

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF COMMUNITIES SELECT COMMITTEE
HELD ON TUESDAY, 16 JANUARY 2018
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.05 - 9.00 PM**

Members Present: Y Knight (Chairman), G Shiell (Vice-Chairman), A Beales, R Butler, K Chana, S Heap, L Hughes, D Sunger, B Surtees, H Whitbread, W Marshall (Tenants and Leaseholders Federation) and A Yaman (Epping Forest Youth Councillor)

Other members present: S Kane and J H Whitehouse

Apologies for Absence: R Baldwin, R Gadsby and A Mitchell

Officers Present A Hall (Director of Communities), P Pledger (Assistant Director (Housing Property)), R Wilson (Assistant Director (Housing Operations)), S Devine (Private Sector Housing Manager) and A Hendry (Senior Democratic Services Officer)

38. SUBSTITUTE MEMBERS (MINUTE ITEM 39 - 23.7.02)

There were no substitutions made for the meeting.

39. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the last meeting of the Select Committee held on 7 November 2017 be agreed.

40. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Member's Code of Conduct.

41. TERMS OF REFERENCE/WORK PROGRAMME

The Committee noted their terms of reference and work programme.

42. CHANGE TO AGENDA ORDER

With the agreement of the Committee item 11, Fires Safety Report and item 12, the Rationalisation of Sheltered Housing Assets were taken next.

43. FIRE SAFETY IN COUNCIL OWNED ACCOMMODATION AND PARK HOMES

The Assistant Director (Housing Property & Development) Mr Pledger, introduced the report on the Council's Fire Safety procedures in council owned accommodation. This was asked for subsequent to the tragic fire at Grenfell Tower in London. Initially after the fire an item was placed in the Members Bulletin explaining the Council's approach to fire safety and associated issues. Officers were still awaiting the

outcome of the inquiry and the changes in law or regulations or advice that may affect our procedures.

It was noted that:

- High rise was defined by the Government as being 18m or taller;
- The highest blocks of flats the Council has were five-storey high; however none of these are enclosed blocks. All residents front doors were accessed from open-deck access walkways;
- The Council also has a number of blocks of flats that were four-stories high. They are of sufficient height that they can be accessed by the Fire Service to rescue people if required;
- The Council Fire Risks Assessments were categorised as High, Medium or Low risks buildings. The high risks being the sheltered housing schemes, Norway House Homeless Persons Hostel, North Weald and Hemnall House, Epping;
- Fire Risk Assessments had to be carried out by law and the Council had to contract a specialist fire safety company to carry these out on its behalf;
- They had only recently completed the Fire Safety Risk Assessments for all of the Council's high and medium risk buildings, and their subsequent reports therefore give a very up to date assessment;
- They had also been asked to undertake a random sample of the low risk Fire Risk Assessments completed by Officers to provide reassurance about their quality and accuracy. It was reassuring to note that these have found to be fit for purpose, with no concerns raised;
- Recently the Government had asked for a fire risk assessment for the Council's blocks of flats, which it did and the relevant fire officer was satisfied, giving the Council a written assessment that our buildings were considered safe;
- Co-incidentally, a planned Internal Audit Study of Fire Safety Risk Assessments was included as part of the Council's Audit Plan for 2017/18. The outcome of that audit resulted in a "Moderate" Assurance opinion, with a small number of recommendations added to the Internal Audit's "Audit Recommendation Tracker";
- The Council has just completed a programme of installing hard-wired linked smoke and heat detectors in all of its Council properties;
- The Council has also recently completed a programme of installing 30-minute fire resistant front doors to Council flats in blocks;
- The Council can only install these front doors to the Council's own properties; it was the responsibility of leaseholders to install doors to their own properties. However, in order to encourage and assist leaseholders to install such doors – and to improve the overall fire safety in blocks of flats - members agreed an initiative a number of years ago to offer leaseholders a discount of 75% from the cost of installing these doors;
- Many leaseholders had taken up this offer, unfortunately, despite the generous discount offer, a number have chosen not to;
- Members were asked their views on whether or not the Council should enforce through the Courts the need for leaseholders to change their front doors so they provided a compliant level of fire safety to other residents in the blocks;
- The Council was not required to provide, and has not ever provided, sprinkler systems in any of its properties;
- Fire alarms are installed in all of the Council's sheltered housing schemes, Norway House Homeless Persons Hostel, North Weald and Hemnall House, Epping – which are regularly tested and serviced;

- Members were asked if they wanted officers to explore if they should put in sprinkler systems. At a recent conference the Director of Housing for Birmingham CC had said that their budget estimate for the installation of sprinklers in their high rise blocks was £3,500 per flat;
- The Council did not have a Fire Drills and Evacuation Policy as yet although the Fire Authority recommends a 'Stay Put' one;
- The approach the Council had always taken to its sheltered housing schemes and Norway House and Hemnall House, based on the previous advice of the Essex Fire and Rescue Service, has been to adopt an "Evacuate Policy" and not a "Stay Put Policy";
- However, neither an Evacuation Policy nor a Stay Put Policy had been adopted to date in the Council's general needs (i.e. non specialist) blocks of flats;
- The Welsh Government was advocating a 'Stay Safe' policy for social landlords in Wales where a resident would decide for themselves either to stay put or to evacuate depending on the circumstances;
- It is proposed that everything the Council decides to do on fire safety in its own residential accommodation will be captured in a Fire Safety Policy.

The Committee discussed the possibility of installing sprinkler systems into each of the Council's Sheltered Housing sites and at Norway House, North Weald and Hemnall House (Recommendation 2).

The Committee observed and commented that:

- The fire brigade had a Stay Put Policy because, for fires in high rise blocks, they went through a block floor by floor evacuating each floor as they went;
- They questioned where sprinklers would be installed, e.g. in communal areas, in hallways or in the flats themselves. This would have to be decided in conjunction with the fire service. It may also be that the fire service could provide some funding for the installation of the sprinklers;
- It was important that we had sprinklers in place, bearing in mind what had happened;
- One of the problems with sprinklers was water damage and the contention of who would pay for the repairs;
- Concern was raised about having sprinkler systems in Kitchens where they were easily set off;
- Asked how many Local Authorities had sprinkler systems or were about to have them installed Mr Pledger said that would only be for new builds, not many have been retro fitted;
- Better to have a feasibility study in place now and save time later on;
- It was agreed that officers should look at the feasibility of having potential sprinkler systems in all the Council's housing schemes and properties.

AGREED: Recommendation 2 was agreed for all Council Housing Schemes and properties.

The Committee then discussed the possibility of adopting of a 'Stay Put' or a 'Stay Safe' policy (Recommendation 3).

The Committee noted that:

- Appropriate advice and guidance would be produced for all types of properties;
- Evacuation guidance would also be put up inside each front door as they have in hotels;

- A councillor noted that the proposed 'Stay Safe' policy might not be easy to understand especially for older people. Housing officers should go through the risks with them and perhaps get them to sign something to say that they understood it;
- Tenants should be asked to use their initiative to decide what to do in case of a fire, perhaps alert other tenants and the fire brigade.

AGREED: Recommendation 3 was agreed.

The Committee then discussed whether or not to take legal action against leaseholders who did not install fire doors to their property (Recommendation 4).

The Committee made the following points:

- Asked what was the cost of the 25% portion of the cost of a fire door, Mr Pledger said that would be approximately £300;
- He did not know how many doors were needed to be installed and said that he could let members know separately;
- A 75% discount was a very good deal;
- Asked who was written to when making this offer, Mr Pledger said that it was to the legal leaseholder of the property. This was often a problem for all issues to do with improvements;
- Another thing to note was that the door frames were the responsibility of the Council but the doors were not;
- Asked if every door would look the same, Mr Pledger said that everyone had a choice of style and colour;
- Concern was raised about the £300 charge. Some residents, like people with young families may not be able to afford this. Could the repayments be spread over a long time period;
- It was noted that charges would be made through the issue of a sundry debt invoice, for which debtors were always given some time to pay;
- Preference would be for supplying financial assistance rather than legal action, as it was cheaper than taking it to court;
- This was about everyone's safety and was a sensible thing to do;
- Covering the whole cost for a leaseholder would pose problems of fairness for other leaseholders who had already paid. Would the Council be obliged then to give their money back;
- It would be foolish to go to litigation for this but it was good to have as a fall back position;
- Because of the recent Grenfell Tower fire, the Council should make this offer again to the leaseholders who had refused to do it the first time around.

AGREED: Recommendation 4 was agreed.

The Committee then discussed the provision of a Fire Safety Policy (Recommendation 5).

The Committee made the following points:

- The policy would only be for council owned properties, although the Council did licence the Park Homes.

AGREED: Recommendation 5 was agreed.

RESOLVED:

- (1) That the current position was noted in relation to fire safety in:
 - (a) Council-owned flat blocks;
 - (b) Park home sites licensed by the Council; and
 - (c) Commercial properties for which the Council owns the freehold;
- (2) That feasibility studies should be commissioned by the Council into the possible installation of sprinklers in each of the Council Sheltered Housing sites and at Norway House, North Weald and Hemnall House, Epping;
- (3) That the Council should adopt a “Stay Safe” Policy to replace its existing “Stay Put” Policy in general needs flat blocks and continues to operate an “Evacuation” Policy at its sheltered housing sites and Norway House and Hemnall House, subject to any further review required as a result of the Government-commissioned public enquiries into the Grenfell Tower tragedy;
- (4) That the Select Committee agreed that if necessary and legally possible, legal action should be taken against leaseholders to force them into replacing their front entrance door to preserve the safety of the block should they refuse to take up the Council’s long-standing offer of meeting 75% of the cost of the works. The Committee would also like to see this offer made again to affected leaseholders after the recent Grenfell Fire; and
- (5) That a detailed Fire Safety Policy for Council-owned residential accommodation be drafted and brought back to the Communities Select Committee for further consideration, prior to submission to the Housing Portfolio Holder for adoption.

44. RATIONALISATION OF SHELTERED HOUSING ASSETS - INITIAL SCOPING REPORT

The Director of Communities, Mr A Hall introduced the report on the proposed rationalisation of the Council’s sheltered housing assets. He explained that the Council had a number of sheltered and grouped housing schemes to accommodate older people. In both cases, residents currently received a daily well-being check from their Scheme Manager, usually through a home visit, and were also monitored by the Council’s Careline Service 24 hours a day.

Over many years, sheltered housing had provided a safe and enjoyable environment for older people to live independently together, until their care and support needs were such that they needed to move into more intense extra-care accommodation (now often referred to as independent living) or residential/nursing accommodation.

However, in recent years, there had been a sharp decline in the popularity of sheltered housing (which was reflected across the country), with older people tending to prefer to remain in their own homes for much longer, until they needed to move directly into independent living, residential or nursing accommodation. This had resulted in many vacancies in sheltered housing becoming difficult-to-let, particularly bedsits and some first floor flats, resulting in allocations being made to applicants registered on the Council’s Supplementary Housing Waiting List (comprising applicants who are ineligible for the main Housing Register), particularly older people currently living outside the District.

At the same time, the Council had increasing numbers of local people registered on its Housing Register in need of general needs housing who were having to wait long periods of time to be accommodated, usually years, and in the meantime living in deficient existing accommodation. Furthermore, demand for temporary accommodation for homeless households had increased too.

Officers believed that the number of low demand sheltered properties now needed to be reduced through decanting the existing residents at some sheltered housing schemes to other suitable accommodation and then developing the resultant vacant land or buildings to provide accommodation to help meet the housing needs of local people registered on the Housing Register, or homeless households, through the Council's Housebuilding Programme.

Committee members were asked to consider and give their comments on this proposal, but keeping in mind that there was still a need for sheltered housing and that it would still be retained into the foreseeable future. The Committee was asked to report their views to the next Cabinet meeting.

Mr Hall was asked which schemes were likely to be chosen; he indicated that officers had not got as far as identifying any specific schemes as yet.

The Committee considered the first recommendation, making the following points:

- It was considered understandable that people did not want to go into sheltered accommodation nowadays as they could stay at home for far longer than they used to;
- Essex had an 'extra care' complex in Brentwood which was nicer and catered for independent living;
- EFDC had Jessopp Court where residents initially received on-site care by Essex CC. However, Essex CC did not continue with the on-site support and it had to be turned into sheltered accommodation;
- EFDC sheltered houses were not 'extra care' schemes as ECC would not support us for this;
- There was an officer group looking into the future provision of the Scheme Management Service provided to older people;
- Asked what the demographic of the current tenants were, Mr Hall said that it now tended to be of a younger age group.

AGREED: Recommendation 1 was agreed.

The Committee next considered the other three recommendations. They questioned if the alarms that were attached to the Fire Doors were set to trigger all the other alarms. They were told that the door alarms did not trigger the other alarms off if someone just used it as an exit. The other alarms were connected to fire/smoke detectors.

AGREED: Recommendations 2, 3 & 4.

RESOLVED:

- 1) That further consideration should be given to reducing the amount of low-demand sheltered housing in the Council's ownership and developing the resultant vacant land or buildings to provide either general needs housing, temporary homelessness accommodation and/or more appropriate

accommodation for older people in order to help meet the housing needs of local people registered on the Housing Register in the future;

- 2) That the “Sheltered Housing Standard”, be adopted - with an objective of all sheltered housing schemes retained in the long term meeting the Standard over a reasonable period of time;
- 3) That a further report be brought to a future meeting of the Communities Select Committee with:
 - (a) Recommendations about which sheltered housing schemes should be decommissioned over a period of time and their site(s) redeveloped;
 - (b) An initial proposed approach to decanting the existing residents;
 - (c) A Communication Strategy for the Project;
 - (d) Initial redevelopment proposals for each of the identified sites;
 - (e) Indicative budget costs; and
 - (f) An Equalities Analysis; and
- 4) That the assessment of sheltered housing schemes considered most suitable for redevelopment has regard to the following criteria:
 - (a) The number of bedsits;
 - (b) The lettable, demand and location of the scheme;
 - (c) The long term costs of improvements/repairs;
 - (d) The amount of sheltered housing within the locality;
 - (e) The number of lettings to local residents compared to applicants on the Supplementary Waiting List; and
 - (f) The demand for general needs housing in the locality.

45. ANNUAL REVIEW OF PROTECTED CHARACTERISTICS - HOME SEEKERS AND LETTINGS

The Assistant Director Housing Operations, Mr Wilson introduced the annual report reviewing the protected characteristics of home seekers and lettings. He noted that following the introduction of the Equality Act 2010, and the Public Sector Equality Duty in 2011, public bodies had to consider all individuals when carrying out their day-to-day work, shaping policy, and delivering services. Under the Act there were nine “Protected Characteristics” which must be considered as follows:

Age
Disability
Gender reassignment
Marriage and Civil Partnership
Pregnancy and Maternity
Race
Religion and Belief
Sex
Sexual Orientation

Due to the requirements of the Act, the Communities Select Committee undertook an annual review of the Protected Characteristics of homeseekers on the Housing Register compared to the Protected Characteristics of those allocated accommodation. This was to consider if there had been any disparity, and to identify whether or not there were any indications to suggest the Council may be discriminating against any one group and if as a result, any changes should be made

to the Housing Allocations Scheme.

The Committee were presented with a number of tables, monitoring the protected characteristics. Generally the statistics confirmed that the Protected Characteristics of homeseekers housed in Council accommodation was similar to those on the Housing Register. It was therefore recommended that no amendments were made to the Council's Housing Allocations Scheme, due to the Review of the Protected Characteristics of housing applicants and lettings.

Mr Marshall of the Tenants and Leaseholders Panel confirmed that they were satisfied with the reports conclusions.

RESOLVED:

That the Committee reviewed and agreed that no further recommendations be made concerning amendments to the Council's Housing Allocations Scheme, due to the Review of the Protected Characteristics of home seekers on the Housing Register and lettings as current figures did not show a significant disparity between the Protected Characteristics of home seekers on the Housing Register, and those allocated accommodation through the Housing Register.

46. KEY PERFORMANCE INDICATORS 2017-18 QUARTER 2 PERFORMANCE

The Director of Communities took the meeting through the quarter 2 performance of the relevant Key Performance Indicators for 2017/18.

A range of thirty-two Key Performance Indicators (KPIs) for 2017/18 was adopted by the Finance and Performance Management Cabinet Committee in March 2017. The KPIs were important to the improvement of the Council's services and the achievement of its key objectives, and comprised a combination of some former statutory indicators and locally determined performance measures. The aim of the KPIs was to direct improvement efforts towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district, that were the focus of the key objectives.

The overall position for all 32 KPIs at the end of the Quarter 2, was as follows:

- (a) 25 (78%) indicators achieved target;
- (b) 3 (9%) indicators did not achieve target,
- (c) 4 (13%) indicators performed within the agreed tolerance for the indicator, and
- (d) 26 (82%) of indicators are currently anticipated to achieve year-end target, 3 (9%) are uncertain whether they will achieve year-end target and a further 3 (9%) are anticipated not to achieve year-end target.

Communities Select Committee indicators - 9 of the Key Performance Indicators fell within the Communities Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at Q2 for these 9 indicators, was as follows:

- (a) 9 (100%) indicators achieved target;
- (b) 0 (0%) indicators did not achieve target, and
- (c) 0 (0%) of these KPI's performed within the agreed tolerance for the indicator

(d) 9 (100%) of indicators are currently anticipated to achieve year-end target.

He noted that this was a good news story as they had now achieved all targets set for both quarter 1 and quarter 2.

RESOLVED:

That the Select Committee noted the Quarter 2 performance in relation to the key performance indicators within its areas of responsibility.

47. CORPORATE PLAN KEY ACTION PLAN 2017-18 QUARTER 2 PROGRESS

The Director of Communities, Mr Hall introduced the report on quarter 2 progress on Corporate Plan Key Action Plan for 2017/18.

The Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims are supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years.

The Corporate Plan Key Action Plan for 2017/18 was adopted by Council at its meeting on 27 September 2016. Progress in relation to all actions and deliverables is reviewed by the Cabinet, the Overview and Scrutiny Committee, and the appropriate Select Committee, on a quarterly basis.

There were 50 actions in total for which progress updates for Quarter 2 were as follows:

- 41 (82%) of these actions have been 'Achieved' or were 'On Target'
- 2 (4%) of these actions were 'Under Control'
- 7 (14%) were 'Behind Schedule'
- 0 (0%) were 'Pending'

20 actions fell within the areas of responsibility of the Communities Select Committee. At the end of Quarter 2:

- 14 (70%) of these actions have been 'Achieved' or were 'On-Target'
- 0 (0%) of these actions were 'Under Control'
- 0 (0%) of these actions were 'Pending'
- 6 (30%) of these actions were 'Behind Schedule'

Councillor Surtees noted that the phased Council Housebuilding Programme were all behind schedule, but conceded that this would be largely outside the Council's control. Mr Hall agreed, adding that it was a difficult programme to deliver.

RESOLVED:

That the Committee reviewed and noted the second quarter progress of the Corporate Plan Key Action Plan for 2017/18 in relation to its areas of responsibility.

48. HOMEPTIONS CHOICE BASED LETTINGS SCHEME - PROGRESS REPORT

The Assistant Director Housing Operations, Mr Wilson introduced the annual report on the “HomeOption” Choice Based Letting Scheme.

The Committee noted that the scheme was administered by the external Choice Based Lettings Agency Locata Housing Services (LHS). Under the scheme, all vacant social rented properties were advertised to applicants on the website and weekly ‘Property List’ giving details of location, type, rent, service charge, council tax band and landlord of the available accommodation. Applicants applied for a property by “expressing an interest” in up to a maximum of three properties for which they had an assessed need, either in person, by Internet, telephone, text, or email.

At the end of the weekly cycle, the Council analysed the “expressions of interests” received and allocates each property following a prioritisation and selection process in accordance with its own Housing Allocations Scheme.

The Council is a member of the Herts and Essex Housing Options Consortium (HEHOC) which jointly operated the Choice Based Lettings Scheme and consisted of the following six authorities:

- Brentwood Borough Council
- Chelmsford City Council
- Broxbourne District Council
- Epping Forest District Council
- Uttlesford District Council
- East Herts District Council

The Committee noted the ‘HomeOption’ Choice Based Lettings Information Bulletin for the period 27 July 2016 to 27 July 2017 that was attached as an appendix to the report.

Around 88% of all applicants registered on the Housing Register had participated in the scheme during the last year. LHS confirm that, nationally, this was a high participation rate. Some applicants may not participate for a variety of reasons including:

- Joining the Register to accumulate time on the Register, should they want Council accommodation in the future.
- Applicants who wish to move to smaller accommodation and may be bidding their time until a property becomes available that met all of their aspirations.

As at 27 July 2017 there were 1,377 Home seekers on the Housing Register. Under the Scheme, there was a Supplementary Waiting List which enabled applicants over 60 years of age who do not meet with the Residency Criteria, or have a housing need, to bid on properties in sheltered accommodation and to receive an offer (if no home seekers on the Register are interested) as such properties are often difficult-to-let. As at 27 July 2017, there were 123 applicants on the Supplementary Waiting List.

The Committee noted that as this was an annual report just for information, it would be a good idea to put it in the Council Bulletin from now on and not have it come to a Committee meeting. Also if this was the case, it should also be circulated separately to the Tenants and Leaseholders Federation for their information.

RESOLVED:

- (1) That the Communities Select Committee reviewed and noted the Information Bulletin setting out progress made on Housing Allocations and the 'HomeOption' Choice Based Lettings Scheme for the period 27 July 2016 to 27 July 2017; and
- (2) That from next year this informative annual report be put in the Council Bulletin for members information and not brought to a Select Committee meeting and also be circulated to the Tenants and Leaseholders Panel for their information.

49. HRA FINANCIAL PLAN 2017/18 - SIX MONTH REVIEW

Mr Hall introduced the report on the Housing Revenue Account (HRA) Financial Plan for 2017/18 – six month review.

The HRA Financial Plan set out the anticipated HRA income and expenditure over the next 30 years.

The Cabinet had asked the Communities Select Committee to review updates to the HRA Financial Plan twice each year. In addition, senior Housing and Finance officers also formally review the Financial Plan in July and January each year too.

The Committee was assured that the HRA continued to be in good health; it was a 30 year plan and although it would be necessary to borrow more money to meet the Council's aspirations, this could be paid back within that 30 year period.

Simon Smith from SD Smith Consultancy has acted as the Council's HRA Business Planning Consultants for many years. Simon Smith SDS had undertaken a Six-Month Review of the current HRA Financial Plan, taking into account the Council's current financial position and national and local policies. His Six-Month Review Report, setting out the changes and current financial position, was attached as an Appendix to the report.

The HRA projections based on the assumptions within the report demonstrated that, in the long term, the HRA was viable in that:

- The HRA remains above the minimum £2million (inflated) balance throughout the period of the Plan;
- The HRA will be debt free and return to its prior position of a negative balance on the HRA CFR of £31.888million; and
- There were no unfunded capital works.

The HRA in the latter years could also afford to make provision for service enhancements and improvements, in addition to the required levels of investment in the stock and new build, of £73million at today's prices.

There were, however, policy changes which were in the recent Housing and Planning Act 2016 that will have implications to the HRA, not least the expectation that vacant Council homes are sold to fund the required annual levy payment to the Government – although it was understood that the Government would not be seeking such a payment in 2018/19.

Councillor J H Whitehouse asked when would the Council be debt free; she was told not until around year 27.

RESOLVED:

That the Committee noted and commented on the Six-Month Review of the HRA Financial Plan 2017/18 from SD Smith Consultancy, the Council's HRA Business Planning Consultants.

50. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

The reports on Fire Safety in Council owned accommodation and park homes and on the rationalisation of sheltered housing assets be reported on at the next Overview and Scrutiny Committee meeting in February 2018.

51. FUTURE MEETINGS

It was noted that the next meeting of this Committee would be held on 13th March 2018.