

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Housing Review Board held at Council Chamber, Exmouth Town Hall, Exmouth EX8 1AW on 28 March 2019

Attendance list at end of document

The meeting started at 2.35 pm and ended at 4.40 pm

63 Public speaking

There were no questions raised by members of the public.

64 Minutes of the previous meeting

The minutes of the Housing Review Board meeting held on 24 January 2019 were confirmed and signed as a true record.

The Chairman informed the Board that there would be a modular homes workshop starting at 10:30am on 24 April 2019 in Exmouth Town Hall and invited members to attend.

65 Apologies

66 Declarations of interest

Pat Gore: Personal interest - housing tenant.

Peter Sullivan: Personal interest – housing tenant.

Cat Summers: Personal interest – housing tenant.

Cllr Steve Gazzard (non Board member): Personal interest – housing tenant.

67 Matters of urgency

There were no matters of urgency raised at the meeting.

68 Confidential/exempt item(s)

There were no confidential or exempt items.

69 Introduction to Ian Williams Ltd

The Chairman introduced and welcomed Jane Cox, Operations Director, and Claire Harris, Project Manager, from Ian Williams Ltd to the meeting. They explained that Ian Williams Ltd was a family business first established in 1946. It was privately owned and had a turnover of £80m. It was a stable business with 15 offices nationwide and contracts of £300m to 2033.

Ian Williams Ltd invested in people and their staff. They had Investors in People (IIP) gold status and had recently received the RoSPA president's award. It employed 850 people and had more than 10% apprentices. In the South West Ian Williams had long term relationships with:

- Exeter City Council
- Plymouth Community Homes

- Teign Housing

They had over 100 employees, 9 apprentices, 4 trainee surveyors and 50 local small to medium enterprises (SME). They were the Price Waterhouse Cooper (PWC) South West Business of the year in 2017.

The Ian Williams Ltd contract with EDDC would start on 1 July 2019. To begin with it would be for repairs, voids and compliance, with planned works in the future. There would be seven office staff based at Woodbury Business Park, with desk space available for EDDC employees. A Business Manager had been appointed through internal promotion and other vacancies would be advertised locally. There would be 25 site staff, with 2 apprentices. Employees of the incumbent contractors could transfer under TUPE. SME subcontractors would be used based on EDDC's recommendations and advice.

The commitments to EDDC tenants requesting a repair were:

- Appointments made on the first call
- Risk assessment
- Photographs
- Signature & questionnaire
- Job update card for follow ons
- Appointment from site
- Follow up on feedback
- Post inspections

The Ian Williams Academy offered employee development and knowledge expansion. It was award winning and in 2018 had 6.5 training days per employee. For EDDC the IW Academy would provide

- 1 additional apprentice per annum
- 1 additional trainee surveyor every 3-4 years
- Annual engagement with schools & colleges
- Upskilling existing workforce

Ian Williams Foundation was established 2016 and aimed to support local communities. It was an employee led team, with over £50,000 a year in donations. With EDDC the IW Foundation would provide:

- Active resident representation
- Resident trade training days
- Attendance at resident workshops
- Community sponsorship and donation

On behalf of the Board the Chairman thanked Jane Cox and Claire Harris for their informative presentation.

Integrated asset management contract update

The Acting Service Lead's report summarised progress on the mobilisation of the new integrated asset management contract, and introduced the structure and timetable for the process.

The revised start date for the contract, which had been awarded to Ian Williams Ltd, was 1 July 2019. Six sub groups had been set up carry out specific tasks to ensure mobilisation was carried out as seamlessly as possible. These were:

- Delivery sub group
- ICT sub group
- Commercial sub group
- Communications sub group
- Health and safety group

All subgroups would contain both Ian Williams and EDDC staff. There were tenants on most of the sub groups too. A steering group would oversee the work of the six sub groups and had overall management of the 'live' mobilisation project plan. The communications sub group was key to how the contract worked on a day to day basis and how the change of contractors was communicated to tenants. The group were looking at innovative ways to communicate the change with tenants.

