

CUSTOMER FOCUS SCRUTINY COMMITTEE

30 November 2023

Present:

Councillor Matthew Vizard (Chair)
Councillors Rees, Atkinson, Begley, Fullam, Harvey, Holland, Miller, Patrick, Sparling and Warwick

Apologies:

Councillors Hannaford, Knott and Wardle

Also present:

Assistant Director of Housing (LB) and Democratic Services Officer (SLS)

In attendance:

Councillor Philip Bialyk	- Leader
Councillor Barbara Denning	- Portfolio Holder Council Housing Development and Support Services
Councillor Martin Pearce	- Portfolio Holder Communities & Homelessness Prevention
Councillor Ruth Williams	- Portfolio Holder Place and City Management

35 **Minutes**

The minutes of the meeting of the Customer Focus Scrutiny Committee held on 5 October 2023 were taken as read, approved and signed by the Chair as correct.

36 **Declarations of Interest**

Councillor Fullam declared a non pecuniary interest relating to Minutes 39 and 40 as an officer with Sanctuary Housing.

37 **Questions from the Public under Standing Order No. 19**

No questions from members of the public were received.

38 **Questions from Members of the Council under Standing Order No. 20**

In accordance with Standing Order No. 20, the questions below to the Portfolio Holder for Communities and Homelessness Prevention – Councillor Pearce had been submitted by Councillor Rees and had been circulated in advance to Members of the Committee. The response of the Portfolio Holder is set out in italics.

1). What are the portfolio holder's plans and what funds are available for helping people with the cost of living this winter?

The question could also be answered by the Portfolio Holder for Housing Development and Support Services, and he referred to the Household Support Tranche 4, which had been considered by the Executive and Council and had the main share of the funding that was available. It was a well designed scheme and he referred the Member to the minutes of those meetings.

Councillor Rees asked a supplementary question and referred to the excellent support detailed on the Council's web site and if similar support was planned for this year.

Appropriate signposting would be in place this year.

2). Can the Portfolio Holder indicate the likely level of grant funding he is looking to recommend for inclusion in the Council's budget for next year, to support the work of the Citizens Advice Bureau?

The Portfolio Holder for Communities and Homelessness Prevention said he was unable to advise that figure at present.

Councillor Rees made a comment and referred to the work on the homeless working group and one of themes was around the continuity of funding. She asked if he was aware of plans for funding but did not know the figure currently.

The Portfolio Holder Citizens Advice confirmed that no funding had been received since 2019, but there was a contract to provide information and advice services until the end of March 2024. No decision had been reached on a new contract or any alternative funding method if the service was continued.

39 **Update from the Portfolio Holder for Council Housing Development and Support Services**

Councillor Denning reported on the Council Housing Development and Support Services areas of her Portfolio, detailing the issues relating to achieving the Council's published priorities, major ongoing programmes of work, issues impacting delivery, financial performance and budget requirements and potential changes being considered.

Councillor Denning responded to an advance question from Councillor Rees as follows:-

1). The Portfolio Holder report refers, to 'Council owned brownfield housing development sites are unviable, and will remain so without significant government interventions.' Is that every single site? How many of those did Exeter City Living assess? What is the funding gap between the Council funds and the additional funds required?

The cost of developing on brownfield land is higher due to the abnormal costs associated with demolition, asbestos removal, contaminated ground, utility upgrades and services diversions. The Housing team has assessed a number of sites, some in more detail than others due to the design development of each scheme, and due to brownfield development costs, tender price inflation and high interest rates all of the sites assessed are showing viability challenges. Each site is unique, and the size of the viability gap is different, but this will be a six-figure sum per property in most cases. Some of this gap can be met by bidding to Homes England for Affordable Housing Grant and that the pressure will reduce significantly if, and when the interest rates return to their previous levels. Exeter City Living have contributed towards the viability assessments carried out on the Housing Revenue Account (HRA) sites as part of their engagement as Development Agent.

Councillor Rees asked a subsequent question, noting the uncertainty of the national position, and queried whether this would have a significant impact on the Council's housing building targets.

The Portfolio Holder responded that this should not have an effect and the Council will still attempt to reach the house building targets. She hoped the Government would increase the funding and reduce the cost of borrowing to enable the Council to build more houses.

The Portfolio Holder offered the following responses to Members' questions:-

- tenants living in the new passive houses built had adapted well. She had spoken to those tenants and although there was some adjustment, it was a good way to live as well as having cheaper energy bills.
- in referencing scrutiny under the Consumer Regulation Scheme, arrangements at Exeter City Council included residents' groups including a Tenants' Voice, and the Council Housing and Development Advisory Board which all offered the opportunity for dialogue. There was also a Compliance and Complaints Panel. Following a further comment on discussion with residents, the Portfolio Holder undertook to raise the comments in relation to the Residents' Engagement Terms Strategy at a Portfolio Holders meeting and discuss with the Director.
- the position in relation to the Laings properties at Newman Road and Merrivale Road, had been raised regularly and was a priority to progress when there was funding to do so. She had spoken to the Assistant Director Housing, as there were a number of other issues associated with the build and she invited the Member to email the Service Lead - Housing Assets.
- the funds for the completion of 25 properties as part of Phase 1 of Vaughan Road were available to completion.
- achieving the retrofit programme would depend on the funding allocation, but every effort was being made to retrofit as many as possible depending on the outcome of funding bids. The Assistant Director Housing also thanked his colleague, the Service Lead - Housing Assets, who had worked hard to secure funding, winning awards as well as sharing the experience at a number of conferences and events around the country.

The Assistant Director Housing also responded to the following comments in support of the Portfolio Holder:-

- relating to the mutual exchange scheme and a number of incentives for any resident wishing to downsize, where they may be under occupying any property. Any resident had the opportunity to work with the Housing Officer to help identify such opportunities.
- sites can be unlocked by working in partnership and with other housing associations and where land may be owned by the Council that may help result in a site becoming more viable. A fuller response could be offered.
- the acronym MMC stood for modern methods of construction.
- in relation to a comment on those tenants seeking Right to Buy who may have benefited from the retrofitting of their property. There had been a reduction of the right to buy applications more recently. He added that in the scheme there is what is termed a 'cost floor', if a significant level of work was carried out at the property then the discount would be reduced accordingly and may not be as attractive for the tenant to but under the right to buy incentive but the Council achieves more money to build more homes.

Members noted the report.

40 Council Housing Strategy

The Assistant Director Housing presented the report which summarised the contents of the proposed Council Housing Strategy 2023-2027 and the context in which it has been developed. A copy of the full strategy document was circulated with the agenda. The Strategy set out the overarching plan for the next four years as well as setting out how they are going to manage and grow the service.

He referred to the following five key objectives of: -

- enhancing the resident's experience
- providing the right homes in the right places
- providing value for money services
- supporting our residents
- ensuring the safety of our homes and residents

The Assistant Director Housing sought Members' enquiries and comments: -

- the majority of the contracts were outsourced, Mears was the main contractor, and there is an innovative practice of maintenance for a set price per property and price for void properties to ensure that any empty properties are then offered to a lettable standard. A team of two electricians work in house carrying out small jobs in a reactive way.
- a new contract has been secured for the gas engineering and gas safety checks. Although overseen by his colleague the Service Lead (Housing Assets) he was able to advise that the Mears contract had been running for two years, but prior to procurement, an option paper for insourcing was considered by Members.
- he welcomed the suggestion of a year on year figure to better reflect satisfaction trends. The Government have introduced through the regulation tenant satisfaction measures, with an annual set of 21 questions that every social landlord has to ask all tenants. The analysis does help to offer a comparison with neighbouring and similar authorities with retained stock. The satisfaction levels are reported to the Council Housing and Development Advisory Board, but he would in future report the stock condition survey to this Scrutiny Committee. The stock condition survey was nearly completed and will meet the Government regulations and dictates of knowledge. He added that whilst they did take seriously any response to Councillors' enquiries, there was a process which they operated to with an explanation to the Councillors and tenants. They were reactive over a genuine problem.
- he would take the comments back to colleagues in relation to including the target performance in 2022/23 for referrals to external partner organisations and evictions. He added that evictions were rare and were at zero, but he would check that detail. The aim was to address proactively all cases where people fall into significant arrears offering support to pay or with the help of benefits.
- following a Member's comment that eviction may not necessarily be seen as a failure of service, and the importance of having a robust back up, he announced that he would be talking to the Portfolio Holder about formulating an Arrears Policy shortly.
- he would obtain a response to a Member who raised an enquiry in relation to the assessment of need made for homes of those individuals with a range of needs. He did reassure the Member around adaptations is that the HRA has

a significant sum ring fenced to provide aids and adaptations. The Council has an occupational therapist in their service, who can offer an assessment to make sure any referral was carried out quickly.

