

**OVERVIEW SCRUTINY GROUP
8TH MAY 2018**

PRESENT: The Chair (Councillor Taylor)
Vice Chair (Councillor Bebbington)
Councillors Bradshaw, Capleton, Gerrard and Jones

Chief Executive
Head of Strategic and Private Sector Housing
Team Leader Planning Enforcement
Democratic Services Officer (NA)

APOLOGIES: Councillor Sutherland

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

104. MINUTES OF THE PREVIOUS MEETING

A typographical error was cited in the last minutes which the Chair corrected.

The minutes of the meeting of the Group held on 9th April 2018 were then confirmed as a correct record and signed.

105. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

106. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

107. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions had been submitted.

108. REVISED PLANNING ENFORCEMENT POLICY

A report of the Head of Planning and Regeneration was considered seeking approval for the revised Planning Enforcement Policy (item 06A on the agenda filed with these minutes).

The Team Leader for Planning Enforcement attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) The Group was advised that the policy had been updated in line with the changes to the National Planning Policy Framework (NPPF) and the advice was to have a plan which included the processes involved in planning enforcement and how the process worked for customers and officers. It also fitted with the Council's Corporate Enforcement Policy and the other enforcement policies.
- (ii) The Enforcement Team was working more closely with other Planning officers following the recent restructure. This meant that planning conditions for developments would be checked to ensure they were relevant and enforcement could be taken if necessary.
- (iii) The policy had been out for consultation to engage with the public and all local parish councils. There was a suggestion that training would be offered for parish councils to enable them to cascade the information to their residents as they received a lot of enquiries.
- (iv) The Group asked about the arrangements by which members were kept up to date with planning enforcement and were advised that a list could be provided for members' information.
- (v) The Group was pleased to see that enforcement had been taking place and cited some successful recent cases.
- (vi) The enforcement team also worked with the Private Sector Housing Team to refer matters when required if it was relating to private landlords and their properties. There were different options for enforcement depending upon the issue.
- (vii) Although some of the comments received via the consultation said that residents' concerns should take precedence it was felt that enforcement action should be taken on a case by case basis.
- (viii) There was a suggestion to engage with the local press to inform them of the work being undertaken by the Council and to assure the public that the Council was taking action where required.
- (ix) There were tight timescales in place which the Enforcement Team were meeting but resources were stretched due to staffing issues. There was a restructure taking place and recruitment was underway so the targets should be met long term.
- (x) Most action taken incurred no additional costs for the Council unless it progressed to court action.

RESOLVED that the Cabinet be informed that the Group supports the recommendations as set out in the report of the Head of Planning and Regeneration.

Reason

Having considered the report and asked questions of the Team Leader for Planning Enforcement on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

109. HOUSING ACQUISITION POLICY

A report of the Head of Strategic and Private Sector Housing was considered seeking approval of the Housing Acquisition Policy (item 06B on the agenda filed with these minutes).

The Head of Strategic and Private Sector Housing attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) The report to Cabinet set out the approach the Council would take to acquire properties in line with the scheme of delegation as well as the arrangements approved by the Chair of the Scrutiny Management Board to exempt individual decisions from call in, which should protect the Council from any major risks. There was a risk that by taking the acquisition of each property through the governance procedure each time it could result in properties being lost due to the length of time taken and the tight timescales involved in purchasing properties. That was why the policy included delegated authority rights for the Head of Service, to eliminate that risk.
- (ii) The Group was assured that the Council would look to acquire properties which met the housing need and would not purchase properties simply to spend the money. There was felt to be enough suitable properties on the market across the Borough that there would not be a problem in operating the policy.
- (iii) A Right to Buy discount would still exist on the properties purchased as the tenants in situ would be eligible for the right to buy scheme. However this would not become available for a period of 15 years. This meant there was a risk that properties could be lost due to right to buy in the longer term but it was dependent on the circumstances of the tenants living there.
- (iv) The Council was trying to meet the housing need by linking every part of the service to maximise delivery of housing stock to meet the housing need. This included the purchase of properties, the opportunity to buy back previously sold properties and bringing empty homes back into use. The Council was also working on negotiating the level of affordable homes through planning applications as well as looking at properties being gifted to the Council in circumstances where no Registered Provider could be found. This was the case where 5 homes had been gifted and there was the possibility of 26 more homes on another site becoming available. Developers and partner organisations were also approaching the Council to help assist in providing accommodation and their options were being considered.
- (v) 2 and 3 bedroom properties were identified as being the most in demand properties, from the information taken from the housing register. Houses and bungalows were seen as better investments as flats would require service charges to be paid which could be costly. It was also dependent on the expenditure needed to bring the properties up to the liveable standard.
- (vi) The affordable housing need in the Borough was highlighted as a concern. The Group was advised that there were measures in place to meet this need where possible, for example using the section 106 agreements

through the planning system to provide affordable housing but it was not always possible to meet the target. The level of affordable housing need would be revised as part of the preparation of the Council's next local plan.

- (vii) The money being spent on the purchase of properties was financed from the Right to Buy receipts and the HRA (Housing Revenue Account) rather than through borrowing. It was seen as a good investment and a good use for the money given the low investment rate returns.
- (viii) Some suggestions such as buying properties with a leaseholder or buying back properties when available were put forward and the Group was advised that all options were being considered but getting value for money and obtaining the maximum number of properties were the most important objectives.
- (ix) The Council currently had funding available to buy properties and engage more with developers. For example being given first refusal on one site to purchase properties at market value.
- (x) The Government policy of an annual rent reduction would end in 2020. Social housing rents would increase by 1% per annum and was fixed for a 10 year period. The Group queried whether the increased money received could be used to purchase properties but was advised that it would correct the deficit created by the previous rent reduction rate. The Group was advised that this information would be clarified following the meeting*.

*Note: The Head of Strategic and Private Sector Housing afterwards clarified that in October 2017 the Government announced that Social Housing rents would rise by the Consumer Price Index plus 1 per cent from 2020 to 2025.

RESOLVED that the Cabinet be informed that the Group supports the recommendations as set out in the report of the Head of Strategic and Private Sector Housing.

Reason

Having considered the report and asked questions of the Head of Strategic and Private Sector Housing on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

110. OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY – CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to the recommendations of the Group on pre-decision scrutiny items (item 7 on the agenda filed with these minutes).

Both the Chair and Vice Chair of the Group passed on the Leader's thanks to the Group for their work which he valued.

RESOLVED that the Cabinet's responses to the Group's recommendations be noted.

Reason

The Group was satisfied that it added value where appropriate and welcomed the Cabinet's consideration of the Group's views and recommendations as part of its decision making process.

111. WORK PROGRAMME

A report of the Head of Strategic Support was considered, to enable the Group to consider its work programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny and to provide an opportunity for members of the Group to raise suggestions on issues for scrutiny (in addition to pre-decision scrutiny) which fell within the Group's remit, for scheduling by Scrutiny Management Board (item 8 on the agenda filed with these minutes).

The Group considered the report (and further information on the forthcoming Key Decisions and decisions to be taken in private by the Cabinet provided by the Chief Executive at this meeting) and agreed to schedule items for pre-decision scrutiny prior to the next Cabinet meeting, but that the following pre-decision scrutiny items should be added to its work programme at this stage:

- Lightbulb Service Implementation Update – October 2018

RESOLVED that the Group's current work programme be noted and updated following this meeting, in accordance with the decisions taken during consideration of this item and at this meeting and any items of pre-decision scrutiny that require changing due to their reprogramming by the Cabinet.

Reason

To ensure effective and timely scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 25th June 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of the minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Group.