

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF HOUSING SCRUTINY STANDING PANEL
HELD ON TUESDAY, 22 OCTOBER 2013
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 5.31 - 8.50 PM**

Members Present: S Murray (Chairman), Ms G Shiell (Vice-Chairman), K Chana, Ms J Hart, Mrs J Lea, L Leonard, Mrs J H Whitehouse and W Marshall (Tenants and Leaseholders Federation)

Other members present: D Stallan

Apologies for Absence: Mrs S Jones and B Rolfe

Officers Present A Hall (Director of Housing), P Pledger (Assistant Director (Property and Resources)), R Wilson (Assistant Director (Operations)), L Swan (Assistant Director (Private Sector & Resources)), S Devine (Private Sector Housing Manager), P Duguid (Private Housing Manager) and M Jenkins (Democratic Services Assistant)

12. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitutions made at the meeting.

13. DECLARATION OF INTERESTS

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs J Whitehouse and Mrs G Shiell declared a non pecuniary interest in the following item of the agenda regarding being Trustees of Epping Forest Re-Use. They advised that they would remain in the meeting for the consideration of this item and any subsequent voting thereon:

- Housing Strategy: 12 Month Progress Report on Key Action Plan 2012/13

14. NOTES OF THE LAST MEETING

RESOLVED:

That the notes of the last Panel meeting held on 17 June 2013 be agreed.

15. TERMS OF REFERENCE / WORK PROGRAMME

(a) Terms of Reference

It was noted that the Panel's Terms of Reference had absorbed the responsibilities of the defunct Housing Repairs Advisory Group. It was covered by Item 9.

(b) Work Programme

The Panel's Work Programme was noted.

16. PROGRESS REPORT ON PRIVATE SECTOR HOUSING STRATEGY - PRESENTATION

The Panel received a presentation regarding a Progress report on the Private Sector Housing Strategy from Mrs L Swan, Assistant Director of Housing (Private Sector and Resources), Mrs S Devine, Private Housing Manager (Technical team) and Mr P Duguid, Private Housing Manager (Grants and C.A.R.E.).

The presentation covered:

- (a) Caring and repairing in Epping Forest;
- (b) Assisting vulnerable people in repairing, adapting or improving their homes;
- (c) The Handyperson Service;
- (d) New Charging from October 2013 – service users in means tested benefits would be charged a maximum fee of £30.00 each time they used the Handyperson Service;
- (e) The Gardening Scheme;
- (f) Safe and Well Project (Home from Hospital) – funded by the NHS, reducing admissions/re-admissions for older and disabled people and providing minor adaptations ensuring homes were safe on return from hospital;
- (g) Housing Assistance – Maximum payments for 2012-15 were £10,000 for Decent Homes, £3,000 for Small Works and £10,000 for Empty Homes;
- (h) Disabled Adaptations - 78 in 2012/13 and 83 in 2013/14;
- (i) Long Term Empty Properties – the Empty Property Officer had influenced the bringing into use of 405 empty properties during 2012/13;
- (j) Introduction of an Essex wide Landlord Accreditation Scheme – the purpose of the scheme was to recognise and promote good management and good quality properties in the private sector, with a view to driving up standards generally. This scheme was being introduced in the summer of 2014;
- (k) Licensing of Gypsy, Roma and Traveller Sites – consultation with third parties and the GRT community was required before introduction of new standard site licence conditions;
- (l) Licensing of Holiday Sites – new standard site licence conditions were proposed for all holiday sites on the district; and

(m) Mobile Homes act 2013 – Council's would be able to charge for licensing of residential park home sites from April 2014. Officers were considering the various options for charging and would make recommendations to members in due course.

The Panel thanked the officers for their presentation and their hard work. The Panel requested that the presentation slides used by the officers should be attached to the notes of this meeting.

RESOLVED:

That the Private Sector Housing Strategy Presentation be noted.

17. REQUEST FOR SCRUTINY PANEL REVIEW - LEASEHOLDER CONTRIBUTIONS FOR IMPROVEMENTS TO COMMON PARTS OF FLAT BLOCKS

The Panel received a report regarding the request for Scrutiny Panel Review – Leaseholder Contributions for Improvements to Common parts of Flat Blocks from the Assistant Director of Housing (Property).

A request for a Scrutiny Panel Review had been received from Councillors Mrs J Hart and K Angold-Stephens, which stated that the difficulty the Council encountered when improvements to communal areas of flat blocks were required and when there were tenants and leaseholders sharing the same building and the same communal areas. There had been specific problems encountered when an attempt was made to request essential improvements to the communal areas of some large flat blocks with similar problems in small flat blocks.

Following the introduction of self financing and subsequently the Council's new "Modern Homes Standard," more work was being planned to be undertaken to the Council's housing stock for which leaseholders were required to pay their proportion of the charges if that work affected components in and around their flat blocks.

(a) The Lease

The lease was always considered first when planning works to flat blocks. In the past, under Right to Buy, the Council had sold flatted accommodation using two types of lease which were categorised as pre or post 1991 leases. For those prior to 1991 the Council could not charge for improvements without the agreement of the leaseholder. For post 1991 leases, the Council could charge for improvements where identified in the 5 year estimates, if they were not identified, the Council could not charge for the improvements without the consent of the leaseholder. After 5 years they could be charged following a consultation.

(b) Improvements

The only type of improvement work that the Council had undertaken in the past, other than major improvement schemes, were door entry security installations. As this was a new installation, as opposed to a repair, it was classed as an improvement. In 1997 the Council agreed a door entry policy that allowed the installation of door entry security systems in blocks containing leaseholders subject to installations being undertaken only in blocks of flats having 25% leaseholders or less. The Council could not spend Housing Revenue Account (HRA) funds on homeowners' properties. Where there were more than 25% leaseholders, their views were taken into

consideration. Any leaseholder objecting would defer the works until the circumstances changed. The Council had not installed any systems for the last 4 years due to a lack of support by those with pre-1991 leases.

(c) Leasehold Legislation and Consultation

In 2002, the Commonhold and Leasehold Reform Act came into effect, outing more onus on landlords to consult with leaseholders on all aspects of repairs where the leaseholder would contribute more than £250.00. At all times, the Council must have regard to any observations received from leaseholders.

(d) Planning the Works

The increase in major works being undertaken currently, as a result of the increased resources available, the management of leaseholder issues from initial consultations to issuing service charges and reclaiming debts was becoming more difficult. The Council's Housing Assets Section held a detailed stock condition database highlighting when building components would reach the end of their useful life. To obtain best value for the Council and leaseholders, works were packaged together and timed to coincide with external repairs. The scale and frequency had increased significantly since the Modern Homes Standard was introduced, effecting leaseholder's ability and willingness to pay.

(e) Financial Obligations

The Council had a financial obligation to recover all charges relating to works in flat blocks where a lease existed. However, guidance suggested that leaseholders could be referred to as tenants, as they did not own the freehold to the property. Despite this contradiction, a charge relating to a leasehold property that was irrecoverable could only reasonably be charged to the HRA as there was no basis for a charge to the General Fund.

(f) Financial Assistance

The Council had in place a Sundry Income and Debt Policy for helping leaseholders pay for their proportion of the charges. This allowed the cost to be spread over a period of up to 12 months interest free.

(g) Loans

The Council was required by the Housing (Service Charges Loans) Regulations 1992, to give loans for the major repairs part of any service charge, in any one year, which was more than £2,740. The minimum and maximum loans were £920.00 and £36,270 respectively.

(h) Capping the Contribution for Leaseholders

The Council had a duty to recover the cost of the works. However, the Council had the option to cap the leaseholder's contribution for major improvements.

(i) Placing a Legal Charge on the Property

Where leaseholders were not able to pay for their proportion of the works, the Council could place a legal charge over the property so that the costs could be recovered when the property was sold in the future.

(j) Buy-Back Option

This option was entirely at the discretion of the Council, and subject to agreement by all parties. There was no current provision within the existing Housing Capital Programme to buy back any leasehold properties. The capital costs of purchasing properties would have to be funded and a valuation would need agreement with leaseholder.

(k) Sinking Fund

An option the Council could consider, would be to operate a Sinking Fund. This could not be offered to existing leaseholders as it was a requirement that all leases in a block should be similar. A Sinking Fund was where leaseholders paid a regular annual payment each year irrespective of work being carried out.

The Panel supported receiving a further report regarding the operation of a Sinking Fund to new leaseholders, but also felt that no support could be given to the exploration of alternative loan schemes to leaseholders.

RECOMMENDED:

- (1) That the report regarding Request for Scrutiny Panel Review – Leaseholder Contributions for Improvements to Common Parts of Flat Blocks be noted;
- (2) That a further report be brought back to the Panel considering the benefits of operating a “Sinking Fund” for new leaseholders in new or existing flat blocks where there were no leaseholders;
- (3) That the Panel recommend that no alternative loan terms be offered to leaseholders;
- (4) That the Panel recommend to the Finance and Performance Management Cabinet Committee of making provision in the General Fund for the proportion of costs attributed to shops and other associated premises that were transferred from the HRA to the General Fund; and
- (5) That no response be made to the consultation paper issued by DCLG on Protecting Local Authority Leaseholders from Unreasonable Charges as this is no longer relevant.

18. REVIEW OF PARKING ENFORCEMENT ON HOUSING MANAGED GRASSED AREAS

At the request of the Overview and Scrutiny Committee, a report regarding Review of Parking Enforcement Measures on Housing Estates was due for consideration at this meeting. However, it was advised that the proposer of the review, Councillor Mrs H Kane, was unable to attend and the Panel deferred the report to its next meeting.

RESOLVED:

That the Review of Parking Enforcement on Housing Managed Grassed Areas be deferred to the next Panel meeting.

19. HOUSING SERVICE STRATEGY ON ANTI SOCIAL BEHAVIOUR - REVIEW AND UPDATE

The Panel received a report from the Assistant Director of Housing (Operations) regarding the Housing Directorate's Service Strategy on Anti-Social Behaviour Policies and Procedures.

The Housing Directorate's Service Strategies were produced around 15 years ago in accordance with an agreed standard framework and have since been updated. In total, 17 Housing Service Strategies had been produced, they were to a common format setting out how individual housing services would be delivered. The Panel considered and endorsed the service strategy on Anti-Social Behaviour Policies and Procedures. Members asked about the possibility of withholding repairs from tenants if they had been involved in anti-social behaviour. The Panel agreed to review this in October 2014.

RECOMMENDED:

That the Housing Service Strategy on Anti Social Behaviour Policies and Procedures be endorsed to the Housing Portfolio Holder.

20. SIX MONTH REVIEW OF THE HRA FINANCIAL PLAN

The Panel received a report from the Director of Housing regarding the Housing Revenue Account Business Plan Key Action Plan (2013/14) – 6 Month Progress Report.

In March 2013, the Council's latest Housing Revenue Account (HRA) Business Plan (2013/14) was produced, incorporating the Repairs and Maintenance Business Plan. This document set out the Council's objectives, strategies and plans as landlord, in relation to the management and maintenance of its own housing stock.

An important section of the HRA Business Plan was the Key Action Plan setting out the proposed actions the Council would be taking over the next year.

RECOMMENDED:

That the Six Month Review of the HRA Financial Plan be endorsed to the Housing Portfolio Holder.

21. HRA FINANCIAL PLAN - HALF YEARLY UPDATE

The Panel received a report from the Director of Housing regarding the HRA Financial Plan – Half Yearly Update.

At its meeting in March 2013, the Panel considered the Draft HRA Business Plan for 2013/14 and recommended its adoption to the Housing Portfolio Holder, which was subsequently approved. An important part of the HRA Business Plan was the HRA

Financial Plan setting out the anticipated HRA income and expenditure over the next 30 years. It was estimated that there would be a reduction in income to the Council as the rent for Council and Housing Association properties would be harmonised.

The Cabinet had asked the Panel to review updates to the HRA Financial Plan twice each year, at its meetings in October and March. Additionally, senior Housing and Finance officers formally reviewed the Financial Plan in July and January each year.

CIH Consultancy had acted as the Council's HRA Business Planning Consultants for a number of years and, at its March 2012 meeting, the Cabinet agreed that the Council should contract with CIH Consultancy acting as the Council's HRA Business Planning Consultants for a further three years until 2015. A three year agreement with CIH Consulting had been signed.

RECOMMENDED:

That the HRA Financial Plan Half Yearly Update be endorsed to the Housing Portfolio Holder.

22. TWELVE MONTH PROGRESS REPORT ON HOUSING BUSINESS PLAN ACTION PLAN

The Panel received a report from the Director of Housing regarding the Housing Strategy: 12 Month Progress Report on Key Action Plan 2012/13.

At its meeting in September 2009, the Cabinet adopted the Housing Strategy 2009-12. The strategy assessed the District's current and future housing needs and set out the Council's approach to meeting those needs.

The strategy also included a Key Action Plan, which set out the proposed actions that would be taken by the Council to contribute towards the achievement of the housing objectives over the first year of the Housing Strategy.

When adopting the strategy, the Cabinet also agreed that Key Action Plans for the Housing Strategy should be produced and updated on an annual basis for approval by the Cabinet, and that progress with the Key Action Plans should be monitored on a 6 monthly basis by the Panel.

The 12 month Progress Report on the Housing Strategy Key Action Plan 2012/13 was due for consideration by the Panel in July 2013, however the meeting was cancelled due to a lack of business.

The Housing Strategy was due for update in 2012 for a further three year period. The strategy had been deferred because most of the key issues relating to the production of the Council's Local Plan.

RECOMMENDED:

That the Twelve Month Progress Report on the Housing Business Plan Action Plan be endorsed to the Housing Portfolio Holder.

23. PROGRESS REPORT ON THE WELFARE REFORM MITIGATION ACTION PLAN

The Panel received a report from the Director of Housing regarding Welfare reform Mitigation Action Plan Quarterly Progress Report.

In view of the significant effect that the Government's welfare reforms would have on the Council and residents, a Welfare Reform Mitigation Project Team was formed in September 2012, to consider and implement ways that the effects of the welfare reforms could be minimised.

The Project Team formulated a Welfare Reform Mitigation Action Plan, which was adopted by the Cabinet in October 2012. This identified around 60 separate actions to undertake. In addition to progress with the Action Plan, the Cabinet asked the Panel to monitor progress with the delivery of the Action Plan at its quarterly meetings. As reported to the panel in June, very little progress with the Action Plan had been made because most of the remaining actions related to issues on which the Government still needed to make decisions or issues which the Government needed to implement. However, a further two tasks had been achieved and only three tasks had not yet been achieved.

RECOMMENDED:

That the Progress Report on the Welfare Reform Mitigation Action Plan be endorsed to the Housing Portfolio Holder.

24. GOVERNMENT CONSULTATION PAPER "PROVIDING SOCIAL HOUSING FOR LOCAL PEOPLE"

The Panel received a report and were asked if they wished to submit a response to the Government's Consultation Paper – "Providing Social Housing for Local People," from the Assistant Director of Housing (Operations).

The Department for Communities and Local Government (DCLG) issued a Consultation Paper on 14 October 2013 entitled Providing Social Housing for Local People, Strengthening statutory guidance on social housing allocations. The closing date for responses was 22 November 2013.

The consultation considered that local authorities should be "strongly encouraged" to have a period of residency for at least two years before qualifying for social housing. The District Council's policy was three years. The Panel supported this but felt that "strongly encourage" needed clarification.

The Government proposed guidance encouraging local authorities to adopt other criteria, alongside a residency test, so applicants demonstrating a strong association to the local area were not disadvantaged. The Panel felt more clarification was required around the consultation's reference to strong family association and the suggestion of applicants or members of their household being eligible if employed in the district. The Panel thought this needed clarification, for example was the employment full or part time. In any event the Panel felt that this should not form part of any local eligibility criteria.

Paragraph 11 of the consultation suggested that local authorities took account of special circumstances, for example protecting people who were moving into the district escaping violence. The Panel agreed that the response should point out that some cases were dealt with via the homelessness powers.

Members requested that the consultation and the councils response should be put in the Bulletin.

RESOLVED:

That the Panel's response to the Government's Consultation Paper "Providing Social Housing for Local People" be agreed.

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

The Chairman of the Panel advised that he would update the Overview and Scrutiny Committee at its next meeting on the recent work of this Panel.

26. FUTURE MEETINGS

The next meeting of the Panel will be held on Wednesday 22 January 2014 at 5.30p.m. in Committee Room 1 and then on:

- Tuesday 25 March 2014 at 5.30p.m. in Committee Room 1

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Private Sector Housing Strategy - Progress Report

Presented by:

**Lyndsay Swan, Assistant Director of Housing
(Private Sector and Resources)**

**Sally Devine, Private Housing Manager (Technical
Team)**

**Paul Duguid, Private Housing Manager (Grants
and C.A.R.E.)**



Housing Strategy Action Plan 2013-14

**“To review the implementation of the
new Private Sector Housing Strategy
2012 to identify any required
refinements and report to the
Scrutiny Panel on the outcome”**





Epping Forest District Council

Private Sector Housing Strategy - Progress Report

Questions?

Housing DIRECTORATE



Private Sector Housing (Grants & C.A.R.E.)

**Private Sector Housing Assistance
&
C.A.R.E.
(Caring and Repairing in Epping Forest)
The Council's Home Improvement Agency**



A Decent Home.....!!??





C.A.R.E.

(Caring and Repairing in Epping Forest)

- | **A Home Improvement Agency managed and run by the Council,**
- | **Funded by Epping Forest District Council and Essex County Council (Housing Related Support),**
- | **Assists vulnerable people to repair, adapt or improve their homes.**



Services provided by C.A.R.E.

- | **Advice and 'signposting'**
- | **Financial help;**
- | **Technical Support,**
- | **'Project Management'**
- | **Helping find trusted contractors**
- | **A Handyperson Service**
- | **A Gardening service**
- | **Safe and Well (Home from Hospital)**





Handyperson Service

- u Plumbing (e.g. tap washers, toilet cisterns, ball valves, overflow, provision of lever taps);
- u Remedial carpentry;
- u Minor electrical works (fitting smoke detectors);
- u Glazing;
- u Security works (window/door locks);
- u Curtain rails;
- u Minor tiling;
- u Falls Prevention and safety works (fixing carpets, lowering cupboards, putting up shelves);
- l Small roof and guttering jobs



New Charging from Oct 2013

- l Available to older people who are over the age of 60 and retired (or in the case of a couple, both over 60 and retired).
- l If the service user is on a means tested benefit (e.g. *Guarantee Pension Credit, Local Council Tax Support or Housing Benefit*) they will be charged a maximum fee of £30 each time they use the handyperson service, with the exception of falls prevention and home security work which will be free of charge.
- l If the service user is not on means tested benefit they will be charged a maximum of £50 for handyperson work and £25 each time they use the service for falls prevention and home security work.
- l Discretion can be applied where appropriate (e.g. applications from people with disabilities, who are on means tested benefits but under the age of 60).





Gardening Scheme

- | Run in partnership with V.A.E.F. (Voluntary Action Epping Forest) subject to on going funding
- | Available to private owners or tenants; over 60 and on means tested benefit or under 60 disabled and on a means tested benefit
- | Gardens must be overgrown, trees or bushes overshadow or restrict entrances
- | Fear of crime
- | Perception of unoccupied home



Safe and Well Project (Home from hospital)

- | Funded by the NHS West Essex Transformation Fund;
- | In partnership with Papworth Trust and Royal Voluntary Service;
- | Reduce admissions / re- admissions for older and disabled people and facilitate a timely discharge;
- | EFDC/ C.A.R.E. Handyperson to provide minor adaptations and equipment to ensure homes are safe on return from hospital.



Housing Assistance = ££££

- | Disabled Facilities Grants (DFGs) £30,000 max
- | Relocation Grants £10,000 max

New Policy 2012- 2015

- | Decent Homes Repayable Assistance £10,000 max
- | Small Works Repayable Assistance £ 3000 max
- | Empty Homes Repayable Assistance £10,000 max

- | Equity release option for private owners



Disabled Adaptations

Disabled Facilities Grants	<u>2012/ 13</u>	<u>2013/ 14</u>
Occupational Therapist Referrals:	Q1- 15	Q1- 33
	Q2- 17	Q2- 50
	Q3- 16	
	Q4- 30	
Total :	<u>78</u>	<u>83</u>



Disabled Adaptations




Gardening Scheme




Epping Forest District Council

Before...



Housing DIRECTORATE



UKAS
CUSTOMER EXCELLENCE
The Service Standard

Epping Forest District Council

Before...



Housing DIRECTORATE





UKAS
CUSTOMER EXCELLENCE
The Service Standard

Epping Forest District Council

Private Housing (Technical)



Sally Devine (Private Housing Manager - Technical Team))

Epping Forest District Council

Action Plan 2013-14

- | Feasibility study - fast tracking accredited properties
- | Empty properties
- | Essex Landlord Accreditation Scheme (ELAS)
- | Park home sites

Potential fast tracking (3)

- I Carry out a feasibility study on the potential for fast track procedures for accredited properties
- I Delayed due to Welfare Reform legislation



Empty Properties (4&7)

- I Target for 2012/13 was 40 long term empties back to use

Number of empty properties brought back to use annually						
2007	2008	2009	2010	2011	2012	2013
0	4	4	3	45	60	115

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Our approach

- | **Sausage machine**
- | **Carrots and sticks**
- | **Highlight advantages and disadvantages – Empty Homes Premium**
- | **Play the game and maximise the New Homes Bonus, concentrated visits July and August**



Going forward

- | **PLACE loan**
- | **National Empty Property Loan**
- | **Matchmaker Scheme**
- | **Risk assess for enforcement**





Introduce an Essex wide landlord accreditation scheme

- | **Action point 6**

- | **7 LAs have signed up to the Scheme**
- | **To promote good management practices and good property condition**
- | **At procurement stage**
- | **Ready to introduce summer 2014?**



Gypsy, Roma and Traveller site licence conditions (8)

- | **Draft site licence conditions being prepared**
- | **Consultation with interested parties**
- | **Consultation with Gypsy Roma Traveller community**
- | **Issue new licences and conditions**
- | **Inspection of sites and enforcement**





Holiday site licence conditions

- | **Action point 9**
- | **Review existing**
- | **Propose new standard site licence conditions**
- | **Consult**
- | **Produce new licences and issue**

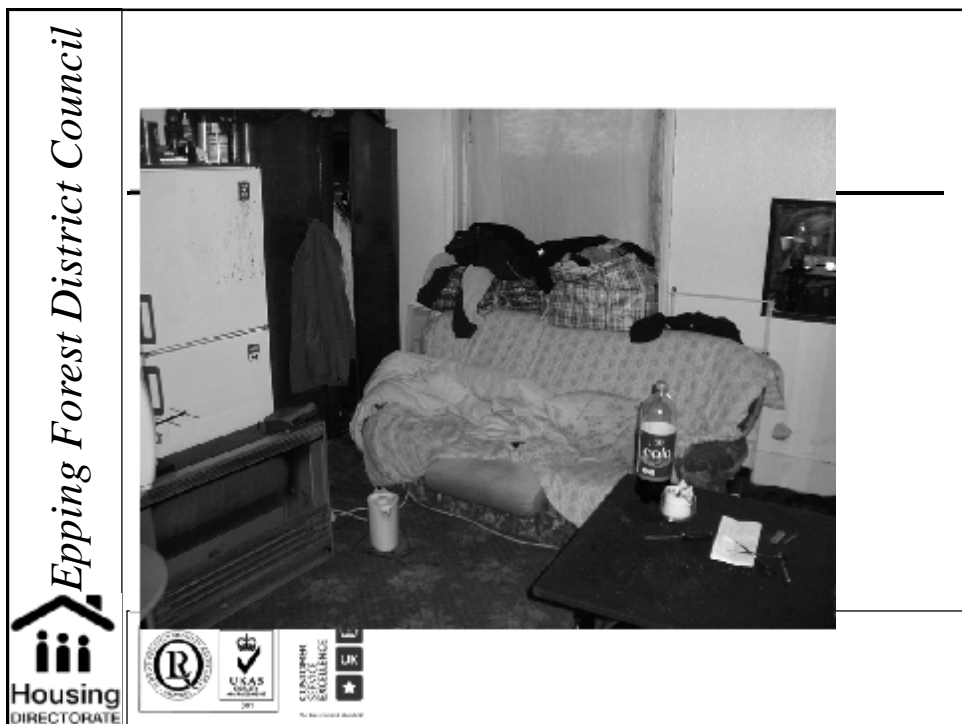


Mobile Homes Act 2013 (10)

- | **Councils can charge for licensing from April 2014**
- | **Can charge for new applications, transfers, amendments**
- | **Can charge an annual fee**
- | **Need to prepare and publish a charging policy**
- | **Can make exemptions or different charges for different sites**
- | **We will consult with residents**













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