

SCRUTINY MANAGEMENT BOARD

Minutes of the meeting of the Scrutiny Management Board held on Monday, 9th January 2012 at 2.30pm in the Civic Offices, Telford

PRESENT: Councillors D. White (Chairman), V. Fletcher, G. Green, A. McClements, R. Sloan, C. Turley.

IN ATTENDANCE: Cabinet Members C. Smith and E. Clare, Councillor J. Seymour; Michael Barker, Head of Housing & Planning; Kathryn Kynaston, Strategic Housing Manager; Chris Winter, Strategy & Commissioning Officer ; Stephanie Jones, Scrutiny Group Specialist; Tracy Clarke, Scrutiny Officer.

SMB-24 MINUTES OF THE LAST MEETING

RESOLVED – that the minutes of the meeting of the Scrutiny Management Board held on the 5th December 2011 be confirmed and signed by the Chairman.

SMB-25 APOLOGIES FOR ABSENCE

Cllr. M. Hosken.

SMB-26 DECLARATIONS OF INTEREST

None.

SMB-27 MEETING HOUSING NEEDS

The Strategic Housing Manager summarised the report on Meeting Housing Needs which addressed specific issues which had been raised by Members. The following key points were made:

- All local authorities were required by law to have a housing allocations policy, even if they were not landlords. The policy may be one and the same as the Choice Based Lettings Scheme (called 'Choose Your Home' in Telford & Wrekin), but the Telford & Wrekin policy took a broader view to encompass the role of all partners, including private landlords, to make the best use of stock for those in need. There had been delays in finalising the policy due to waiting for new national guidelines as part of the National Housing Strategy. National guidance on Allocations Policies had been issued for consultation the previous week, and the intention locally was to consult with key stakeholders on the implications of the guidelines and to develop a revised draft policy prior to public consultation in the spring. Authorities were required to comment on the draft guidelines by the end of March. The guidelines followed the Localism Act to ensure that social housing is directed to those most in need. Local authorities must tailor the policy to local circumstances and prioritise categories of people deemed

most in need of housing, such as ex-service personnel, while retaining reasonable preference categories. The Act also encourages priority to be given to applicants who are in employment, caring or making a contribution to their local communities. The policy would be considered by Wrekin Housing Trust with regard to CYH.

- There were a large number of applicants for affordable housing which reflected the national picture and the position of other authorities, and this pre-existed the introduction of CYH. There were currently 20,000 applicants registered on CYH, which included people registering in anticipation of need. The latest assessment for the borough estimates that there is an annual net shortfall of 1,200 affordable homes every year. Work was being done with Wrekin Housing Trust (WHT), other Registered Social Landlords (RSLs) and private developers to increase the supply of affordable housing, manage expectations and to re-use old properties.
- An Emergency Priority band had been introduced to CYH which enabled people in this band to bid for properties over and above anyone in the other bands (urgent, needing, wanting). The band had been created for emergency situations such as unforeseen circumstances (fire, flood etc.), where there were safety risks, or where medical conditions had made accommodation unsuitable.
- With regard to applicants from outside the borough securing accommodation over local people, the principle of choice based lettings schemes was to allow everyone equal choice regardless of where they live, and CYH had been developed consistent with this national approach. Anyone could apply to the scheme and once registered could bid for properties. It was therefore possible that people from outside the borough could be housed in advance of local people. The new national housing strategy had also emphasised the need for flexibility, to assist people in social housing to move around the country. However, some schemes or properties were advertised with a 'local lettings plan' which could specify that the applicant needs a close connection with the local area to bid, and although other people could bid, those fulfilling the criteria would be prioritised.
- Members had asked about feedback from other providers about CYH, but the Council was not aware of any specific feedback at the present time.
- In the last few years there has been a step change in the number of affordable homes built in Telford & Wrekin. This is now at around 200 each year, compared to the long term average of 100. 202 were provided in 2010/11, compared to 200 over the rest of Shropshire. With funding reductions and housing market conditions it was uncertain that the level of growth could be sustained. The Homes & Communities Agency (HCA) had traditionally supported the delivery of affordable homes through the National Affordable Housing Programme, but there was now less funding available. As part of the local 'Small Sites Programme', the HCA and the Council will enable the delivery of up to 200 new affordable homes by providing land at nil value. Alternative methods of increasing the local

supply of affordable homes were always under review.

- The report provided an update on the key elements of the Government's new housing proposals. The recent national Housing Strategy confirmed the Government's intention to reform social housing and move away from it being 'a home for life'. The Localism Act also required the development of a Tenancy Strategy by November 2012, with the provision to offer fixed term tenancies for up to 5 years and the removal of the requirement for 'open' waiting lists.

Following the presentation, members raised a number of issues which were discussed.

