to:

- The number of days it was taking to turn around each void property.
- The challenge facing the service in terms of staff recruitment. Currently the vacancy rate was running at 15% and some posts had been vacant for 2 years.
- Results from the Tenancy Satisfaction Measures survey would be available in the New Year.
- A small proportion of properties did not meet the decent homes standard. There were a number of reasons for this including tenant refusal to have repair or enhancements works undertaken. Plans were in place to undertake heating upgrades for some properties with solid fuel in the spring or when the weather improved.
- It was confirmed that as far as Building Services were concerned none of housing stock had any reinforced autoclaved aerated concrete (RAAC).

Note: \* Report previously circulated.

#### 47 **Damp & Mould Review 2023(00:20:00)**

The Group had before it, and **NOTED**, a report \* from the Corporate Manager for Public Health, Regulation and Housing summarising the findings of a review of the prevalence, causes and effects of damp and mould affecting Mid Devon Housing (MDH) council housing stock and is a follow up to the MDH Damp and Mould Review 2022 and the introduction of a new Damp and Mould Policy 2023.

Discussion took place with regard to:

- Whether there was any support in place for people with a disability or who fell into the vulnerable category? It was confirmed that there was a handyman service although this could be cost prohibitive. Information as regards to vulnerability was collected at the beginning of each tenancy but a picture was built up through every contact with the tenant and the system flagged. It was something that the service was working on and a Working Group tasked with looking at this had been established.
- As the climate was getting wetter the prevalence of Damp and Mould was increasing, it was no longer just a winter problem.
- There was no longer a financial incentive for the Council to install solar panels.
- The officer responsible for the Damp and Mould area had networked with colleagues in other authorities and organisations to gain and share a bank of knowledge and understanding which the service was now benefitting from. Positive input ventilation (PIV) systems have been installed now reporting no mould and a further 33% seeing a significant reduction as a result of the advice received from MDH.
- Damp and Mould had been made a focus for the Neighbourhood Teams which was leading to more reporting and intervention. This was a positive step forwards and a better knowledge base was being built up.

Note: \* Report previously circulated.

#### 48 **Mid Devon Housing Tenancy Inspection Policy Review (00:40:00)**

The Group had before it a report \* from the Corporate Manager for Public Health, Regulation and Housing. The Tenancy Inspection Policy aimed to ensure that tenants were aware of the circumstances when Mid Devon Housing (MDH) will seek access to their properties and the tenant's responsibility in providing that access. Furthermore, it sets out the approach to obtaining access to the Council's tenanted properties, including gardens and outside areas and explained the type of information collected and the action to be taken when concerns were raised. There had been a Tenancy Inspection Policy in place for several years with the most recent version adopted in July 2016. It was therefore due for review.

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

- It was confirmed that the policy had been in existence for many years but had required some updating due to a small number of minor changes including references to the relevant legislation and the need to keep data updated.
- It was good practice to undertake inspections so as to understand any vulnerabilities or whether tenants needed any extra help.

- The policy also mentioned tenancy fraud which the Council took a strong line on. There were many different types of tenancy fraud including subletting, benefit fraud and falsifying information at the application stage. Depending on the seriousness this could carry a heavy fine or even a prison sentence. It had a huge impact and took properties away from people with registered housing need.

Discussion took place regarding:

- If Councillors had any concerns they should feed these back to the Neighbourhood Officers who would undertake an investigation in collaboration with Devon Audit Partnership. Councillors should not undertake an investigation themselves.
- The apparent lack of powers that officers had to resolve issues that were found in our neighbourhoods. Mention was made of the Community Protection Notice which was one tool that could be used to stop a person aged 16 or over, business or organisation committing anti-social behaviour which was spoiling the community's quality of life.
- Intensive housing management techniques, including working with other agencies, were often very effective in dealing with neighbourhood disturbance. It was a very complex area with many issues, such as mental health, needing to be born in mind.
- Tenancy fraud was a concern, however, as soon as officers were alerted, investigations are carried out as appropriate. Tenancy fraud was less prevalent in rural areas.

**RECOMMENDED** to the Cabinet that the updated Tenancy Inspection Policy and Equality Impact Assessment contained in Annexes A and B respectively is approved.

(Proposed by Cllr F Letch and seconded by Cllr J Cairney)

#### Reason for the decision

The Council was required to make the best use of its housing stock which included managing it efficiently and taking steps to prevent tenancy fraud to avoid any financial losses. In accordance with the Localism Act 2011, the Council was required to publish a clear and accessible policy which outlined its approach to tenancy management which included reference to the prevention of tenancy fraud. The Council had a Tenancy Policy and used tenant inspections as a means of preventing fraud. Failure to provide housing management staff with the appropriate policies could result in a less consistent and effective service.

Note: \* Report previously circulated.

#### 49 **Tenure Review Project Plan**

The Group had before it, and **NOTED**, a report \* from the Corporate Manager for Public Health, Regulation and Housing providing a draft project plan relating to a review of tenure used by Mid Devon Housing (MDH).

The following was highlighted within the report:

- As a landlord, the Council had been using flexible tenancies since 2013. The need to make best use of the housing stock influenced the decision to introduce this form of tenure, however, the use of flexible tenancies could be problematic. Not only could it sometimes be intrusive for tenants but there was also a considerable administrative burden upon the service.
- Flexible tenancies were issued for a fixed term and therefore it was more difficult to vary the terms and conditions of each one. However, good practice and the requirements relating to consultation dictated that these tenants should also be consulted on tenure reform and any proposed changes to the tenancy agreement so that their views could be taken into consideration. It was therefore suggested that, not only would it be helpful to set up a Member Working Group but also a Tenant Focus Group in order to encourage as much participation as possible.
- For this reason, the project plan set out a timetable which would result in the adoption of a new tenancy agreement in November 2024.

Consideration was given to the various methods of tenant engagement from using social media and holding face to face events around the district. MDH continued to try to be proactive and adaptive in its approach to tenant engagement.

It was **AGREED** to set up a Working Group to review the outcomes arising from the use of flexible tenancies, to receive relevant data and other evidence to inform discussion. The group would meet three times and would be required to review feedback from tenants. It would then make recommendations relating to tenure reform back to the Homes Policy Development Group. The Group appointed Councillors: A Glover, N Letch and H Tuffin to the Working Group.

Note: \* Report previously circulated.

## 50 **Identification of items for the next meeting**

No additional items were identified as needing to come forward to the next meeting other than those already identified in the work programme.

(The meeting ended at 3.30 pm)

**CHAIRMAN**