

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **HOMES POLICY DEVELOPMENT GROUP** held on 18 July 2017 at 2.15 pm

### **Present**

#### **Councillors**

Mrs E M Andrews, Mrs H Bainbridge,  
D R Coren, W J Daw, Mrs G Doe,  
R J Dolley, P J Heal, F W Letch and  
J D Squire

### **Also Present**

#### **Officers**

Claire Fry (Housing Services Manager), Simon Newcombe (Public Health and Professional Services Manager), Catherine Yandle (Internal Audit Team Leader), Roderick Hewson (Principal Accountant), Stephen Bennett (Building Surveyor) and Sarah Lees (Member Services Officer)

## 14 **APOLOGIES AND SUBSTITUTE MEMBERS**

There were no apologies for absence.

## 15 **PUBLIC QUESTION TIME**

No members of the public were present.

## 16 **MINUTES**

The minutes of the meeting held on 23 May 2017 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

## 17 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- The Scrutiny Committee had formed a Working Group looking into Homelessness. They had recently had their first meeting where it was requested that a Member from the Homes PDG be invited to join the group since this was a shared area of interest. It was **AGREED** that Cllr Mrs G Doe would join the Working Group.
- He reminded the Group that following the next meeting on 12 September 2017 there would be an informal meeting of the Group with the Director of Operations and lead officers to discuss the approach to developing policy going forwards.

## 18 **REVIEW OF THE HOUSING SERVICE FIRE RISK IN COMMUNAL AREA POLICY (00:05:35)**

The Group had before it a report \* from the Housing Services Manager reviewing the Fire Risk in Communal Areas policy. The contents of the report were outlined with

the officer stating the policy had been due for review and it had been coincidental that this had coincided with the recent Grenfell Tower disaster.

The following was highlighted within the report:

- In recent months there had been several incidents in one of the Council's schemes which had involved the Devon Fire and Rescue Service. As a result of these they had assisted with a review of the Council's fire prevention policy and procedures. They had been content with the policy but had suggested some further improvements mainly around the area of fire risk assessments. In addition to this there had been suggestions from other colleagues in the Public Health and Environmental Health areas.
- A system of fire risk assessments were now in place taking into consideration such issues as sight problems and English not being a first language. These were regularly reassessed to reflect the needs of the tenants living in a property at any one time.
- Since the Grenfell Tower disaster the Council had received a number of Freedom of Information requests relating to fire safety.

Consideration was given to the following:

- Ward Members were being kept informed when incidents of fire happened.
- There was now a zero tolerance policy with regard to anything being left in communal areas. This included mobility scooters which housed combustible batteries and needed to be stored in alternative locations.
- Social media was a very useful tool for informing tenants about fire safety and a regular newsletter in hard copy was sent to all tenants.
- There was increased signage in relation to fire throughout all Council owned blocks.
- Alleyways also needed to be kept clear but this was a difficult area since sometimes an alleyway formed part of someone's tenancy.
- The Housing Service worked with the Fire Service to offer home fire safety checks.

**RECOMMENDED** to the Cabinet that the revised Fire Risk in Communal Areas Policy be amended to include a reference to the fact that the Private Sector Housing lead officer had been consulted and that the revised policy as amended be approved.

(Proposed by Councillor Mrs H Bainbridge and seconded by Mrs G Doe)

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

## 19 **PRIVATE SECTOR HOUSING FEES AND CHARGES - CIVIL PENALTIES (00:22:30)**

The Group had before it a report \* from the Public Health and Professional Services Manager updating Members with the proposed civil penalty fines for Housing Act 2004 offences as an alternative to prosecution, as discussed in the fees and charges paper of 14<sup>th</sup> March 2017.

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

- Section 126 and schedule 9 of the Housing and planning Act 2016 came into force on 6 April 2017. These provisions gave the Council as the local housing authority the power to issue a financial penalty for certain housing offences as an alternative to prosecution.
- The policy set out the proposed rationale for determining when to pursue prosecution and when to apply a civil penalty.
- The Group were referred to the table showing three categories of landlord and the different categories of offences and fines within that. The lowest fine would be £750 and the maximum under the legislation would be £30,000.
- There was a provision under the legislation for the Council to use the newly created register of rogue landlords and it was proposed this would be the case where a landlord had received two or more civil penalties in a specified period.

