

MINUTES of a SPECIAL MEETING of the HOMES POLICY DEVELOPMENT GROUP held on 28 January 2025 at 2.15 pm

Present

Councillors

S Robinson (Chair)
C Adcock (Vice-Chair), J Cairney, A Glover,
N Letch, H Tuffin and C Connor

Also Present

Councillor

C Harrower

Also Present

Officers

Simon Newcombe (Head of Housing & Health), Mike Lowman (Building Services Operations Manager) and Sarah Lees (Democratic Services Officer)

Councillors

Online

J Buczkowski, S J Clist, F W Letch and J Lock

51 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies for absence.

52 PUBLIC QUESTION TIME

Paul Elstone

Agenda Item 9 – Q2 Housing Service Delivery Report:

Question 1

Section 7 (Income Collection) minimises the major historical rent error affecting all tenancies and suggests this was not a factor in the four evictions this year.

But Annex C (Rent Recovery) shows that seventy (70) tenancies have been served with Notices Seeking Possession in Q1 and Q2.

Notices served Quote “In order to protect the Council’s interests whereby we can apply for possession of a property following 28 days after the notice is served if the tenant fails to make an arrangement or clear arrears in full”.

How many of these 70 tenants have been overcharged on their rental amounts?

Question 2

How long had these same tenants occupied their properties before they were served with Notices?

Question 3

How many evictions of social home tenants have there been in MDDC over the last 10 years and due to Rent Arrears?

Question 4

How many of these evictions involved tenants who were being overcharged rent by this Council?

Question 5

Section 7.6 says that the rental overcharges were quote “relatively low”. Precisely what does “relatively low” really mean?

Please provide the highest monthly overcharge amount identified and in pounds and pence for any social housing tenant, and not just those given Notice or Evicted?

Question 6

Annex C (Rent Recovery) states that the Year to Date rent arrears is 2.29%. What does 2.29% equate to in financial terms?

Question 7

One important figure I believe missing from the documents provided to this Committee is the amount of lost rental revenue due to VOIDS.

Information that may support better investment in the resources required to speed up reducing VOIDS overall. Money better spent than building expensive modular homes. Other Councils openly report this information along with much more.

What is the financial value of the VOID lost rental year to date?

Question 8

What is the lost rental revenue due to VOIDS for the last 5 years?

Question 9

Given that the 39 properties at St Georges Court were purchased nearly 12 months ago using HRA funds and they have not generated any revenue only absorbed undisclosed cost, are they included on the VOIDS list and if not why not ?

The following questions relate to the meeting agenda.

Question 10

Given its major importance, and HRA impact, and with many questions being asked - why was the historical Social Rent Error not been given a separate Agenda item and Report?

Question 11

Will the historical Social Rent Error form part of the next Homes PDG agenda?

The Chair stated that she was able to answer the last question in that a report updating the Group on the Social Housing Rents error would be coming to their next meeting on 18 March 2025. For all the other questions he had asked and which had not been submitted in advance, he would receive a written reply within 10 working days.

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 19 November 2024 were approved as a correct record of the meeting and **SIGNED** by the Chair.

55 **CHAIR'S ANNOUNCEMENTS**

The Chair had the following announcements to make:

1. She reiterated the fact that an update on the Social Housing Rents error would be coming to the next meeting on 18 March 2025.
2. There had been a large amount of interest shown by tenants for the three co-opted places on the Policy Development Group. It was confirmed by the Head of Housing & Health that there was more interest than places available but that a selection process would be undertaken with the June 2025 meeting being the first one where the co-opted tenants would join the Group. It was confirmed that they would not have voting rights but would bring a wealth of relevant knowledge and experience.
3. It was confirmed that there were 11 properties ready to be occupied in the St George's Court complex. Rents had been agreed and 6 properties would be advertised this week with the remainder in the next 2 weeks.

56 **GOVERNMENT 'RIGHT TO BUY' CONSULTATION - VERBAL UPDATE**

The Head of Housing & Health provided the Group with a presentation outlining the key features of the Government's consultation on the 'Right to Buy' scheme.

This included the following key information:

- Between 20 November 2024 and 15 January 2025 the Government undertook a consultation on further potential reforms to Right to Buy.
- The Ministry of Housing, Communities and Local Government (MHCLG) consultation sought views on how the Right to Buy (RTB) should be reformed so that it better protected the existing stock of social rented homes, provided better value for money for the taxpayer and ensured fairness within the system.
- The Government stated a desire to ensure that Council tenants who had lived in, and paid rent on, their social homes for many years could retain the opportunity to own their home.
- However, reform of Right to Buy was noted as essential to better protect much-needed social housing stock, boost Council capacity and build more social homes than were lost, supporting the Government's commitment to deliver the biggest increase in social and affordable housebuilding in a generation.
- The consultation followed early Government changes in July 2024 which removed the several caps including the % cost of a replacement home that could now be funded using RTB receipts. Councils could also now combine RTB receipts with s106 affordable housing contributions for the first time – these flexibilities were in place until July 2026.
- In November 2024, RTB discounts to tenants also changed and were significantly reduced to pre-2012 levels. In the South West this discount was now reduced to £30k maximum (down from c£100k).
- The Government also increased protections on newly built social homes by increasing the cost floor protection period from 15 to 30 years. The cost floor limited the discount on Right to Buy properties to ensure that the purchase price of the property did not fall below what had been spent on building, buying, repairing or maintaining it over a certain period of time.
- As a member of the LGA/MHCLG Strategic Housing Group, the Head of Housing and Health was able to provide a professional response to the consultation which was summarized as follows:
 - **Eligibility** – support an increase in the eligibility requirement (minimum 10 years, up to 15 years). Support limiting further gain from RTB if a tenant had benefited previously.
 - **Discounts as a percentage of the property value** – support further reduction; as low as 1%, maximum 5%. In SW 1% would reduce maximum discount to £11k. Support consistency of approach across flats and houses and retention of regional caps with a further note on the challenges (additional cost) of delivering new build to meet local housing need in rural areas; especially around reduced economy of scale, plot sizes, material/module delivery, labour shortage and higher costs, relative impacts and working with communities.
 - **Exemptions** – supported retention of existing exemptions. Asked Government to consider rural exemptions to support the retention and provision of affordable homes in rural areas. Emphasis on how this housing underpinned and helped to deliver sustainable rural communities. Also raised the disproportionate impact of RTB on the loss of social housing in rural areas and the challenges around new housing delivery in this context. Further consideration requested for exempting all new build in perpetuity going forward (versus current 30-year discount protections).

- **Restrictions on properties after sale** – supported an increase the discount repayment period (sliding scale based on when a RTB property was subsequently sold) from 5 years to 10 years.
- **Requirements around the replacement of homes sold under the Right to Buy** – did not support like for like/geographical restriction on replacement 1:4:1 homes based on receipt. Alternatively, further noted request for exemption on RTB sales for rural areas with wider flexibility on use of receipts retained to maximise delivery across area to ensure current housing needs were met which may have changed over time.
- **Simplification of the receipts regime** – supported proposed simplifications, further supported future retention of 100% of receipts and maximum overall flexibility to enable 1:4:1 monies to be used alongside all other grant funding (e.g. Homes England Affordable Homes Programme) as well as s106 to maximise delivery. Did not support any other restrictions on LAs – the Council needed maximum flexibility on capital spending. Welcomed recycling of unspent 1:4:1 regionally (potentially through combined authorities) rather than return to Homes England.

Discussion took place regarding:

- It was confirmed that the Cabinet Member for Housing, Assets & Property Services had been consulted prior to submitting the consultation response.
- The restrictions on properties after sale and the 'sliding scale' was already in place.
- Highly adapted properties would be exempt.
- Concern that in the past people often bought their own properties but then stayed in them continuing to be part of the community. There was evidence that this was happening less often and that community cohesion was suffering as a result.
- It was confirmed that a 'secured tenancy' started with the first property occupied by the tenant, they did not need to start again if they moved to a different Council property.
- It was expected that there would be a high number of applications once the scheme came fully into effect.
- The Head of Housing & Health confirmed that the Council would be asking for a further moratorium on RTB for any new builds since the pay-back period for new builds was between 40 – 50 years.

The Group thanked the officer for the update which was **NOTED**.

Note: Cllr A Glover declared a personal interest in that she was a Council tenant.

57 **MID DEVON HOUSING RIGHT TO BUY POLICY**

The Group had before it a report * from the Head of Housing & Health. Under the statutory Transparency, Influence and Accountability Standard set by the Regulator of Social Housing (RSH), landlords must be open with tenants and treat them with fairness. Although the terms and process that enabled tenants to acquire their council homes under Right to Buy (RTB) was largely set by legislation, it was important that Mid Devon Housing (MDH) had a clear point of reference through a specific policy available for tenants.

There had also been some key recent legal changes to the RTB policy nationally which made it timely to have an up to date policy in place. This report therefore presented a new policy that outlined Mid Devon Housing's (MDH) approach to managing tenants' RTB of their Council homes.

The following was highlighted within the report:

- The new policy gave transparency to tenants and provided guidance to officers.
- There may be some circumstances where the Council would consider waiving certain discounts.
- The removal or temporary suspension of particular covenants would be considered, for example, if the existence of a covenant would lead to the closure of a care home because the staff could not be accommodated.

RECOMMENDED to the Cabinet that it recommends to Council the adoption of the Right to Buy Policy and Equality Impact Assessment contained in Annexes A and B respectively.

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

Notes:

- (i) * Report previously circulated.
- (ii) Cllr A Glover abstained from voting as she was a Council tenant and wished for her abstention to be recorded.

58 **MID DEVON HOUSING SAFEGUARDING ADULTS, CHILDREN AND YOUNG PEOPLE POLICY**

The Group had before it a report * from the Head of Housing & Health. In March 2024, a Consumer Regulation Health check advised that Mid Devon Housing (MDH) established a dedicated Safeguarding Policy to better manage risks associated with protecting vulnerable adults and children from abuse and neglect. Safeguarding was a crucial legal obligation for MDH. Whilst the existing corporate policy was widely updated in 2024 as an initial policy priority, it lacked detail on the role of MDH as a landlord as required by housing providers. This new MDH specific policy had been developed in the context of the updated corporate policy for consistency.

The following was highlighted within the report:

- This was separate to the corporate Safeguarding policy as the role of Mid Devon Housing was slightly different to the rest of the Council.
- Housing officers were trained to proactively look out for the well-being of tenants.
- The policy identified adults and children as two distinct groups.
- The policy set out the Council's responsibilities in detail.
- The policy would help to guide officers and the Housing teams.

Discussion took place regarding:

- The demand for access to other health and social care services had increased dramatically. There were significant challenges around the capacity of the systems needed to help, for example, the NHS.
- The Neighbourhood Teams were praised for the work that they did.
- The complexities involved in trying to work with multiple agencies.
- The importance of all relevant information being made available to all agencies.
- There were challenges around 'consent'.
- The Council's ethos was 'why shouldn't we share?' rather than 'why share?'

RECOMMENDED to the Cabinet that it recommends to full Council the adoption of the MDH Safeguarding Adults at Risk, Children and Young People Policy and Equality Impact Assessment contained in Annexes A and B respectively.

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

Note: * Report previously circulated

59 Q2 MID DEVON HOUSING SERVICE DELIVERY REPORT

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

The following was highlighted within the report:

- The report presented information up to the end of September 2024. Quarter 3 data would be brought to the next meeting in March 2025.
- Performance continued to be strong, however, there were still challenges in the responsive repairs area mainly due to staff recruitment issues.
- It was reiterated that the safety of tenants at risk would always be prioritised over planned work.
- As soon as a new property became ready to rent it entered the voids system until it was occupied.
- The eviction process was complex and Housing officers did all they could to prevent evictions from happening. Often there were mitigating factors and evictions were very rarely about just the non-payment of rent. It was confirmed that as a result of this close working with tenants to prevent evictions, there was a big difference between the number of eviction notices and the number of actual evictions which were quite rare.

Discussion took place with regard to:

- The majority of 'deferred appointments' were related to tenants who had at some stage opted for an 'upgrade' but who had then declined to let the Council in.
- The possibility of classifying different types of voids to show those that were unfit for habitation or the life expectancy of a property?

- Voids were a complex area, for example, semi-detached properties where the other half of the building was owned privately and the private occupier didn't have to meet the Decent Homes Standard.
- Anti-Social Behaviour did typically rise in the summer months although there were relatively few cases in Mid Devon.
- The Housing Options Team had to determine on a case by case basis whether or not a person had deliberately made themselves homeless. These were difficult judgements to make. The circumstances relating to each individual had to be ascertained. Individuals needed to engage in the services being offered at some stage. Also, it was not always about the individual, the needs of other tenants living around that individual also needed to be borne in mind. Occasionally there were tenants that just needed other types of supported accommodation that was not provided by the Council.
- Some accommodation from the HRA was reserved for the Housing Options Team to temporarily accommodate people who needed to be housed. There were 32 such properties available at the current time. This was viewed as a good thing as many other Councils did not have this flexibility.

Note: * Report previously circulated.

60 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

The items already listed in the work programme for the next scheduled meeting were **NOTED**. In addition to this the following was requested to be on the agenda for the next meeting:

- Housing Rents error - update

(The meeting ended at 3.52 pm)

CHAIR