

MINUTES of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 11 June 2024 at 2.15 pm

Present

Councillors

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

Also Present

Councillors

D Broom, S Clist and J Lock

Present

Officers

Stephen Walford (Chief Executive), Richard Marsh (Director of Place & Economy), Simon Newcombe (Head of Housing & Health), Tanya Wenham (Operations Manager for Public Health and Housing Options), Sam Barnett (Housing Initiatives Officer), Laura Woon (Democratic Services Manager) and Sarah Lees (Democratic Services Officer)

Councillors

Present Virtually

J Buczkowski and L Knight

Officers

Present Virtually

Dr Stephen Carr and C Oliphant

1 Election of Chairman

RESOLVED that Cllr S Robinson be elected Chairman of the Homes Policy Development Group for the municipal year 2024/2025.

2 Election of Vice Chairman

RESOLVED that Cllr C Adcock be elected Vice Chairman of the Homes Policy Development Group for the municipal year 2024/2025.

3 Start time of Meetings

It was **AGREED** that the start time for meetings for the remainder of the municipal year continue to be at 2.15pm on Tuesday afternoons.

4 Apologies and Substitute Members

There were no apologies for absence.

5 Public Question Time

There were no members of the public present and none had registered to ask a question in advance.

6 Declaration of Interests under the Code of Conduct

No interests were declared under this item.

7 Minutes

The minutes of the meeting held on 19th March 2024 were approved as a correct record of the meeting and **SIGNED** by the Chairman.

8 Chairman's Announcements

The Chairman had the following announcements to make:

- She thanked the Group for electing her as Chairman.
- She hoped that the Homes Policy Development Group would be proactive in recommending Homes policies in the forthcoming year.
- The Members of the Homes PDG were engaged and enthusiastic and she hoped that Members and officers would be able to trust each other in the development of ideas and policy going forwards so that current and future tenants could be appropriately supported to best effect.

9 Draft Corporate Plan 2024-28 (00:09:00)

The Group had before it a report * from the Chief Executive presenting the draft Corporate Plan for 2024-2028 and inviting feedback before recommending the Corporate Plan back to Cabinet.

The contents of the report were outlined by the Corporate Performance and Improvement Manager and discussion took place regarding:

- What name will the new Corporate Plan would be given? This was still to be decided by the Cabinet. A title was not a requirement and the Cabinet may simply choose to leave it as the 'Corporate Plan 2024-2028'.
- This was 'the' key document for the Council providing a summary of its strategic objectives and ambitions. Detailed reports would provide regular analysis of performance against each of the objectives providing Members with regular opportunities to assess whether the Corporate Plan was achieving its aims.
- All PDG's were being asked to provide feedback so that the new Corporate Plan was in the best state it could be before being approved by full Council.
- There was a strong focus in the Homes section of the Corporate Plan on maintenance and the safety of properties, these were key issues for tenants.
- A performance measure related to waiting lists and homelessness pressures was suggested. These were key areas that needed regular monitoring.

RECOMMENDED to the Cabinet that the draft Corporate Plan for 2024 – 2028 be approved.

(Proposed by Cllr A Glover and seconded by Cllr C Connor)

Note: * Report previously circulated.

Reason for the decision

Setting out the Council's aims and objectives through a Corporate Plan helps the Council demonstrate its performance in relation to Value for Money considerations.

10 **Performance Dashboard (00:25:00)**

The Group received, and **NOTED**, information * showing performance data for quarter 4 Mid Devon Housing under both the General Fund and Housing Revenue Account areas.

This included the following summary in relation to the red and amber RAG ratings:

- Private Sector housing service requests response rate was slightly behind target at 95%, though an improving trend was noted.
- Temporary accommodation costs was showing an overspend. It was explained that this is offset by additional homelessness support and Homes for Ukraine grant.
- Complaints responded to within the complaints handling code timescales was underperforming, but performance had increased steadily throughout the year but would be discussed in detail later on in the agenda.
- Mid Devon Homes delivery of social housing was behind target. It was highlighted that new properties are about to become part of the housing stock, and recent planning approvals ensure a pipeline for the future.
- Market delivery of affordable homes was behind target.
- For two indicators relating to capital projects underperformance was noted. It was explained that this relates to delay in seeking planning permission and starting works on the planned development programme. Budget has been carried forward.
- Any changes to performance dashboard given work on a new Corporate Plan would be reflected in the performance data for quarter 1 2024/2025.

Consideration was given to the following:

- The direction of travel for the delivery of new homes was seen as positive.
- The Performance Dashboards were felt to be a useful tool by officers especially as they became more developed and contained more data for analysis.
- Concern was expressed regarding temporary accommodation costs. However, it was explained that these were high in quarter 4 as a result of recharges to the Housing Revenue Account.
- Some targets had gone from red to green. The reason for this was explained as being due to the fact that performance against an annual target was sometimes not known until the end of the financial year.