- An issue had previously been put forward to scrutiny about Choose Your Home not taking into account the Parish Council's local housing needs register on two new rural housing schemes in Waters Upton where planning consent had been granted with local lettings plans attached to the development so that property was let to individuals with a local connection. In one case the S106 agreement had been overridden by the existing tenant's right to make a 'mutual exchange', which had enabled a tenant not meeting the local connection criteria to move into the development. Members were informed that this case was exceptional. Another more recent instance had involved a query of the local connection and level of housing need of certain applicants. Members were informed that the situation had been resolved after a detailed investigation and the issue would be reviewed to ensure it did not happen again. It was acknowledged that the process needed to be open and transparent, and that policies would be clearly worded in future. Members reiterated that where agreements were in place, they should be adhered to, and further, that applications should be validated to ensure applicants meet the local eligibility criteria. Cllr. Seymour commented that on the Wrockwardine development on The Avenue, applicants had been checked to ensure they complied with the local connections criteria.
- There was further discussion about housing in rural areas. The Head of Housing & Planning explained that rural housing was important but development was governed by strict planning policies. The Cabinet Member for Adult Social Care suggested that scrutiny members may want to review the Rural Needs Housing Survey methodology at a future meeting to look at how rural and urban needs are met. Members made a number of points relating to rural developments:
 - Members commented that affordable housing in rural areas was important to stop young people draining away from villages. Members were informed that developments given planning consent under an 'exceptions' policy must be affordable. The exceptions policy enables parishes to establish local needs criteria. For example, in Wrockwardine four homes had been built on The Avenue and applicants with a proven local connection could apply. This would help to sustain local villages, although if, at a later date, there was no local demand, applications could be opened up to neighbouring parishes.

- That rural development depends on identifying sites which are acceptable locally and there can be a tension between the need for affordable housing and local conservation or environmental protection objections.
 - There had been some mixed feedback from a recent presentation to Lilleshall and Donnington Parish Council on a rural housing needs survey, and officers would take this back to look at.
 - Members gave an example of a notice about a planning application which had been sent to residents who could not see the relevance and suggested that notices should only be sent to appropriate residents. The Strategic Housing Manager replied that notices are sent to all residents within the parish, and that changing the boundaries would require the support of the parishes but that this could be considered.
- There was a discussion about non-traditional housing schemes. The Chairman and Cllr. Fletcher referred to a previous scrutiny review of Housing & Homelessness which had recommended that the Council explore and support more non-traditional development builds on land that is not suitable for traditional builds. Members felt there were pockets of land in the borough that were not suitable for traditional build, but that could be made viable as sites for non-traditional affordable housing schemes. Members pointed to the sites in Muxton and Tweedale as good examples of non-traditional builds, although the original intention had been for temporary accommodation. The Chairman referred to a scheme in Birmingham which could be looked at as a good example of non-traditional affordable homes. The Head of Housing & Planning responded that there was no reason in principle why non-traditional schemes could not go ahead as long as the proper planning and licensing processes were carried out and there was market demand, but that no developers had come forward with non-traditional proposals. However, there was no reason why the Council could not work with developers to explore the potential and identify sites.
 - The availability and cost of land was discussed. Developers and providers will only build schemes that are economically viable, and it is more difficult for RSLs which are not-for-profit to be able to afford land. The HCA consulted the Council on bids by RSLs for grant funding from the National Affordable Housing Programme, 2011-15. In a separate initiative, The Council and HCA had offered a number of sites at 'nil value' for RSLs to bid for under the Small Sites Programme, and 200 affordable homes were being delivered as a result. Land at nil value was only offered to RSLs for affordable housing, and the RSL would take responsibility for the delivery of the scheme and for infrastructure work. More generally, however, the HCA and the Council were required to make a return and could not always make land available free of charge. Cllr. Fletcher referred to a HCA development site in Priorslee which had been granted planning permission for 450 houses which could have helped older people needing more suitable housing to stay in the area while freeing up larger houses for families, but the land had reverted back to agricultural use presumably because no developers had come forward. Cllr. Fletcher suggested that the Council should talk to the HCA to look at how

development of these types of sites could be encouraged. Cllr. Green also pointed out the need to resolve access problems to sites which would otherwise be suitable for development.

- Members asked where money from disposals in Telford & Wrekin was invested by WHT, as there was a perception that money was not necessarily re-invested within the borough and could be spent in Shropshire or Staffordshire. Members had heard that WHT had given an undertaking that for every property sold, a further two could be developed. Officers replied that the Trust's Annual Report would show income from disposals and expenditure on investments and that the Report could be provided to members. However, the Report did not show where money from disposals in the borough was spent and this question would need to be addressed by the Trust. The Head of Housing & Planning said that a clear understanding of the Trust's business model was required and a dialogue needed so that the Council could work with them to encourage re-investment in the borough. The Head of Housing & Planning said that where properties were in poor condition, it may sometimes be better to sell them to the private sector and have the property turned around, rather than to leave it empty or invest in the property. Members felt that properties needing less than £10,000 worth of renovations should not be sold off but should be refurbished and put back into stock.
- Members wanted to know what % of homes were allocated through CYH to people in Telford & Wrekin compared to people outside the borough. No figures were available at the meeting, but the feeling was that the vast majority go to Telford & Wrekin residents. Choice based lettings schemes had to be open to anyone, and equally, local people could bid into schemes in other areas.
- Members wanted to know who drives the allocations policy and whether it was the Council or WHT, who operates CYH on behalf of the Council. Officers replied that the Council's allocations policy is wider than CYH and provides a framework within which local housing providers will operate. As an RSL, WHT works under a different set of policies and legislation to the local authority, and although the Council can negotiate and influence, it has no direct control or powers of compulsion over WHT. The Council has planning and regulatory powers which could be used to influence the Trust, and the allocations policy would help the Council to influence WHT and provide a basis for negotiation. It was important that policies were aligned. Each RSL makes their own property allocations from the CYH bidders. Members were disappointed that development of the allocations policy had been put off until guidelines were published and felt that it would have been better to have had a policy in place which could then be amended to take account of new legislation. This should be taken forward as quickly as possible. Members requested that the draft allocations policy be brought back to the Scrutiny Management Board for review prior to public consultation.
- Members were very concerned about a flaw in the CYH banding system. Apart from the new emergency category, there were three bands: urgent,