ICT integration was the biggest challenge of the project and also related to the majority of the milestones.

The Vice Chairman thanked the Acting Housing Service Lead for her presentation and for attending the Tenant Involvement Forum to keep them informed. Tenants had been involved in the new contract from the start.

RESOLVED: that the progress made in the mobilisation of the new integrated asset management contract be noted by the Housing Review Board.

71 **Housing Review Board Forward Plan**

The Acting Housing Service Lead presented the forward plan and advised Members that the forward plan acted as a reminder of agenda items to come forward to future meetings. Members were reminded that they could add further issues to the next forward plan by informing either herself or the Democratic Services Officer.

The following items were added to the forward plan:

- Presentation on modular homes – 10:30am, 24 April 2019, Exmouth Town Hall.
- Report on the Homes (Fitness for Human Habitation) Act 2018.

RESOLVED: that the forward plan be noted and updated.

72 **Homelessness Strategy 2019 -2023**

The Housing Needs and Strategy Manager presented the Homelessness and Rough Sleeping Strategy 2019 – 2023. This was a statutory requirement, as directed by the Homelessness Act 2002, and a general fund matter that has already been adopted at Cabinet.

The previous strategy has been reviewed alongside the current homelessness data and new responsibilities for action to prevent homelessness introduced by the Homelessness Reduction Act 2017. This placed a statutory duty on local authorities to assist individuals and households who were homeless. The definition of being threatened with homelessness has been extended from 28 days to 56 days.

It explained why the strategy had been prepared, the strategic context and influences on homelessness locally and nationally, and why it mattered to the Council.

As outlined in the strategy, the key priorities were to:

- Maximise prevention activities and outcomes
- Increase accommodation options
- Minimise rough sleeping
- Improve health and wellbeing

The strategy had been prepared in consultation with members, officers and housing teams internally, and representatives of local partnership and homelessness support agencies externally. Individuals who had experienced homelessness had also been interviewed. Following adoption of the Strategy, the Council would:

- Set up a steering group of member, customer and officer representatives to oversee implementation.
- Design and publish the strategy including pictures and quotes from customers and case studies.
- Develop an action plan with SMART objectives to progress our key priorities.
- Report progress against outcome and evaluation measurements.

The Housing Needs and Strategy Manager explained that the Council had purchased a house of multiple occupation to provide temporary accommodation and also outlined two successful bids to combat rough sleeping.

RESOLVED: that the information in the report be noted by the Housing Review Board.

73 **Poverty, Housing and Safeguarding**

Members of the Housing Review Board considered the report of the Strategic Lead – Housing, Health and Environment, which explored the links between social policy, increasing levels of poverty, homelessness and safeguarding. A similar report had been presented to the Devon Safeguarding Adults Board to highlight the concerns and ensure that the issues were reflected in the business plan and priorities of the Board.

The purpose of the report was to better understand how poverty was impacting on people and communities and to ensure that the Council's tenants and other housing customers were safeguarded through the adoption of up to date safeguarding practices.

Poverty was a growing problem across the country. 14 million people in the UK, a fifth of the population, lived in poverty. In East Devon some 18% of children were identified as being in poverty by the End Child Poverty 2014 Child Poverty Map of the UK. EDDC were working proactively on a local level to try and combat the problem. The Devon Strategic Partnership Welfare Task Group had been established initially to focus on East Devon and Exeter, to understand:

- the impacts of welfare reform at a local level,
- the actions the authorities could take to alleviate the effects of poverty on individuals and communities.

A future report on this would be brought back to the Board when more details were known.

RESOLVED: that the protocol for safeguarding in housing be adopted, and a report be invited back on the findings of the local research into poverty and the consequences.

74 **Housing Policy Note on the Mental Capacity Act 2005**

The Landlord Services Manager presented the draft Housing Policy Note on the Mental Capacity Act 2005 for approval by the Housing Review Board.

The Mental Capacity Act 2005 applied to anyone who had dealings with people who may lack capacity, and provided the legal framework for acting and making decisions on behalf of adults who lacked capacity to make some decisions themselves.

There were increasing numbers of vulnerable people living in the community whose mental capacity was inhibited by disease, mental ill health, injury, or disability, and the Council had a responsibility to safeguard their interests in line with the statutory requirements of the Mental Capacity Act and best practice set out in the Code of Practice.

The Housing Policy Note would be applied across the Housing Services to:

- Facilitate the necessary decisions to be made in relation to council housing services, including homelessness.
- Ensure the best interests of individuals whose mental capacity may be in doubt.
- Minimise recourse to litigation.

The Landlord Services Manager advised that there was training on the Mental Capacity Act for appropriate staff on 9 April. If there were remaining spaces these could be opened up to Board members on a first come first served basis if they wished to attend.

RESOLVED: that the Housing Policy Note be approved.

75 **Brexit preparations**

The Strategic Lead – Housing, Health and Environment’s report looked at some of the implications that might occur on leaving the European Union and the potential impact on tenants and customers of the housing service. There was the opportunity to ‘stress test’ the Housing Revenue Account Business Plan using a number of different scenarios. This was a useful exercise to ensure it remained fit for purpose in adverse conditions.

EDDC was in contact with all contractors and suppliers seeking reassurance that they could continue to provide their service post Brexit.

It was noted that the situation in relation to Brexit was changing rapidly, but as a responsible landlord EDDC was assessing the risks.

RECOMMENDED: that a number of the housing plans be stress tested as part of the housing service’s preparations for Brexit to ensure service continuity for tenants and customers.

RESOLVED: that ongoing communications with all contractors and partners currently being undertaken to prepare for the potential impact of Brexit be noted.

76 **Future Rent Policy**

The Strategic Lead – Housing, Health and Environment’s report outlined the Government’s position on future rent setting for social housing tenants. Following a period of rent reduction and a consultation exercise Government had confirmed a future

rent increase of CPI + 1% for a period of five years. There would also be a rent standard published by the Social Housing Regulator that would be applicable to all local authorities.

The current business plan assumed an increase of 3% from 2020/21 onwards with CPI = 1% currently equating to 2.8% (as at January 2019). CPI + 1% would add an estimated £480,000 of income assuming the current stock and void levels.

RECOMMENDED: that Cabinet agree that future rent setting has regard to the national rent setting policy as set out in rents for social housing from 2020 published by the Ministry of Housing, Communities and Local Government.

77 **Review of Landlord Disabled Adaptation Policy**

In 2017 Members agreed a revised landlord adaptation policy. The Acting Housing Service Lead's report set out a further review to the policy with a recommendation that going forward the policy was reviewed every two years or sooner if there is a significant legislative need to review the position. Tenants, staff and key stakeholders had been consulted with in order to test the policy.

The Policy provided a clear framework which set out the Councils approach to providing adaptations for tenants or their household members to help them live independently at home.

The Council was continuing to see a growing demand for adaptations to its stock. There was an increased demand for adaptations to general needs housing, not just in sheltered accommodation. The most common requests came from sheltered housing properties and were for wet room showers. It was recognised that these adaptations could be considered when sheltered properties became void, therefore preventing demand in the future.

Since the start of the 2018/19 financial year 327 requests had been received for adaptations. These were a mix of formal statement of needs (received from Occupational Therapists) as well as Mobile Support Officer requests for adaptations to tenants homes (mainly minor adaptations). In total for the year 2017/2018 353 adaptation requests were received. Properties currently in the Right to Buy process were not eligible for adaptations.

It was noted that on a day to day basis the policy had worked well, providing a solid framework for providing adaptations and ensuring consistency. Individual cases could be extremely complex, particularly when a household had a number of family members with individual needs that needed to be met. Strong partnership working with Occupational Therapists was vital and their presence at the internal adaptation panel meetings helped with the management of these cases.