Note: * Performance Dashboard previously circulated.

11 **Local Authority Housing Fund (LAHF) update and approach to allocating homes briefing (00:40:00)**

The Operations Manager for Public Health and Housing Options provided the Group with a briefing and presentation regarding the Local Authority Housing Fund (LAHF) and the Homes for Ukraine Scheme.

The following summary information was provided in relation to:

- Homes for Ukraine update
- An overview of the Local Authority Housing Fund (LAHF)
- MDDC approach
- Project Delivery
- Allocations process and support
- Case study
- LAHF - Round 3

Discussion took place regarding:

- It was confirmed that the houses referred to in the presentation were purchased by and held within the General Fund. They sat outside of the HRA. Consequently, it was also confirmed that they were not eligible for 'Right to Buy' and will be managed under accommodation licences not secure tenures.
- The LAHF was a funding opportunity made available to local authorities to draw down if they expressed an interest and could meet the grant funding terms. The Cabinet had felt that this was the right thing to do, one reason being it would help to reduce temporary accommodation costs.
- Team Devon had agreed that some of the money from wider Homes for Ukraine funding could be used to fund each new 'guest' meaning less needed to come out of the General Fund.
- Due to the rural nature of Mid Devon and it not being as 'diverse' as some other communities some 'guests' and their families had found it difficult to integrate especially if there were not other people of the same faith in the community in which they lived.

The Group thanked the officers for the interesting and informative presentation.

12 **Income Management Policy (01:05:00)**

The Group had before it a report * from the Head of Housing and Health setting out the principles and the overall approach that Mid Devon Housing takes to collecting rent, service charges and other payments, prevent arrears, manage arrears and ensure that effective and appropriate action is taken to sustain tenancies and maximise income / reduce debt.

The policy was in need of updating and the following summary was provided:

- Officers worked proactively with tenants experiencing financial difficulty to prevent debt becoming bigger where this could be achieved. However, many were experiencing the effects of the cost of living crisis and housing rent increases.

- Despite this the rent collection rate was 98% which was an extremely positive result given the current economic position.
- It had been possible to achieve this position with only 7 evictions overall.
- It was a key focus of the service to sustain people within their tenancies for as long as possible.

Discussion took place regarding:

- It was confirmed that when tenants contact MDH to express their dissatisfaction with something in the income management process then MDH would always have informal discussion to see if things could be put right within quickly, however any complaint was still registered within 5-days so it could be actioned properly.
- The debt recovery process has several stages each with its own timeline, however there was flexibility within the policy approach so MDH can pause at any stage if there was positive engagement from the tenant. As such, each case was dealt with on a case by case basis and in reality has its own timeframe.
- The assistance of local Ward Members was encouraged if it could be found to resolve a particular issue.
- Eviction was an absolute last resort and it was a difficult balancing act weighing up the needs of the HRA in terms of people paying rent versus creating a new homelessness pressure.

RECOMMENDED to the Cabinet that the updated Income Management Policy and Equality Impact Assessment contained in annexes A and B respectively be approved.

(Proposed by Cllr A Glover and seconded by Cllr H Tuffin)

Reason for the Decision

Rent collected was paid into the Housing Revenue Account for dwellings and garages/garage ground rent plots (GGRP) and car parking spaces. It was therefore important to maintain the revenue stream. However, as Council housing is designed to help those in housing need, there were many vulnerable people on low incomes living in Council properties. As a result of this consideration must be given to individual circumstances when making decisions about tenancy enforcement action.

The MDH tenancy agreement contained a clause which stated that tenants were responsible for paying their rent and other charges on time. Rent was due on a Monday. The Housing Service offers tenants many different methods of payment and also accepted payments on a weekly, fortnightly or monthly basis as long as rent was paid regularly.

Having a clearly defined policy ensures consistency of approach and ensures that no tenant or resident was treated any more fairly or unfairly than any other.

Note: * Report previously circulated.

13 **Amendments to Mid Devon Housing (MDH) Home Safety Policy 01:17:00)**

The Group had before it a report * from the Head of Housing and Health outlining some amendments needed to the Mid Devon Housing Home Safety Policy.

Minor changes were essentially due to changes in the legislation, fire risk and changes to job titles and were listed at sections 1.6, 1.10 and 1.15.

A brief discussion took place with regard to:

- Bioethanol heaters were particularly hazardous and generally not insulated very well creating a fire risk.
- It was confirmed that paraffin heaters were already considered within the policy.

RECOMMENDED to the Cabinet that the amended Home Safety Policy be amended as set out in the report.