- with regard to buying in built properties, there was a small acquisitions budget to buy suitable properties from the open market. They were also able to use a portion of the Right to Buy receipts. Those people who have purchased under the Right to Buy Scheme were asked to give the Council first right of refusal when they wished to move on.
- Environmental Health oversee the Empty Homes, but there are grant incentives for owners to renovate the property requesting an undertaking that they could be used in the temporary housing stock for a period. It remained a challenging area.
- the Housing Officers were the first contact for dealing with anti-social behaviour, where there were 75 to 85 open cases at any one time, with up to 10 cases open and closed a month. The main complaints related to noise nuisance and child nuisance particularly during the summer months. A multiagency Anti-Social Behaviour Action team chaired by the Council's Environmental Health service with representatives from Housing, the police, social services and other registered social providers in the region to discuss more complex anti-social behaviour and agree an action plan. The Anti-Social Behaviour Policy Strategy was currently being reviewed and would be presented to Members in due course.
- the level of anti-social behaviour averaged at 120 cases a year with seasonal peaks and troughs ranging from 53 in April 2023, to 97 in August. The level did not dramatically increase during the Covid pandemic, but reports were still received during the lockdown.
- in terms of using recent technology, the component sensors for door entry systems for communal flats sit with the Council and they will be introducing a key fob system for contractors to monitor their visits. With the support of the Council's IT company Strata, an online tenant's portal will enable tenants to log onto their individual accounts as well as make payments and report repairs. He was proud that they were one of the first services in the Council to introduce this opportunity.
- all of the data would be included in the report to the Executive.

The Assistant Director Housing also responded to advance questions from a Member relating to whether the number of individuals in Council temporary accommodation was a static or rolling figure, of the projections for temporary need, as well as the pressure for temporary accommodation and managed as part of the service budget. The temporary accommodation figure was now at 150, and it was a rolling figure that changed with demand. His colleagues in the Housing Needs and Homelessness team were looking to lease properties to reduce the costs of bed and breakfast to aggregate the costs paying to meet those demands that we have.

He also responded to the Member's question on the assessment of need in relation to the Council Housing Strategy, and what assessment in relation to planning of need has been undertaken for Gypsies, Roma, and Travellers (for fixed or travelling sites)? He stated that a Gypsy and Traveller Accommodation Assessment was also currently being undertaken by consultants on behalf of the City Council. This will identify the need for permanent and transit pitches for the Gypsy and Traveller community (including Travelling Show-people). The results will be used to plan for the provision of additional accommodation for Gypsies and Travellers in Exeter, including through the emerging Exeter Plan. This information would be included in the Strategy.

The Assistant Director Housing agreed to feedback the comments and request for some training in relation to completing the Equalities and Assessment relating to providing an assessment of the impact on those members of society with protected characteristics. The Members thought that this was an area that might be strengthened through training. He would talk to the Policy Officer who looks after equalities within the Council. The Chair suggested a discussion on the support training for officers on the EQIA which may promote a be a wider question revisit.

The Chair referred to the importance of the knowledge of the housing officers of their tenants and the service, and he asked the Assistant Director Housing how the Scrutiny could receive feedback. In reflecting on the changing role of the Housing Officer, it remained a challenging and difficult job, dealing with more complex issues working with other support agencies such as police, health and social services who were under their own pressures. He was happy to arrange an opportunity to have an informal chat with housing officers to talk through the day-to-day changes. The Chair welcomed the opportunity to understand how the Council supported officers in this regard. The Portfolio Holder also referred to the good relationship and communication work with tenants and the Housing Officer.

Members welcomed the comprehensive and informative report.

RECOMMENDED that the report be noted, and that Executive note and Council approve the new Council Housing Strategy as summarized in the circulated report.

41 **Tenancy Policy**

The Assistant Director Housing Service presented the report which summarised the revised Tenancy Strategy and Policy following a review and consultation. It is proposed that the revised Tenancy Strategy and Policy 2023-2027 be adopted and implemented. A copy of the Strategy and Policy documents was appended. The Council as a social landlord, had to have due regard as to how tenancies were managed with a Tenancy Strategy and Tenancy Policy.