Minor changes to the revised policy included;

- An additional clause to recognise adaptations that might be required as a result of a hospital discharge. Attempts would always be made to prioritise such cases where practical to do so although it was never guaranteed all needs could be met and any adaptations required would be reviewed on an individual basis by the Adaptations Officer.
- An increase in the minor adaptation cap from £1000 to £1200, to capture rising costs of building works.

- Installing wet room showers on all sheltered housing voids where a bathroom replacement was due.
- Where major adaptations were required and it was deemed alternative accommodation could be considered, if after a period of 3 months alternative accommodation had not been secured the case will be reviewed again.

The Board acknowledged that it was likely the demand for adaptations would continue to rise as there was a continuing shift in national policy that encouraged people to remain in their homes for longer. The revised policy would continue to ensure that all requests were treated consistently.

RECOMMENDED:

1. that Cabinet approved the revised Landlord Disabled Adaptation Policy to Council Homes be approved.
2. that delegated authority be given to the Acting Housing Service Lead in consultation with the Portfolio Holder for Housing for any minor amendments to be made to the policy prior to its publication.

78 **Use of shipping containers in social housing**

Members had expressed an interest in learning more about the potential for using shipping containers as part of the Council's response to emergency accommodation and housing supply. The Housing Needs and Strategy Manager's report explained that a number of Councils were using shipping containers and porta cabins which had been converted to form self-contained living accommodation for emergency and temporary accommodation. This was in response to the rise in the number of rough sleepers and homeless applicants, the cost and reliance of using Bed & Breakfast and the lack of supply of suitable housing. The Councils who had taken this approach were mostly inner city Councils where rough sleeper numbers were high and the supply of affordable accommodation was low. In Bristol a social enterprise 'Help Bristol's Homeless' had been addressing the rise in numbers of rough sleepers by providing converted shipping containers as accommodation. This had been funded through donations and good will of local people, the land had been leased by Bristol City Council at a peppercorn rent.

Shipping containers were proving popular for the following reasons:

- Potential to reduce homelessness
- Reduce reliance on Bed & Breakfast accommodation
- Efficient use of space
- Cost, time and flexibility

Whilst there were many benefits there were also challenges and drawbacks to housing people in shipping containers. These could be summarised as:

- There had been reports that the containers are cold and inadequately heated.
- Whilst temporary in nature many people in containers in Ealing had been there for 18 months and had reported that they felt they were 'not living in a real home' and were 'feel contained'.
- There had also been problems with anti-social behaviour and residents not feeling safe as a result. Housing large numbers of people in a small area often resulted in anti-social behaviour especially if there were residents with additional support needs who led chaotic lives.
- Some re-purposed shipping containers have had problems and damage from previous rough handling and seawater. The previous use was also important as many containers could have been used to transport dangerous chemicals and biohazards.

The Housing Needs and Strategy Manager's report concluded that shipping containers offered a quick, affordable, flexible alternative to housing people where demand was very high and supply of suitable accommodation and land was limited. However it did not provide 'a home' and was only ever a temporary solution. The response to the rise in homelessness within East Devon was to purchase the House of Multiple Occupation which would be used as temporary, emergency accommodation rather than rely on Bed & Breakfast. This would be a test base to see if this type of accommodation worked and provided the stop gap that people needed to help them move on.

RESOLVED: that the Housing Review Board note the information contained in the report.

79 **Garage Task and Finish Forum update**

The Garage Task and Finish Forum (TaFF) was set up in 2012 to review the Housing Revenue Account (HRA) portfolio. It considered which garages across the district should be retained, developed or disposed of. Two sites (Plymtree and Luppit) had been sold. Other sites identified by the TaFF were on going considerations and further details were contained in the report. Advice was being sought on how to redevelop some sites.

The Chairman suggested that Garage TaFF sites be revisited. The Acting Housing Service Lead advised that all garage sites would be included in the stock condition survey.

RESOLVED: that the information contained in the report be noted by the Housing Review Board.

80 **Tenancy agreement changes update**

The Housing Needs and Strategy Manager's report updated members on the results of the tenant consultation on the proposed changes to the tenancy agreement and presented the final version of the 2019 tenancy agreement for approval.

The revised tenancy agreement was approved by the Housing Review Board in November 2018. A preliminary notice letter was sent to all tenants on 13 December 2018, this marked the start of a seven week consultation period. 53 responses were received in relation to the proposed changes. These would be responded to once the implementation of the revised tenancy agreement was approved. The three main areas that were raised were:

- Loft spaces
- Mobility scooters
- Permissions (CCTV and firearms)

The tenancy agreement was now ready to progress to the final stages and would 'go live' on 17 June 2019. The Final Notice of Variation and the tenancy agreement document would be sent to all tenants on 25 April 2019. An explanation of the proposed changes would also be included with the letter. In line with this the tenant handbook would be revised to reflect the changes to the tenancy agreement and the queries raised during the consultation period.

RECOMMENDED:

1. that Cabinet note the results of the consultation.
2. that Cabinet approve the implementation of the revised tenancy agreement in line with the process outlined in the report.

81

Together with Tenants National Housing Federation

The Strategic Lead – Housing Health and Environment's report drew the Board's attention to the National Housing Federation (NHF) publication and consultation – Together with Tenants. This document had been produced in response to the Housing Green Paper and the aftermath of the Grenfell tragedy. Whilst the document was intended for housing associations, it was suggested that the Board follow the project and use some of the recommendations to strengthen the work of the Housing Review Board and rejuvenate the tenant involvement processes.

The Government's Social Housing Green Paper – a New Deal for Social Housing was published on 14 August 2018 and was structured around five themes:

- Ensuring homes were decent and safe
- Effective resolution of complaints
- Empowering residents and strengthening the regulator
- Tackling stigma and celebrating thriving communities
- Expanding supply and supporting home ownership.

The Green Paper addressed a range of issues that affect housing associations, on issues such as safety, supply and the stigma of social housing tenants. However, at its heart was a desire to rebalance the relationship between social housing tenants and their landlords – looking at issues such as complaints procedures, transparency and accountability.

The Green Paper set out proposals of how those issues could be addressed, including through increased regulatory oversight and performance standards. It also referenced the Offer for Tenants work (now known as Together with Tenants) that was already being done as a sector, which offered an important sector-led response to the challenges around accountability and transparency. There was an opportunity for strengthening the relationship between housing associations and their tenants and residents. However, there was a lack of consistency between landlords and in some housing associations there was a lack of trust between residents and landlords.

The National Housing Federation have developed a draft plan for strengthening the relationship between housing associations and their tenants and residents. The overriding ambition of 'Together with Tenants' was to strengthen the relationship between housing associations and their tenants and residents. A four-point plan for delivering this ambition had been developed. The four actions were:

1. A new requirement in the Code of Governance for boards to be accountable to their tenants and residents.
2. A new charter setting out what tenants and residents can expect from their housing association landlord.
3. Tenant and resident oversight and scrutiny of the charter with a report on how their landlord is doing against charter commitments.
4. A closer link with regulation.

The Board noted the project and would keep up to date with its journey.

RESOLVED: that the progress of the National Housing Federation project Together with Tenants be followed and good practice recommendations that were relevant to East Devon be imported.

82 **Housing Revenue Account update to end of February 2019**

The Housing Accountant's report provided the Board with the current position to February 2019 and details of the year end forecast of the draft Housing Revenue Account (HRA) for 2018/19. The HRA showed the main areas of anticipated income and expenditure on landlord activities for the year ahead. Producing a HRA business plan had been a statutory requirement for Councils who manage and own their own stock for some time, and therefore a key document for the Board to influence.

The report also provided the position of the HRA capital programme for both affordable housing and other capital items outside of the HRA.