needing and wanting which were defined on the CYH website. Applicants moving to a higher band could be worse off as a result of the further prioritisation by date order of application. For example, an applicant moving from the top of the “needing” band would go to the bottom of the “urgent” band: if houses then come up in the “needing” category, they would miss out even though they had become a higher priority. Members were very concerned that this flaw in the system should be addressed, and that it should be made very clear to applicants how the system works and the implications of moving between bands. Benchmarking with other choice based lettings systems was suggested. Cllr. Fletcher also suggested that there should be a better understanding of what the bands mean otherwise there could be a false impression created about the number of people who were homeless.

- Members brought up some examples of poor customer service which ward residents had reported receiving from WHT. There were further concerns about the WHT Hotline which had been set up to improve communication for Members with the Trust as this did not seem to be working. These issues could be raised with the Trust.
- The role of Councillors needed to be made clear to the public, and that the Council is not a landlord so although Councillors will liaise with the housing associations on behalf of residents, they do not have any power to influence the housing associations regarding accommodation.
- The Cabinet Member for Adult & Social Care drew Members’ attention to the potential impact of changes in the benefit system. From 1st April, people living alone will only receive housing benefit based on one bedroom accommodation regardless of how many bedrooms are in the property. The tenant, or their family, will need to make up any shortfall. There was a concern that people could be made homeless if they could not afford the extra rent. The move to the Universal Credit could also pose a threat because people un-used to managing a budget in this way could get into rent arrears.

Members agreed that the meeting had raised a number of key issues which should be followed up at a future meeting. A Members Information Seminar with the RSLs had been planned for 15th March, and it was agreed that Members should attend this meeting to hear what was said and ask questions, and a further meeting of the Scrutiny Management Board would be arranged following the seminar. It had already been agreed during the meeting that the draft allocations policy would be presented at a future meeting, and it was further agreed that the Chairman would discuss the issues raised at this meeting with officers to confirm arrangements for the next meeting.

SMB-28 RESPONSE TO PREVIOUS SCRUTINY RECOMMENDATIONS

A response from the service area and Cabinet Member to recommendations made by the Scrutiny Management Board at the meeting on 7th November

2011 about highways related issues had been circulated to Members. Members were satisfied with the responses, but made further requests regarding two of the recommendations;

- Recommendation 2. Cllr. McClements had attended a Co-operative Council meeting recently and heard that York City Council had a very successful Snow Warden scheme and suggested that the service area should look at as a potential example of good practice.
- Recommendation 3. Members asked that Town & Parish Councils should also be made aware that the grit in grit bins was only for use on roads, and should also be given clarity about whether they could purchase additional grit for use on footpaths.

These suggestions would be sent to the Head of Service to action.

RESOLVED – that the response to the recommendations be noted subject to the two further suggestions being forwarded to the service area.

SMB-29 FORWARD PLAN AND ITEMS FOR THE NEXT MEETING

Members considered the report of the Scrutiny Group Specialist on the Scrutiny Management Board Work Programme. Items for the work programme had been agreed in July 2011 and several new items had been added at subsequent meetings with no items being removed. As a result the work programme had become too big to be delivered within the remaining meetings scheduled for the municipal year. An informal meeting of the Scrutiny Chairmen had been held on 12th December to review the items and propose a course of action that would make the work programme deliverable and focused on priorities.

Members were asked to consider the proposed method of dealing with each item in the work programme as set out in section 5.1 of the report. Assuming the proposals were agreed, the revised Forward Plan as set out in Appendix 1 of the report would be adopted. The statutory scrutiny functions relating to Safer, Stronger Communities Partnerships, and the implications for scrutiny of the Police and Social Responsibility Bill, and Flood and Water Management had been prioritised for the work programme.

Members considered and agreed the proposals.

Members noted the time and date of the next meeting at 2.30pm on Monday, 5th March.

RESOLVED – that the proposals in section 5.1 of the report be accepted.

The meeting ended at 4.16 p.m.

Chairman:

Date: