

Cabinet Housing Panel
5 March 2018

WELWYN HATFIELD COUNCIL

* Reporting to Cabinet

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET HOUSING PANEL held on Monday 5 March 2018 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.Boulton (Chairman)
M.Perkins (Vice-Chairman)

M.Birleson, M.Cook, J.Cragg, M.Holloway, K.Holman,
P.Mabbott (substituting for S.Glick), H.Quenet,
F.Thomson

CO-OPTED MEMBERS: Co-opted Members:-
Tenants' Panel Representatives

D.Fuller and R.Read

Independent Representative

R.Paris

OFFICIALS PRESENT: Executive Director (Housing and Communities) (S.Russell)
Head of Community and Housing Strategy (S.Chambers)
Head of Housing Operations (S.Pearson)
Governance Services Officer (M.Lowe)
Governance Services Officer (H.Johnson)

49. SUBSTITUTIONS

The following substitutions of Committee Members had been made in accordance with Council Procedure Rules 19-22:

Councillor P.Mabbott for Councillor S.Glick.

50. APOLOGIES

Apologies for absence were received from Councillor S.Glick and Councillor R.Trigg.

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51. MINUTES

The Minutes of the meeting held on 22 January 2018 were approved as a correct record and signed by the Chairman.

52. ACTIONS UPDATE

The status of actions agreed at the Panel meeting on 22 January 2018 in the report of the Executive Director (Public Protection, Planning and Governance) was noted.

Minute 42 - TSG Contract Update

Members at the last meeting of the Panel had expressed the view that the annual gas safety check letter did not provide sufficient room for manoeuvre where an appointment offered was not convenient for tenants. Examples of the four letters sent to tenants had been circulated to Members prior to the meeting.

The Executive Director (Housing and Communities) advised that the process was thorough with four letters being sent out in stages, where tenants had the opportunity to contact the Council throughout.

Members acknowledged that missed appointments were likely due to an oversight by the tenant and in some cases perhaps a deliberate attempt to avoid a poorly kept residence being viewed or that a property was being sublet. It was unlikely to be due to letters not arriving or language barriers and it was noted that most tenants allowed access for the gas safety check.

The Executive Director (Housing and Communities) stated that, ultimately it was about the health and wellbeing of the tenant and if necessary, the Council had procedures in place to obtain an injunction for access to carry out the gas safety check.

Members suggested the appointment letter state that 24 hours' notice was required if a tenant needed to cancel appointment.

Officers advised that the obligation to allow access for repairs and maintenance (including gas servicing) is already in the Tenancy Agreement although the Tenancy Agreement does not stipulate a timeframe within which the appointment should be cancelled. It was an obligation for tenants to allow access but there was nothing in the Tenancy Agreement about the tenant agreeing to give 24 hours' notice to cancel the appointment.

RESOLVED:

- (1) That the action update report for Minute 42 - TSG Contract Update be noted.

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- (2) That consideration be given to the amendment of the annual gas safety check appointment letter to highlight that 24 hours' notice was required by tenants to cancel the appointment.

Tenancy Policy and Flexible Tenancy Procedure

The Executive Director (Housing and Communities) explained that the report was to be re-presented to Cabinet after the decision to approve the policy had been deferred at the Council meeting on 21 February 2018. This was pending clarification on which future procedural changes in relation to the policy would need to be referred back to the Cabinet Housing Panel for approval.

It was proposed that the wording of the recommendation to Cabinet be made clear and that this would be that any proposed changes to procedures would be brought back to the Cabinet Housing Panel for approval before being implemented.

Members at the meeting of the Panel on 22 January 2018 requested further information regarding the calculation of financial assessment, including trigger points relating to income levels, savings, investments or equity received from Members.

Officers confirmed that a briefing note had been circulated to Panel Members which had advised that Officers had recently reviewed the way in which financial circumstances were assessed. As a result a revised guidance document was in place and was used by the Team to assess both housing applications and applications for transfer. It included a revised method of considering income – linked to the way that agents would assess affordability within the private rented sector. It would also be used to assess a tenant's circumstances where a fixed tenancy had come up for review. Based on this revised methodology the income threshold had reduced significantly.

53. TENANTS' PANEL SCRUTINY - REPAIR SERVICES

Information was received from R. Read, Chairman of the Tenants Panel, on its Scrutiny of Repair Services.

The Cabinet Housing Panel were informed that the emergency repairs number, 0800 111 484, was currently the "go to" number and staff were verbally abused and overwhelmed with unrelated calls.

Chairman of the Tenants Panel offered several solutions that would help:

- Advanced communication from the Council on severe weather conditions.
- An educational project in respect of the Council's responsibilities to its tenants.
- Residents to undergo training to ensure they had the relevant details to hand when they made a call in the future.

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The Chairman, on behalf of the Cabinet Housing Panel, thanked the Tenant Panel Members for the work they had undertaken for the scrutiny of Repair Services.

Members acknowledged that it was wholly unacceptable for Council staff to be subject to verbal abuse by tenants.

RESOLVED:

- (1) That the Tenants' Panel bring forward solutions to the Head of Property Services (Housing) and then bring it back to the Cabinet Housing Panel every six months to review progress on recommendations.
- (2) That a further report be brought to the next meeting of the Panel.

54. BUSINESS TRANSFORMATION PROJECT

Members received a presentation from the Head of Housing Operations which provided an update on the progress of the Housing Operations Transformation programme.

Members noted that employees, in the main, felt positive about the changes, because they would provide new opportunities for many staff.

In response to questions from Members, Officers confirmed that roles at similar grades and promotional opportunities had been made available, in part due to rewriting job descriptions and person specifications.

The restructure would also result in a good outcome for service users as there would be less duplication and the staff structure would be clearer. The Council's customers would know who they needed to speak to when they needed assistance, (a new Patch Officer would be introduced) which would lead to improved performance and accountability.

The Council's aim was for the changes to go live on 4 June 2018. A communications strategy would be in place to communicate this to residents. Once the new structure was in place the team would then focus on embedding the new arrangements and making sure procedures were fit for purpose.

Some Members agreed that the changes were positive and that transformation would improve performance, service delivery and how residents engaged with the Council.

Concern was expressed by Members on the effect of the changes on those members of staff who had not yet found positions within the new structure. At the present time only 2 out of 96 staff had not found a role within the new

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structure. Members noted that these individuals had been and would continue to be fully supported throughout the process.

Members agreed with the suggestion that an organisational chart that reflected the changes would be useful.

Members welcomed the whole community approach which had been taken by the Housing team when it had been within the Housing Trust and hoped that the wider community would continue to be involved.

RESOLVED:

That the success of transformation project be noted and an organisation chart be made available to Members of the Panel.

55. DECANT POLICY - COUNCIL TENANTS AND LEASEHOLDERS

Report of the Executive Director (Housing and Communities) recommended the adoption of the draft Decant Policy which set out the help offered by the Council in order to support tenants/leaseholders with a move from their permanent home to alternative accommodation.

The Decant Policy sets out the circumstances in which a tenant/leaseholder or sub tenant may be decanted; what tenants and residents could expect if they were required to move from their home; what financial compensation would be paid and the likely options for rehousing that the Council may offer.

The Head of Community and Housing Strategy stated that tenants had been supported in the past and in the wake of the Grenfell Tower fire in June 2017, West London, the policy was timely and improved transparency.

Members welcomed the policy and agreed it was thorough and improved clarity for residents. It was suggested that a customer friendly version be made available for tenants.

RESOLVED:

- (1) That the comments made by the Panel on the draft Decant Policy in advance of consultation with the Council's Tenant Panel be noted.
- (2) That, subject to consultation with the Tenant Panel in May 2018, Members recommend the adoption of the Decant Policy - as set out at Appendix A - to Cabinet by July 2018, with the outcome of the consultation to be reported back to Cabinet for its consideration.
- (3) That it be recommended to Cabinet that delegated authority be given to the Executive Director (Housing and Communities), in consultation with the Executive Member, Planning, Housing and Community, to review and amend as appropriate the sums set out in Appendix One to the Policy, on an annual basis.

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56. ADOPTION OF NEW STATUTORY ENFORCEMENT POWERS FOR PRIVATE SECTOR HOUSING FOLLOWING CONSULTATION

Report of the Executive Director (Housing and Communities) recommended the adoption of a policy and procedure for calculating the level of financial penalty as an alternative to prosecution for certain specified offences.

The Private Sector Housing Team was responsible for enforcing various legislation to ensure property standards and maintaining the mandatory licensing scheme for eligible Houses in Multiple Occupation.

The enforcement powers currently available were predominantly under the Housing Act 2004, which included a variety of Formal Notices and the instigation of prosecution proceedings.

The Housing and Planning Act 2016 introduced the ability for the Council to issue Civil penalties of up to £30,000 as an alternative to prosecution for certain offences. The aim was to support the majority of landlords who provided well maintained homes, and avoid unnecessary regulation, but also to reduce the amount of criminal landlords who knowingly rent out unsafe and substandard accommodation.

Following consultation with the Landlord forum and Managing Agent partners the majority of respondees were against the imposition of the new powers, however it was sent to over 400 recipients and only eight responses had been received. The final draft of the policy corrected some minor errors identified through the consultation process.

Following a brief discussion, Members congratulated the team for the many successful prosecutions that they have had so far and agreed the new policy would help improve standards further.

RESOLVED:

- (1) That the responses to the consultation on the adoption of the policy and procedure for calculating the level of financial penalty as an alternative to prosecution for certain specified offences be noted.
- (2) That Cabinet be recommended to formally adopt the policy and procedure for calculating the level of financial penalty set out at Appendix A.

57. LOCAL PLAN - ANNUAL MONITORING REPORT

The Cabinet Housing Panel received for information the Local Plan - Annual Monitoring report, presentation and Minute as agreed by the Cabinet Planning and Parking Panel (CPPP) at its meeting on 14 December 2017.

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The Annual Monitoring Report (AMR) had a number of purposes – it acted as a record of how the Borough’s population and places were performing and how much development had taken place, assessed how that met the Council’s targets, and set out projections and expectations for future development and changes in the Borough’s population. It also set out progress against the Local Development Scheme, which detailed when and how the Council would produce new planning documents and policies, and reports on the Council’s efforts under the ‘duty to cooperate’ with other public authorities.

Members commented that the figures on growth and wellbeing were positive and that the Council and community were doing well.

RESOLVED:

That the Cabinet Planning and Parking Panel’s Local Plan - Annual Monitoring Report (AMR) be noted.

58. WORK PROGRAMME 2017/18

The pro-forma which set out the Panel’s work programme had been updated since the last meeting to enable forward planning if items to be considered to take place.

RESOLVED:

That the updated work programme be noted.

59. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100(A) (2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for item 60 on the grounds that they involve the likely disclosure of confidential or exempt information as defined in Section 100A (3) and Paragraph 3 (private financial or business information) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

60. REVIEW OF GAS CONTRACT

Exempt report of the Executive Director (Housing and Communities) provided details of the procurement process for the annual domestic gas safety certificates/maintenance/new system installations which was due to expire on 31 March 2019.

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RESOLVED:

- (1) That the recommendations in the report of Officers be noted.
- (2) That a Cabinet Housing Panel Co-opted Member from the Tenants' Panel Representative be involved in future discussions of the procurement process.

Meeting ended 9.00pm
HJ