The notable items of budget variance were:

- Reduction in spending on gas related items due to a delay in the contract.
- Lower than budgeted requirement on asbestos spending.
- Lower than expected salary costs as recruitment continues.
- Higher than budgeted spend on voids and responsive maintenance.

The business plan included a programme of expenditure to replace properties lost through Right to Buy sales and ensure that Right to Buy receipts were invested and not returned to central government. It was noted that if Right to Buy sales declined this would have an impact on capital expenditure in future years.

RESOLVED: that the Housing Review Board approve the report on the Housing Revenue Account update to February 2019.

83 **Quarterly performance monitoring report**

The Board was presented with the Housing Service performance indicator report for quarter 3 2018/19, with details of selected indicators measuring performance across the Housing Service.

The Portfolio Holder for Sustainable Homes and Communities thanked tenants for paying their rent on time, providing high rent collection figures.

RESOLVED: that the performance of the Housing Service be noted by the Board.

84 **Devon Home Choice update**

The report of the Housing Enabling & Allocations Manager updated the Board on Devon Home Choice (DHC), which East Devon District Council had been a member of since 2010. EDDC and ten other Local Authorities and Registered Providers (RP's) made up the DHC Board.

DHC was an online based housing register that enabled individuals to register, then bid for suitable rented homes either with a RP or Local Authorities. DHC had been designed to allow applicants to register on line or if necessary over the phone. It bands individuals into housing need, the highest being band A (urgently need housing) the lowest Band E (no housing need). DHC was managed within the Council's Allocations Team which

included a dedicated DHC Officer in addition to other team members that processed all enquiries and applications.

As of the 1 April 2018 there were 3915 applications on DHC compared to 3361 at the same time the previous year. Currently there are 4654 DHC applicants looking for a home in East Devon (including Band E applications). The total number of properties allocated so far this year was 445, this was an improvement on the previous year's figure of 379.

The Council's Allocations Team were about to embark on a review of all applicants that had registered on DHC and not either bid for a property or accessed their DHC records within the past twelve months. Emails and letters would be sent to all the applicants concerned. The applications would be cancelled if there had been no change to the application after 14 days. If necessary, the applicant could reactivate the application at a later date.

Due to repeated and ongoing issues with the current software provider a decision was made by the DHC Board to source a new supplier. DHC Partners had continually experienced technical problems with the provider, including lack of processing capacity, protracted periods when the system had failed completely and other day to day 'back office' operational issues.

It was not clear at the present time as to the actual cost of switching to another provider. The DHC Board's reserves would cover any initial set-up costs incurred by the new provider. Currently EDDC contributed £1,000 per annum to the Board, plus £25 per advert that appeared in the newsletter and online. EDDC might have to contribute an additional amount to facilitate the new service, depending on the overall cost of employing the new software provider. If additional funding was required then a further report will be presented to the Board.

RESOLVED: that the report be noted.

85

Homes (Fitness for Human Habitation) Act 2018

The Chartered Institute of Housing's (CIH) briefing note on what you need to know about the Homes (Fitness for Human Habitation) Act 2018 was included on the agenda for the Board's information. A more detailed report on this would be brought to next meeting of the Housing Review Board.

Attendance List

Board members present:

Councillor Pauline Stott (Chairman)
Peter Sullivan, Tenant (Vice-Chairman)
Pat Gore, Tenant
Cat Summers, Tenant
Councillor Megan Armstrong
Councillor Brenda Taylor

Councillors also present (for some or all the meeting)

J Elson
S Gazzard

Officers in attendance:

Graham Baker, Senior Technical Officer Asset Management
Sue Bewes, Landlord Services Manager
Amy Gilbert-Jeans, Service Lead Housing
Tim Laurence-Othen, Housing Projects Officer
Andrew Mitchell, Housing Needs and Strategy Manager
Giles Salter, Solicitor

Councillor apologies:

Christine Drew, Independent Community Representative
Alek Williams, Tenant
Councillor Helen Parr

Chairman

Date: