

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 16 January 2024 at 2.15 pm

Present

Councillors

C Adcock (Chairman)
J Cairney, S Chenore, F W Letch, N Letch,
S Robinson and R Roberts

Apologies

Councillors

C Harrower and H Tuffin

Also Present

Councillors

D Broom, S J Clist and D Wulff

Also Present

Officers

Richard Marsh (Director of Place & Economy), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Paul Deal (Corporate Manager for Finance, Property and Climate Change), Laura Woon (Democratic Services Manager) and Sarah Lees (Democratic Services Officer)

Councillors

Online

A Glover
J Buczkowski

Officers Online

R Marsh (Director of Place), M Lowman (Building Services Operations Manager) and C Oliphant (Housing Policy Officer)

51 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr H Tuffin and Cllr C Harrower who was substituted by Cllr R Roberts.

52 PUBLIC QUESTION TIME

The following statement and request was made by Mr Graeme Barnell (this was read out by the Chairman as Mr Barnell was unable to be present):

“At the meeting of MDDC Cabinet in August I asked for an explanation of the Council’s strategy relating to the delivery of affordable housing especially in addressing the very large historic shortfall in delivery against targets and the

challenges presented by the findings of local Joint Housing Needs Survey carried out by the Council as recently as 2022.

I also raised the issue again of the lack of any regular management reports setting out as KPIs the delivery of different forms of affordable housing against the target set by the Councils existing Housing Strategy and by the MDDC Local Plan. In reply to my questions Cllr Clist said that the delivery of affordable housing is a key priority for the new Council. He spoke about a new Housing Strategy being prepared by the Council to replace the existing Strategy (2021-25) and a new scorecard or performance framework that would address the shortcomings in reporting performance and allow regular updates on delivery.

I wrote to him after the meeting asking for his response in writing, but I did not receive an answer.

Please can I ask for an update on the Council meeting its current targets for the delivery of affordable housing to include a forecast for this financial year? Please can this reply include Year to Date and forecast figures for the delivery of affordable homes for rent and purchase by both the commercial and not for profit sectors. I would also appreciate an update on the advent of the new Housing Strategy mentioned by Cllr Clist in August.”

The following response was provided by the Cabinet Member for Housing and Property Services:

My thanks to Graeme Barnell for his question in advance. I do have an update to the questions that he provided to the August Cabinet meeting. As he is aware the situation is always fluid with new opportunities coming along and obviously one or two issues with conditions beyond our control causing a delay. Obviously every opportunity, will be, and is, being grasped and for certain reasons they cannot really be discussed because they are of a financially discretionary nature and one doesn't want to highlight that. My answer to him is that in terms of affordable housing of all types provided by the market developers (and this information is collated and verified by the Forward Planning Team annually), 23 units were provided in the year 2022 - 2023 and the data for 2023 – 2024 will be available some time after 31 March 2024. With regard to Affordable Housing and new Council houses for social and affordable rent, Mid Devon Housing are on track to provide 60 new Council homes during the year 2023 – 2024. I will briefly outline them and can I perhaps caveat that by saying that it does in fact add up to 59 not 60, however, as with buy backs etc. one has to include plus one or minus one so we will call it 60 for instance and purposes:

- There are 3 at Beech Road, 6 at St. Andrews, Cullompton, 8 at Shapland Place, Tiverton, 1 at Allington Terrace, Morchard Road, 39 at St. Georges Court, Tiverton and potentially 3 buy backs, 2 look positive, 1 may be not so but that will come forward.

As regards the Housing Strategy update, this will be commenced in the spring of 2024 and will inform the wider new Corporate Plan underpinning key priorities around housing delivery and standards. Mr Barnell, you will be aware that if you look online at meeting agendas the new dashboards that come forward for the Homes PDG and the new Corporate Plan will be fairly self explanatory. Undoubtedly it will be something that the PDG will be reviewing throughout the year anyway.

I would also like to highlight that Mr Barnell is a very big advocate of a very successful and ambitious social rented housing programme and I can reassure him that both as a political group and as a Council we are too and we will do our level best to increase and accelerate delivery. Thank you.

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

No interests were declared under this item.

54 **MINUTES**

The minutes of the meeting held on 21 November 2023 were approved as a correct record and **SIGNED** by the Chairman.

A question was asked as to when the Group might receive an update in relation to the Flexible Tenancies Working Group? It was confirmed by the Chairman of the Working Group, Cllr A Glover, that it would be possible to provide an update to the next meeting in March.

55 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman wished the Group a Happy New Year and thanked the officers for their work in providing reports to the meeting.

56 **MEDIUM TERM FINANCIAL PLAN - DRAFT BUDGET UPDATE FOR 2024 / 2025 (00:12:00)**

The Group received, and **NOTED**, a verbal update from the Corporate Manager for Finance, Property and Climate Change regarding the 2024/2025 budget position. This was based on the Medium Term Financial Plan report being presented to the Cabinet on 9th January 2024.

The following summary was provided:

- Savings of circa £1.644m had been identified as part of the budget setting process during recent months. These had been listed under the RAG rating system so as to identify red, amber and green risks.
- It was confirmed that staff savings would only be taken if a post became vacant, redundancies would not be a factor as part of this budget.
- As a result of a great deal of hard work by both staff and Members there was now only a shortfall of £150k as compared to a shortfall in December 2023 of £418k.
- Some of this was due to government announcements in December regarding the local government financial settlement and Council Tax and Business Rate changes.
- It was confirmed that it was not necessary to look to this Group for further savings in order to balance the budget unless they became relevant prior to the final draft budget being approved by Council next month.

A brief discussion took place with regard to some concerns about the amount of pressure put on staff when colleagues left in terms of workload. It was confirmed that the majority of vacancies were planned for and were not 'reactive', therefore allowing time to address

workload issues and relieve the pressure on the staff that remained. This issue was also being closely monitored by a number of staff working groups and the union.

57 **DEVON RESPONSE TO HOME OFFICE CONSULTATION OF REFUGEE CAP ON SAFE AND LEGAL ROUTES (00:22:00)**

The Corporate Manager for Public Health, Regulation and Housing provided the Group with a verbal update and brief presentation regarding the Devon response to the Home Office consultation on the refugee cap on safe and legal routes.

The following summary was provided:

- The Illegal Migration Act (July 2023) placed a duty on the Home Office to consult Councils on the development of a 'cap' on the number of people arriving in the UK via safe and legal routes.
- Parliamentary process would set the first cap in summer 2024, to be operational in 2025.
- Local authorities were expected to engage with partners to assess capacity in their area (this to be completed by Nov and Dec 2023).
- Two tier areas were expected to seek political agreement across County and Districts via Team Devon Leaders and Chiefs. This happened in Dec 2023.
- 'No response' was not an option.
- Government's stated aim was a well-managed migration system.
- Team Devon's view and recommendations were that these schemes save lives and Councils across the region want to respond positively.
- District Councils have looked at their capacity based on past performance, changing conditions and housing availability and have expressed concerns about the wider housing crisis and available accommodation.
- Devon County Council had been looking at services needed to resettle refugees and was concerned about (1) pressure on secondary school places and rising school transport costs (2) lack of access to resources to remove language barriers (3) zero capacity to support learners with Special Educational Needs (SEN).
- NHS: worked with a range of partners to support the health and wellbeing needs of asylum seekers and refugees and would continue to do so.
- Community Sponsorship: Devon did community sponsorship well and was nationally recognised, there was potential to grow this model with support.
- Therefore the Team Devon Response to Home Office is to recommend the Devon 'cap' was set within a range of 20-26 households including 8 via Community Sponsorship. Mid Devon = 3.

Discussion took place with regard to:

- The myriad of 'routes' into the UK, some legal and the some not.
- The Team Devon position did not include Plymouth or Torbay unitary authorities.
- The already significant overspend Devon wide in terms of education spend and an incapacity to absorb anymore cost.
- The pressure would need to be managed but it would be very difficult.
- Complications and delays with the visa process.
- The speed with which the Home Office had placed this duty on local authorities and the fact that further guidance was still awaited.

- Community sponsors proactively worked to find accommodation, theirs was a different relationship with refugees and subject to different pressures and application processes.
- Government guidance was unclear and more funding was needed.
- Mid Devon had a voice through Team Devon who were working collaboratively and fostering a positive approach wherever possible.

58 **REVIEW OF THE MID DEVON HOUSING GARAGE, GGRP AND CAR PARKING SPACE POLICY (00:56:00)**

The Group had before it a report * from the Corporate Manager for Public Health, Regulation and Housing regarding a review of the policy outlining the Mid Devon Housing (MDH) approach to renting out garages, garage ground rent plots (GGRP) and car parking spaces that it owned.

The following was highlighted within the report:

- This was a financial policy around rent setting, it was not a new policy. It reflected how the Government had wanted VAT to be treated. The HMRC had made lawful changes and local authorities were now required to update their policies to reflect these.
- As part of this review the policy had been better defined with greater priority given to blue badge holders and to people who lived in the same or adjoining street as the asset.
- As part of the review the rent payable by charities and not for profit organisations was investigated. It was due to different rates being charged for different organisations which had led to an administrative burden on the service. To bring consistency, the revised policy stated that garages, GGRP and Car Parking Spaces rented by charities and not for profit organisations would be charged at the same rate as MDH dwelling tenants with VAT added as required.

Discussion took place regarding a general need for Members to better understand the situation regarding Council owned garages, GGRP and car parking spaces for example, how many had it developed, how many had or were planned to be demolished, how many had or were planned to be improved? It was explained that this kind of information was already held by Mid Devon Housing (MDH) and this could be shared with Members providing an opportunity to gain a better understanding of the current situation and plans for the future. This was requested as part of a need for a better overall understanding of asset management. It was **AGREED** that a workshop / briefing would be set up to allow this information to be discussed alongside the next meeting.

RECOMMENDED to the Cabinet that the updated Garage, GGRP and Car Parking Space policy and Equality Impact Assessment contained in Annexes A and B respectively be adopted.

(Proposed by Cllr J Cairney and seconded by Cllr S Robinson)

Reason for the decision

The administrative burden of renting garages remained a significant cost to offset against the rent generated. The aligning of rents for charities and not for profit organisations would help alleviate the financial costs in administering the policy. MDH also had to legally comply with the VAT Government and Public Bodies VATGPB8350 - Other local authority activities: housing and community projects: property improvement grants.

Additionally, failure to provide housing management staff with the appropriate policies could result in a less consistent and effective service and failure to collect rental income could impact the ability to fund necessary management and maintenance activities.

Note: * Report previously circulated.

59 **NEW MID DEVON HOUSING HOMES SAFETY POLICY (01:10:00)**

The Group had before it a report * from the Corporate Manager for Public Health, Regulation and Housing bringing forward a new policy in relation to Homes Safety. The Regulator of Social Housing was due to introduce a revised set of consumer standards as part of the new consumer regulatory framework by April 2024. The Safety and Quality Standard would replace the Home Standard and required landlords to provide safe and good quality homes and landlord services to tenants.

The following was highlighted within the report:

- Tenant safety was, and always had been, a key consideration across all the MDH policies.
- Some Tenant Satisfaction Measures now specifically related to safety and the Council were legally bound to report on these.
- Actual figures in relation to asbestos would be reported in the future rather than assumptions being made.
- Council's would need to be 100% compliant in terms of electrical testing by 2027/2028. MDH planned to be 100% compliant a year in advance of this date.
- The Group would be able to monitor this closely through the service delivery report presented to it on a regular basis.

Consideration was given to:

- Procedures in relation to gaining access to properties where this had been denied to MDH in the past were being strengthened. Charging for missed appointments and threatening court action where appropriate was helpful in this regard. It was important to be able to have access to Council owned property for necessary safety checks to be undertaken.
- There was a separate policy in relation to Damp and Mould due to the complexities involved, however, this was cross referenced with the new Homes Safety Policy.
- The Council was unlikely to be able to secure any further funding to support the impacts of the new inspection regime but would seek to access any funding should this be possible.

RECOMMENDED that Cabinet recommend to Council the adoption of the new MDH Homes safety Policy and Equality Impact Assessment contained in Annexes A and B respectively.

(Proposed by Cllr S Robinson and seconded by Cllr J Cairney)

Reason for the decision

The Council was an RP and therefore was required to comply with the regulatory framework operated by the RSH.

The policy ensured that MDH fully complied with its statutory obligations and that the safety of its residents was safeguarded including provisions set out in the draft new Safety and Quality Standard.

Note: * Report previously circulated.

60 **REVISED PETS & ANIMALS POLICY (01:45:00)**

The Group had before it a report * from the Corporate Manager for Public Health, Regulation and Housing outlining the Mid Devon Housing (MDH) approach to keeping pets and animals by its tenants and their household. It was stated that MDH understood the benefits that responsible pet ownership could bring. Owning a pet or animal could be life enhancing and it was recognised that it could have a positive impact on physical health and mental well-being.

The following was highlighted within the report:

- This policy had been due for review and touched almost every area of housing delivery. Historically Mid Devon had had a very strict approach but it was necessary to recognise the positive impact owning a pet had for some tenants.
- It was important that Neighbourhood Officers had a consistent policy that could be applied across all of its properties.
- The updated policy clarified the position regarding service animals and dangerous dogs where national legislation had recently changed.
- It was now a fairer policy providing greater clarity.

Discussion took place regarding:

- Dog breeding would need a licence and MDH worked closely with the Licensing Team thereby reducing opportunities for non-compliance with the policy.
- The vast majority of tenants with pets were very responsible.

RECOMMENDED to the Cabinet that the updated Pets and Animals Policy and Equality Impact Assessment contained in Annexes A and B respectively be adopted.

(Proposed by Cllr F Letch and seconded by Cllr s Robinson)

Reason for the decision

The Council's tenancy agreement contained clauses relating to animals and pets which state that tenants should seek permission for most pets or animals and should ensure that they do not cause nuisance or annoyance to neighbours, or cause any damage to the property.

Note: * Report previously circulated.

61 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (02:04:00)**

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

- A workshop / briefing regarding garages and asset management
- Biodiversity Duty Report
- 2024 / 2025 Work Programme
- Flexible Tenancies Working Group update
- Homes for Ukraine Scheme update
- MDH service delivery report for quarter 3

(The meeting ended at 4.25 pm)

CHAIRMAN