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

Reason for the decision

The policy ensured that MDH fully complied with its statutory obligations and that the safety of its residents was safeguarded.

Note: * Report previously circulated.

14 **Delegated Decisions for Mid Devon Housing (MDH) policies with minor amendments (01:25:00)**

The Group had before it a report * from the Head of Housing and Health summarising the need for delegated authority to be given to himself in conjunction with the Cabinet Member for Housing & Property Services to make minor changes to current and new housing policies.

It was explained that updates would be quite minor whereas at the moment every single policy had to be brought before the Policy Development Group. Going forwards the Group would need to focus on significant policy updates only.

The Chairman stated that the Homes PDG had a very hardworking membership who wanted to be proactive and helpful in the best way possible.

RECOMMENDED to the Cabinet that:

- a) The Head of Housing and Health is given delegated authority to make minor amendments to current MDH Policies as listed in Annex A in consultation with the Cabinet Member for Housing & Property Services) as required by legislative changes, formal guidance or local operational considerations.
- b) The Head of Housing and Health is given delegated authority to make minor amendments to new MDH Policies as listed in Annex A or developed in due course following first adoption, in consultation with the Cabinet Member for

Housing & Property Services) as required by legislative changes, formal guidance or local operational considerations.
(Proposed by Cllr C Adcock and seconded by Cllr A Glover)

Reason for the decision

MDH must ensure that its published policies are up to date and compliant to current legislation. This included the ability to swiftly make changes as required by legislative changes, formal guidance or local operational considerations.

Delays to implementing legally required changes posed a risk to the Council.

Note: * Report previously circulated.

15 **Final Report of the Tenure Reform Working Group (01:29:00)**

The Group were presented with a report * from the Head of Housing and Health. The Homes PDG had tasked the Tenure Reform Working Group to investigate the continued use of Flexible Tenancies for all properties and whether this type of tenure was beneficial for Mid Devon Housing (MDH) and tenants. The Working Group were asked to consider whether a change to the current tenure offerings required updating and if so what types of tenure should be offered to tenants in the future.

The Chairman of the Working Group provided a summary of their work and presented their findings:

- The Working Group had given thorough thought and spent a lot of time undertaking the instructions of the PDG.
- They had spoken to tenants to find out what they thought about Flexible Tenancies.
- They had also looked into using more blended approaches.
- They had concluded that there was quite an administrative burden to operating Flexible Tenancies requiring significant officer resource and costs to the Council.
- Flexible Tenancies had been introduced in 2013 before the Grenfell disaster and many local authorities were now moving away from them.
- Tenants had commented that they found the tenancy review process very stressful, particularly those tenants who were vulnerable.
- There was also evidence that due to the sometimes temporary nature of the tenancy not as much care was sometimes taken of the properties.

RECOMMENDED to that Cabinet that:

- a) The use of flexible tenancies be halted.
- b) All current flexible tenancies are moved to secure tenancies.

(Proposed by Cllr C Connor and seconded by Cllr J Cairney)

It was also **AGREED** that a Working Group be established to look at ways in which Mid Devon Housing could incentivise tenants to downsize to smaller homes when required.

The Working Group would comprise of the following Members: Cllr C Connor, Cllr A Glover and Cllr H Tuffin.

Reason for the decision

It was good practice to review tenancy agreements on a regular basis to take account of changes to legislation, regulatory requirements, policy and good practice. Registered Providers also needed to ensure that those responsible for housing management could rely on a robust tenancy agreement which could be used in support of efficient and effective management of tenancies and the housing stock.

Note: (i) * Report previously circulated.

(ii) Cllr N Letch requested that her vote against the recommendations to the Cabinet be recorded.

16 **Mid Devon Housing (MDH) Tenure Review and Associated Review of Tenancy Conditions: Project Plan (01:39:00)**

The Group had before it a report * from the Head of Housing and Health seeking approval to update the project plan relating to a review of the standard MDH tenancy agreement.

The following was highlighted within the report:

- Approval was sought to update the project plan relating to a review of the standard MDH tenancy agreement. The project plan also related to the various forms of tenure currently in use at MDH. In addition, the project encompassed a review of the tenancy management policy which required updating, and which would have to be amended accordingly should tenure reform be agreed. The report contained a recommendation that the project plan be extended to facilitate detailed consultation with tenants, and other stakeholders, in line with legislative and regulatory requirements, and good practice.
- The project plan and its timeline had been dependent on the work of the PDG Tenure Reform Working Group including the production of its final report as set out at this meeting. Due to the Member Working Group meeting once more than originally planned, the report from the Working Group to the PDG on this project was delayed from the March meeting to this one. More time was therefore now needed to enable appropriate consultation with other stakeholders, including tenants, to take place and the project plan has been amended accordingly.