Discussion took place regarding:

- What powers did the Council have if a landlord denied responsibility for a poor standard of housing? It was explained that an improvement notice could be served but it would need to be established that the tenant had first tried to resolve the matter with the landlord and had put their complaint in writing. Often the threat of enforcement action, including a civil penalty in the future would be enough to secure an improvement.
- All enforcement and legal work in relation to these matters was undertaken in-house.
- It was confirmed that any income received by way of civil penalties did not go back into a general pot within the General Fund but instead was ring-fenced for use in the future enforcement of private sector housing standards.
- Debt would be recovered by bailiffs if over a certain amount.
- The decision on whether to use civil penalty powers (and to what extent) or to seek a prosecution would be made by the Service Manager or Director in conjunction with legal services.

**RECOMMENDED** to the Cabinet that the proposed civil penalties approach and the fines as set out in the report be approved.

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

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

## 20 **FUEL POVERTY UPDATE (00:41:38)**

The group had before it, and **NOTED**, a briefing paper \* from the Public Health and Professional Services Manager providing an update on the Fuel Poverty Strategy and initiatives for residents in Mid Devon.

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

- Mid Devon had a higher than average number of people living in fuel poverty who were unable to keep their homes warm at a reasonable cost. It was felt that this was systematic of the fact that Mid Devon was a rural area and had a

mild temperate climate. There was a preference for open fires, fresh air and there was a low turnover of properties meaning less home upgrades.

- The Home Energy Conservation Act 1995 (HECA) required local authorities to produce a plan to achieve improved home energy efficiency.
- Common health conditions caused by fuel poverty included a wide range of both physical and mental health impacts. Fuel poverty was also socially excluding as often people were less mobile because they were trying to keep themselves warm and less likely to invite people into their home.
- The Council together with the County Council and all other non-unitary councils worked in partnership with the Cosy Devon (E-On) who were part of the Government backed ECO scheme. If a resident was on income related benefits they could also be eligible for free loft insulation, free cavity wall insulation or a replacement boiler.
- There was also a local energy advice programme which could help with such issues as draft proofing or radiator foils. There was also the option of a low cost Wessex loan.
- Implementation of the energy switching scheme was now well advanced and under final contract review.

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

## 21 **UPDATE ON THE WESSEX SCHEME (00:58:40)**

The Public Health and Professional Services Manager provided the Group with a verbal update in relation to the Wessex scheme, this included the following:

- The recent pilot had been very successful with a large increase in the uptake of loans.
- Approval time had been reduced to 8 weeks on average. This had been a significant factor in the increased take up of loans since previously some people had dropped out of the system because it had taken too long.
- An approach had been made to Devon County Council for some funding under the Home Assistance Scheme and the Council had been successful in receiving £100k to put into the Wessex Scheme.
- Increased advertising and drop in sessions, as well as working with partner agencies such as Age UK, had also helped to promote the scheme.
- A new contract would be drawn up between the Council and Wessex once negotiations regarding the terms had been completed.

A further update would be brought to the next meeting.

## 22 **PERFORMANCE AND RISK REPORT FOR 2017-18 (01:05:12)**

The Group had before it, and **NOTED**, a report \* from the Director of Operations providing Members with an update on performance against the Corporate Plan and local service targets for 2017/18 as well as providing an update on the key business risks. It was explained that there were now clearer links to the Corporate Plan aims within the report.

Discussion took place regarding:

- Percentage of Properties with a Valid Gas Safety Certificate (LGSR): MDDC had been extending the mains gas network via the modernisation contract. The Gas Administrator had carried out reconciliation of known and expected properties with gas supplies and had discovered 3 expired LGSRs because the addresses had not been added to the contract after a new supply was installed. The servicing of these properties was prioritised and LGSRs subsequently issued (7/06/2017).
- The physical and mental well-being of officers had been identified as a medium risk. It was confirmed by the Housing Services Manager that in her profession housing officers were quite often subjected to verbal abuse. This was to some extent inevitable given housing officers made home visits to people sometimes living in crisis, or having alcohol or drug related problems. It was important to be alert to the fact that officers working on the front line had the potential to be working under a lot of stress. As a way of mitigating this it was explained that there were a lot of opportunities for officers to 'let off steam' as well as a counselling scheme and work based coaches.

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

## 23 **REVENUE AND CAPITAL OUTTURN 2016/17 (01:13:55)**

The Group had before it, and **NOTED**, a report \* from the Director of Finance, Assets & Resources presenting the revenue and capital outturn figures for the financial year 2016/17.

The key messages within the report were as follows:

- The General Fund had finished the financial year with a small surplus of £30k
- The balance on the Housing Revenue Account had not moved and remained at £2m.
- The money in the housing maintenance fund helped to fund the 30 year plan for major works such as the replacement of roofs, boilers and heating systems.
- There had been a reduction in staff costs within the housing and tenancy teams.

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

## 24 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:20:00)**

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

- Update on the Wessex Scheme

(The meeting ended at 3.35 pm)

**CHAIRMAN**