Particular reference was made to:-

- the proposed change of moving from a fixed term to a lifetime tenancy approach. The Council had introduced a fixed term tenancy policy in 2015 with a two to five years tenancy and introductory period for the first 12 months, provided the rent was paid and the terms and conditions of the tenancy agreement were met.
- the lifetime tenancy scheme was set out in paragraph 6.6 of the report. It was established that following a review of tenants housing circumstances that only 2% of tenants had to have their tenancy ended. A number had moved to a smaller or larger property, but the number of properties returned to let on the Devon Home Choice register was small.
- there were 418 responses to the consultation with 81% being supportive of lifetime tenancies. Reversion to the lifetime tenancy with a probationary period was around the Council's Corporate priorities on building communities to enable those tenants to continue to engage in their local area.

The Assistant Director Housing responded to the following enquiries: -

- there are very few non-statutory successions and he would obtain the answer. They will assess their person's housing need and if they move into a property and it was less than 12 months, if their need was less they would

facilitate them moving to a smaller property to free up the larger property or the succession would not be able to go ahead.

- he explained that the succession is where the tenant passes away and someone remains in the property and their succession to the property. There can only be one succession on a tenancy. The law is that the individual must have lived there for 12 months and must be a partner to reassign the tenancy. Children were not included, as that changed in 2012 after the Localism Act.
- there should be evidence of co habitation, such as joint household bills but the team took a sensible approach.
- there was no automatic move to a lifetime tenancy and if they had been there less than 12 months there would be a case review to establish if that was an appropriate property for them to have.
- the Member suggested that the joint to sole tenancies should be reported, and the Assistant Director would report back and take forward if Members saw that as a useful measure to see what is happening in the stock in the future.
- he clarified the term succession which is where someone dies and succeed the tenancy and an assignment was when the tenancy goes from joint to sole and sole to joint.
- the direct letting figure was in the public domain on the Devon Home Choice portal, but he could also provide that information. An example of a direct match is where someone is in hospital and returning to their existing home is not possible and move to find alternative accommodation to allow them to leave hospital and that is the exceptional circumstance when they use the direct match process. The vast majority use the Devon Home Choice portal.
- with the regeneration of areas those people will be offered alternative and similar accommodation from the Council's stock at the same rent and receive a financial remuneration to assist with moving home, as well as a decamp officer to support people moving house. We are obliged to find alternative accommodation and the opportunity to return to the regenerated area.
- a number of downsizing schemes have been offered in the past, which was at one point was up to £2,000 but the take up was still low. He had spoken personally to people who did not wish to move when they had lived there all their lives. Currently there was an offer of £500 removal fee for people to downsize as well as access to the decamp officer for support.

Members also made the following comments:-

- more houses were needed as there was little turnover in the waiting list and the Member understood the dilemma of those that remain in a property all of their lives. it was appreciated that the ending of a tenancy was difficult, and the lifetime tenancy was a sensible approach but there was underoccupancy in both the private and social sector against the number on the Council Housing waiting list. The Member hoped that those people with less need for the space might be encouraged to downsize their Council property. The Member was disappointed over the outcomes of the fixed term tenancy approach but welcomed the move to the lifetime tenancy approach.
- of concern for the current housing market with not enough social housing being built. The Member hoped there would be cross party working to discuss this further.

The Assistant Director Housing was invited to respond to an advance question from a Member in relation to Equalities Impact Assessment (EQIA) and of any impact on those aged 16 to 18 years and on care leavers, in accessing housing. He stated that tenancies were only issues to those over the age of 18 years. He thanked the

Member for the comments, and they will amend the EQIA to reflect the comments around young people. Discussions were currently taking place with colleagues from Devon County Council over the issue of housing and moving on of care leavers and housing and the support network and the discussions are still taking place. It would be unusual to offer a tenancy for someone under 18 years, a guarantor would be required either from Audit Social Services or a parent or grandparent.

RECOMMENDED that Scrutiny Committee and Executive note and Council approve the new Tenancy Strategy and Policy as summarised in the report.

42 **Forward Plan of Business and Scrutiny Work Plan**

The Chair referred to the work plan and to look at what business was coming forward and to encourage Members to look at what is moving forward and to submit any proposal for consideration using the proforma form.

A Member enquired about the circulation of the Scrutiny proforma list. It was noted that this matter would be considered by a forthcoming meeting of the Scrutiny Programme Board. A Member referred to the list of the topics raised over the last three years and suggested it be made available to Members. Following a request, a link to the scrutiny proposal form would be sent to Members.

Members also noted the Director Finance was due to attend the Scrutiny Programme Board meeting to discuss the opportunity to feed into the annual budget process at an earlier stage in the year.

Members noted the Forward Plan and the Scrutiny Work Plan.

The meeting commenced at 5.30 pm and closed at 7.05 pm

Chair