The Chairman requested that an update be provided to the next meeting in September.

It was **AGREED** that the tenure review project plan be amended as set out in the report.

Note: * Report previously circulated.

17 Mid Devon Housing Service Delivery Report for Q4 and Outturn for 2023/2024 (01:42:00)

The Group had before it, and **NOTED**, a report * from the Head of Housing and Health providing a quarterly update to Members on activity undertaken by Mid Devon Housing (MDH) including some relating to enforcement.

The following was highlighted within the report:

- The report presented a full set of performance and Tenant Satisfaction Measures (TSM) data.
- For the first time it also presented the outcome of the TSM perception surveys.
- Overall there had been a very strong performance in the MDH area.
- Performance was at or above target on repairs.
- Debt levels were very low.
- Voids remained under pressure due to high turnover and high damage levels, however 97% of properties in the housing stock were occupied at any one time.
- There was a sufficient number of respondees to the TSM perception surveys to meet the requirements of the Regulator and were enough to be representative.
- Importantly, at the moment, there was nothing to compare this data to as the Regulator had not published any national bench marking.
- Mid Devon was the first local authority in Devon to put their full TSM data into the public domain.
- Reference was made to the statistical data within the report but it was explained that this data needed unpicking. It certainly suggested some areas for improvement and officers would be working up a plan for the future.
- The Regulator would be placing a lot of emphasis on TSM's going forwards, the sector was consumer driven with all data and outcomes being inspected.

Consideration was given to:

- The importance of early intervention to ensure tenants stayed in their properties as long as possible despite financial difficulties.
- What would happen with a possible change in Government at the next General Election? It was explained that many recent changes to the housing sector were now on the statute book and unlikely to be reversed. The Regulatory framework was likely to remain part of the housing landscape going forwards. This was not something to be feared but to be embraced.
- More proactive work would be undertaken to ascertain why it was some tenants did not feel safe in their homes.
- There was a huge challenge over the interpretation of the responses as the questions were prescribed by the Regulator. It was felt that everybody interpreted questions differently. This would be a work in progress.
- The monthly officer meetings and whether Members had a role to play in them? It was considered that this was a safe place for officers to discuss issues in their areas alone and that much of this was operational in any case.

Note: * Report previously circulated.

18 Mid Devon Housing Complaints Handling Report 2023-24 (02:15:00)

The Group had before it, and **NOTED**, a report * from the Head of Housing and Health setting out how complaints were handled during 2023 – 2024 and other pertinent information in relation to this.

The following was highlighted within the report:

- The Government and Regulator wanted to know how well each Registered Provider was doing and so was proactively encouraging complaints to come forward. The key things to remember were that complaints were genuinely an opportunity to learn and improve and were often the only way to facilitate this learning process.
- Data showed that more complaints were dealt with now at the first stage of reporting and over 50% of complaints were not upheld. Fewer complaints were going through to stage two.
- Some complaints were frivolous and / or non-valid.
- To put it into context, 93% of tenants did not complain, so we were only talking about 7% of tenants overall who had made a complaint.
- The challenge was to determine what could be done better and what was not working.
- Better communications would be key moving forwards.
- Some areas received no complaints such as disabled adaptations and emergency repairs.

Discussion took place regarding:

- Where possible, references to 'quickly' within the report needed to specify defined timescales.
- The need for people to be able to engage with the Council in as many different ways as possible so as to improve communication.
- Ward members had a role to play.

Note: * Report previously circulated.

19 Work Programme for 2024/2025 (02:35:00)

The Group had before it, and **NOTED**, the current work programme for the Homes Policy Development Group for 2024 / 2025.

Members were asked to consider whether there were other areas that they wanted to focus on in addition to those already listed in the work programme.

The following was discussed and **AGREED**:

- There would be a new policy coming forwards in March 2025 to better support tenants in relation to Safeguarding matters
- The Asset Management Strategy would be coming forward at some stage in the near future and could consider issues such as renewable energy as a part of that. It would need to have a relevance to the Homes PDG however as this sort of discussion may be better placed in another PDG.

- As a result of the Safer Tenants Bill and the outcomes of the TSM's there would be a good deal of work to be done and a role for the PDG to play in making tenants feel safer in their homes.
- Whether it was possible to look at how different types of property were allocated.
- An update was requested from the new Working Group looking at ways to incentivise tenants to downsize to smaller properties for the next meeting.

Note: * Work Programme previously circulated.

20 **Identification of items for the next meeting**

No additional items were identified for the next meeting other than those already listed in the work programme and the items discussed under the previous agenda item.

(The meeting ended at 5.02 pm)

CHAIRMAN