



GREAT YARMOUTH
BOROUGH COUNCIL

Housing and Neighbourhoods Committee

Minutes

Thursday, 16 March 2023 at 18:30

PRESENT:-

Councillor Flaxman-Taylor (in the Chair); Councillors Candon, Galer, Grant, D Hammond, Martin, Talbot, Wainwright and Williamson.

Cllr P Hammond attended as a substitute for Cllr Cameron; Cllr Wells attended as a substitute for Cllr Price; Cllr Waters-Bunn attended as a substitute for Cllr Jeal; and Cllr Robinson-Payne attended as a substitute for Cllr Smith-Clare.

Also in attendance were:

Paula Boyce (Strategic Director), Nicola Turner (Housing Director), Chris Furlong (Director of Housing Assets), Chris Rutter (Compliance Manager), Jane Bowgen (Senior Accountant), Lorna Snow (Financial Services Manager), Claire Wilkins (Housing Delivery Manager), James Wilson (Head of Environment and Sustainability), Gemma Tilley (Environmental Health Manager), Dave Zimmerling (IT Services), Rebekah Downie (Democratic Services Officer) and Terhi Koomson (Senior Democratic Services Officer).

01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Cameron, Cllr Price, Cllr Jeal and Cllr Smith-Clare.

02 DECLARATIONS OF INTEREST

Cllr P Hammond declared a pecuniary interest in agenda item 6 as a landlord and informed the Committee that he would not participate in debate or vote on this item.

Cllr D Hammond declared a pecuniary interest in agenda item 6 as a landlord and informed the Committee that she would not participate in debate or vote on this item.

Cllr Waters-Bunn declared a pecuniary interest in agenda item 6 as her husband is a landlord and would not participate in debate or vote on this item.

Cllr Williamson declared a personal non-pecuniary interest in agenda item 6 as he is a Great Yarmouth Preservation trustee and they own properties that are rented out. He was able to debate and vote on this item.

Councillor Wells declared a personal non-pecuniary interest in agenda item 6 as he is a Great Yarmouth Preservation trustee and they own properties that are rented out. He was able to debate and vote on this item.

Councillor Galer declared a personal non-pecuniary interest in agenda item 6 as his wife owns property, though it is not currently let nor likely to be in the foreseeable future. He was able to debate and vote on this item.

Housing Director Nicola Turner declared personal non-pecuniary interest on agenda item 8 as a Director of Equinox. She informed the Chair that she would not participate in the delivery of the report nor comment during the discussion and debate of the item.

03 MINUTES

The minutes of the meeting held on 26th January 2023 were confirmed.

04 MATTERS ARISING

None.

05 FORWARD PLAN

Noted without further comments.

06 FIRE SAFETY POLICY AND MOBILITY SCOOTER POLICY

The Chair re-ordered the agenda for Fire Safety Policy and Mobility Scooter Policy (agenda item 10) to be discussed ahead of Selective Licensing Scheme Update (agenda item 6).

The members received a presentation from the Compliance Manager Chris Rutter

reference to updated Fire Safety and Mobility Scooter Policy. The recent changes in legislation with the passing of the Building Safety Act 2023 and the Fire Safety (England) Act 2022 has meant the need to review and update of Fire Safety Policy. This was also identified as an action on the wider Compliance Improvement Plan that is being worked through with the Regulator for Social Housing. In reviewing the policy, Best Practice has been taken from regulations, British Standards and a full review of guidance from the National Fire Chiefs Council (NFCC).

Additionally, GYBC do not have a current Mobility Scooter Policy. There have been several serious fires over recent years (linked to Mobility Scooters) and one that was fatal, that was directly linked to a fire in the common parts of a general needs block, where a resident (not the scooter owner) died, and a fire fighter was seriously injured. Historically there have also been several escalations from and to Members on issues around Mobility Scooters, so it was agreed that we would present the new policy and discuss enforcement options in the Housing & Neighbourhoods Committee.

Committee viewed a video by Dorset Fire Service which recreated a fire caused by a battery on a mobility scooter.

Cllr Galer noted the importance of understanding the fire risks from the lithium batteries and that the usual types of fire extinguishers are not suitable to extinguish these fires. He further highlighted the importance to ensure that correct notices are put up for residents reference to correct type of fire extinguishers. Mr C Rutter agreed and clarified that partly for these reasons fire-extinguishers are commonly only provided in the sheltered accommodation and not in general use properties.

Cllr Wainwright confirmed that he is not disagreeing with the need for the Mobility Scooter policy in principal, but that it does present issues to several residents who may not live on the ground floor and are in properties without a lift. Although the policy refers to transferring residents into more suitable properties that meet their mobility needs; this is often not a realistic option for many not least due to lack of alternative accommodation. Mr C Rutter agreed that the policy would impact some more than others depending on the type of property hence there is no single solution for all circumstances. It is also for this reason that policy implementation is done in joint working with tenancy management team.

Cllr Waters-Bunn agreed that the Policy needs to consider individual needs and asked if consideration has been given to electric bikes and electric wheelchairs that also have lithium batteries. She further felt that the suggested charging time of 8 a.m. to 8 p.m. imposed a curtail on disabled and vulnerable with mobility needs and can be a very isolating measure. Mr C Rutter noted that reference to the recommended charging time, there can be other solutions based on individual need. He further added that electric wheelchairs and scooters are not commonly stored in communal areas and as such have not been identified to cause similar issues as mobility scooters. They also have smaller lithium batteries than Mobility Scooters.

Mr C Furlong also added that both the Fire Policy and Mobility Scooter Policy are subject to six monthly review as it is likely that more recommendations are to come from Grenfell inquiry.

Cllr Talbot highlighted issues with some of the properties that front access is restricted but providing rear access to the property would allow mobility scooters to enter the property. She further highlighted that most of the current sheds would not be

fit for purpose to store Mobility Scooters as they are not water proof nor have electricity supply. Mr C Furlong confirmed that as part of Housing Investment Plan there is an ongoing review of all the housing stock including sheltered and it is accepted that there is currently not an efficient stock of adapted properties available. The review is due to be completed in August/September.

Cllr Williamson highlighted his concerns about Mobility Scooter Policy and felt the suggested charging time of 8 a.m. to 8 p.m. was a very restrictive and suggested there must be alternative methods to manage this than restricting charging time. He felt that not a proper thought had been given to implementing the policy and as such it comes across heavy on enforcement. He added that before implementing such policy, a better needs assessment is required to understand who will be impacted by the policy. Mr C Furlong confirmed that there is no accurate list of residents who currently have mobility scooters. However he confirmed that the staff awareness on mobility issues is increasing and about 40% of the Fire Risk management surveys concentrate on assessing the occupiers' mobility issues and safe escape routes.

Mr C Rutter further added that the charging time referred to in the policy is based on the Best Practise advice by the National Fire Chiefs Council. Nationally there have been repeated fire safety issues caused by the mobility scooter storage and charging and he gave an example of how extension leads have been wired from properties to communal areas to aid charging. Ultimately, it is important to work with residents to increase their awareness of the fire risk as well as manage the individual need.

Cllr Williamson noted that as presently there is no clear understanding of how many mobility scooter users there are and where, it would also not be clear what the possible cost implications would be to make required adaptations to aid storage and charging of the scooters. Mr C Furlong confirmed that to be the case as number of residents using the mobility scooters can change all the time but reassured the Members that removal of a mobility scooter from a user would be a last enforcement action if no other negotiated solutions are found.

Cllr Candon confirmed that he agreed with the policy in principal but noted that some properties have very narrow internal corridors and hence it is important not to create fire risk inside the properties as a consequence of this policy. He was pleased to note that the Fire Risk Assessment manages that risk.

Cllr Wells asked how the enforcement of the Mobility Scooter Policy would be applicable for the leaseholders and private (sub)tenants. Mr C Rutter confirmed that the intention was to apply the policy equally across all tenures and for example installation of the charging socket inside a leaseholder property would cost an estimated £150 - 170.

Cllr Martin highlighted her concern about some of the wording of the Mobility Scooter Policy. She considered that the Policy induction was referring to 'social exclusion' yet some of the enforcement including the proposed charging time 8 a.m. - 8 p.m. feels contrary to this statement. She further considered that the Policy as presently worded is discriminatory and places unreasonable restrictions on those with mobility issues. Mr C Rutter confirmed that the guidance on Fire Safety and Mobility Scooters is the same for all and is not about inclusion or exclusion but about ensuring everyone's safety. Fire Rescue Service can give number of examples when Mobility Scooters have caused problems and delays in getting access to properties. He did agree however that in enforcing the policy it is important to consider individual need.

Mr C Furlong agreed that it is not straight forward to find the right balance between

Fire Safety and individual need hence it is important to tailor solutions for individual tenants. This is also the reason why the Policy is planned to be kept under six monthly review as legislation is changing so that amendments can be implemented quickly.

Cllr Williamson proposed that as the Mobility Scooter Policy was causing disquiet amongst several Members of the Committee that the recommendation would be amended to approve the Fire Safety Policy and defer the decision on the Mobility Scooter Policy to allow further Member consultation. This was seconded by the Chair, Cllr Flaxman-Taylor.

ACTION POINT: All Members Consultation session on Mobility Scooter Policy to be arranged. (CF/CR)

RESOLVED:-

That the Housing and Neighbourhoods Committee:

- a) Reviewed and approved the Fire Safety Policy.
- b) Reviewed the Mobility Scooter Policy and deferred the decision to approve pending on further Member Consultation.

07 SELECTIVE LICENSING SCHEME UPDATE

Cllr P Hammond and Cllr D Hammond exited the meeting for the duration of this agenda item.

Cllr Waters-Bunn did not participate in the debate or the vote on this agenda item.

The Committee received and considered a report drafted and presented by Mr J Wilson, the Head of Environment and Sustainability. The report sought to update the committee on the existing selective licensing scheme for the Nelson ward and identify an opportunity to consider a wider, selective licensing designation area to help enable the Authority to continue to tackle poor housing conditions and associated landlord non-compliant behaviours in the private sector.

The Selective Licensing scheme in Nelson Ward of Great Yarmouth commenced in January 2019 for a five-year term. It was anticipated that during that time, there will be three planned inspections of licensed properties and the scheme aims to tackle significant and persistent levels of Anti-Social Behaviour (ASB), crime and poor housing conditions related to the private rented housing sector. The scheme is due to end on 6th January 2024. The Home Safe Scheme (THSS) is the Councils' delivery agent for the scheme, enabling landlords to pay a small monthly fee to licence their property.

There are currently 1518 properties that are licenced within the Council's selective licensing area. The delivering of this scheme will aim to be cost neutral to the Council. The compliance inspection process rates the non-compliance and property conditions on 3 levels (high, medium, and low in accordance with risk). Identified risks and breaches are reported to the landlord who has a time limited requirement to submit a plan of action (POA) to remediate the breach. During the first inspection round, there were a total of 4,362 issues identified with 2115 of these being high priority. 73% of the properties inspected had at least 1 high priority concern. 95% of

these high priority issues were resolved within three months. The second round of programmed inspections have revealed a large drop in the number of high and medium issues and resolution action plans are completed more effectively. The second inspection process saw a reduction in the high-risk issues by 50% and a reduction in in medium risks by 42%. Damp and mould is still in the top 3 hazards being found in properties.

In 2020 a Private Sector Housing Financial Penalties Policy was adopted by the Council, this introduces a framework for the imposition of a financial penalty up to £30,000 as an alternative to prosecution for certain specified offences, including failure to comply with an improvement notice and renting a property without a licence within a selective licensing area. The monies received from these civil penalties must be ringfenced and reinvested into the team's work related to the private rented sector housing functions delivered by the Council. At present, we have 26 final civil penalty final notices that have passed the appeal period timeframe and the debt is now pursued by the Council Sundry Debtors for recovery.

As part of our legal obligations under the Housing Act 2004 the Council must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken by them, this is normally completed via a private sector housing stock condition survey. A procurement process is currently underway to engage the service of a stock condition surveyor to complete this work. Once this survey has been completed there will need to be a review of this data as well as other data from the existing scheme in the Nelson Ward and other agencies to establish if there is sufficient evidence to renew the existing Nelson Ward scheme or consider a new scheme across a wider area. Any future Selective designated area will require the approval of the Secretary of State for Housing (SoS) regardless of the geographical and rented property area. The data and report from the stock condition survey may not show the need to either widen or continue with a selective licensing designation, which would mean the Council would have to rethink its strategy around improving property conditions and landlord behaviour. There is also a risk that the application to the SoS is unsuccessful.

Mr J Wilson further confirmed that a financial business case to support any recommendations from the feasibility work will need to be presented to Members to support any future decisions that may be made. The current scheme ends in January 2024. It is likely that any further Selective licensing approval will be delivered after the end of the current designation and there will be a gap between both schemes. This is due to the statutory time limitations of the scheme application, data and evidence capture and public consultations.

Cllr Wainwright thanked for the report but highlighted a concern that several Members have received multiple emails from the landlords questioning the data captured on property inspections. Some have questioned a score of 56.2% compliance yet have no evidence of tenant complaints that would support this score. Some of the emails received brought the whole data capture into question. He further highlighted that the Council is struggling to meet the required standards in it's own stock; having been referred to the housing regulator twice and as people are struggling to heat their homes, damp and mould issues in the properties are more prominent than ever. As such, Cllr Wainwright asked that the data would be checked and verified and that all Members would be notified of any potential issues identified. Mr J Wilson assured that as a response to the emails received, checks will be made to verify the data and that these issues highlighted on the emails are not necessarily linked to any enforcement actions. He agreed to update the Committee Members on the outcome on the

verification of the reported data.

ACTION POINT: To update the Committee members on reported data in relation to the inspections and identified issues. (JW)

Cllr Robinson-Payne agreed in principal that the Selective Licensing Scheme is a good thing. She noted however that it is important to separate and acknowledge good and compliant landlords from the few that are not. She felt that some of the inspections carried out at the start of the scheme may have been over-scrupulous and that going forward better engagement with landlord is needed. She further noted that it is important to learn from mistakes and review the delivery model of the scheme. She supported the feasibility study to help to determine if the scheme is worth continuing or indeed extending to other areas.

Cllr Candon agreed that the scheme is helpful for tenants and has brought much needed improvements to private tenants in addressing disrepair issues. He noted that the data held within the scheme also allowed the Council to quickly identify HMO's in the area which assisted them to take appropriate actions during the covid pandemic. Overall, he noted the success of the scheme and supported the feasibility study.

Cllr Wells agreed that it is important to learn lessons and appreciated some of the frustrations of the landlords with the scheme. He supported the feasibility study and re-enforced the importance of engaging with the landlords to improve the delivery and positive outcomes of the scheme. Mr J Wilson confirmed that to aid liaison with the landlords, the first landlord forum was held last year which was well attended and further landlord forums are scheduled this year.

Cllr Martin confirmed that several emails from landlords were received ahead of the meeting questioning the accuracy of the data. She noted the importance to develop trust with the landlords and was hopeful that the upcoming landlord forums will aid to do this and that landlords can directly discuss their concerns about the scheme; including any issues with the data.

The Chair further confirmed that all emails received have been forwarded for the Head of Environment and Sustainability so that any issues and concerns can be checked and responded to.

Cllr Talbot questioned if there was any comparable data on stock inspections carried out in the private sector properties under this scheme against our own Council stock. She also felt it was not good enough to just 'point the finger' on private landlords if we have same issues in our own stock. She further asked if the landlords need to pay another license fee should the scheme be continued and noted that the landlords are also feeling the financial strain. Mr J Wilson confirmed that there was no comparable data available against the Council's own stock and confirmed that any new or continuation of the Selective Licensing Scheme would involve a fee payable by the landlord. The Director of Housing Assets Mr C Furlong further added that improved process managing mould and damp in the property has been implemented and this includes inspection survey of the property by specially trained officer, diagnosis of the cause, any remedial works and follow-up in six months to confirm that the issue has been resolved.

Cllr Talbot questioned if the remedial works are done during the winter months, if the follow-up call during the summer months is 'too early' as the damp and mould issues do tend to get worse during the winter months. Mr C Furlong confirmed that the follow-up can be extended to twelve months to allow for the seasonal impact on damp

and mould.

Cllr Robinson-Payne further highlighted that despite good intentions, the current Selective Licensing Scheme has probably over-promised and under-delivered in tackling anti-social behaviour. She acknowledged that tackling anti-social behaviour is a multi-agency issue and hoped the review of the scheme will also consider how this can be better addressed.

Cllr Wainwright proposed that in the view of possible upcoming change in the Council Governance, the recommendation point three to be amended; 'Receive updates at Housing and Neighbourhood Committee' to 'All Members receive updates..'. This was seconded by the Chair Cllr Flaxman-Taylor..

Following a vote, RESOLVED:-

That the Committee:

1. Note the success of the scheme and the improvements that have been made to housing conditions within the Nelson Ward.
2. Commit to the development of a feasibility proposal for a wider Selective Licensing scheme within the Borough to enable the Council to continue to tackle poor property conditions and suspected non-compliant landlord activities within areas of greatest need.
3. *All Members* receive updates as this feasibility work for this proposal is progressed.

08 HRA BUDGET MONITORING REPORT PERIOD 10

The Committee received and considered Housing Revenue Account Budget Monitoring Report for period 10 2022/23 attached to the agenda pack and presented by Senior Accountant Ms J Bowgen. This report outlined the estimated forecasts for the full financial year 2022/23 as well as showed the position of the HRA as at the end of period 10.

The Housing Revenue Account summary, shows a revised 2022/23 forecast Surplus of £2.789m, from a currently budgeted forecast deficit of £3.129m, resulting in a favourable movement of £5.918m. Capital Expenditure funded from revenue (which includes grant income) is forecast to be less than originally budgeted, due to an increase in budgeted Right to Buy sales in year, providing more capital receipts to be utilised in year alongside reprofiling of spend on unbudgeted grant income received in year for specific projects, detailed within this report. The impact of the pay award has now been reflected in the forecast for 2022/23, whilst there is an impact within some service areas, overall, for pay costs the impact has largely been offset by vacancies within the year. Some of the vacant posts have been taken as savings within the 2023/24 base budget. Great Yarmouth Borough Council has brought in a property

compliance team and is working to deliver compliance functions for Great Yarmouth Borough Council residents, with the team funded with budgets deducted from Great Yarmouth Norse. A new budget of £584k was approved in February 2023, within the 2023/24 budget report and is funded from savings in budgets in 2022/23. This budget will address immediate Fire Risk Assessment Remedial works identified following the completion of new Fire Risk Assessments across the housing stock.

Cllr Williamson referred to the Full Council meeting in February and the amendment he had put forward to recommend that the annual rent setting for the year be set at the cap of 3% which would also enable the continued investment in the stock to provide accommodation at affordable rents. He noted that the P10 budget report supports the feasibility of this amendment that was that was not carried by the Full Council.

Cllr Wainwright added that the Capital Programme budget is underspend every year, and each year the works that have not been completed they become more expensive to carry out. He specifically pointed out the underspend on decarb/energy efficiency budget whilst residents are struggling to heat their homes. Mr C Furlong noted that some of the difficulty in managing this budget has historically always been the procurement of contractors for short term annual contracts. The changes to procurement are included in the future Housing Investment Plan to deliver longer term service contracts on projects such as Fire Safety and Decent Homes.

Cllr P Hammond further considered if the procurement and delivery of these contracts should be spread out more to various independent contractors to ensure faster delivery rather than just relying on one or two major contractors. Mr C Furlong noted that the bigger and longer running the contracts are, the more feasible they are for the potential contractors also to deliver on.

The Chair thanked for the report and noted the issues raised in relation to the budget.

RESOLVED:-

That Committee note the 2022/23 Housing revenue and capital budget monitoring position as at the end of period 10.

09 COUNCIL HOME PROGRAMME UPDATE

The Committee received and considered a Council Homes Programme report by Housing Delivery Manager Claire Wilkins. The report provided an update to ongoing works to deliver new homes and sought a recommendation to approve drawdown of expenditure totalling £1,643,614 in relation to two further opportunities and to acquire, subject to the Council's conditional offer being accepted, six new homes for affordable rent and two new homes for shared ownership at the East Wood Development, from Equinox Enterprises Ltd. and to convert, subject to being affordable, viable and within budget tender returns, the disused boiler house at Charter Close into a one bed roomed wheelchair accessible bungalow. The report sought Committee recommendations to Full Council.

Cllr Wainwright was pleased to see additional Council housing being acquired but noted that the eight units is a 'drop in the ocean' and more delivery of social housing is needed.

Following a unanimous vote, it was RESOLVED:-

That Housing and Neighbours Committee recommend to Full Council to:

1. Approve, subject to the Council's conditional offer set out in the Confidential Appendix being accepted, the drawdown of the expenditure required to acquire the eight new homes at East Wood from Equinox Enterprises Ltd.
2. Approve the increased budget as set out in the confidential appendix to complete the conversion works to the Charter House Boiler House to form one new wheelchair accessible home.
3. Delegate decisions and total expenditure of £1,643,614 in relation to recommendations above and in accordance with the Property Acquisitions and Disposals Policy to an Executive Director and Section 151 Officer.

10 SUSTAINABLE WARMTH UPDATE

The Members received and considered the Sustainable Warmth update report presented by Housing Director Nicola Turner.

In March 2022, committee received a report detailing the £5.8m grant funding available this financial year following a number of successful bids to improve the energy efficiency of 408 of the worst performing homes across the borough. The funding relates to three programmes:

Local Authority Delivery 3– focused on private homes which have a gas heating system

Homes Upgrade Grant – for properties which have no form of gas heating now
Social Housing Decarbonisation Fund Wave 1 – the Council's bid included funding for two other Registered Provider and therefore included 46 social housing homes outside the borough.

The report brought to Committee provides an update on progress to date in delivering these three grant programmes. Across England there have been delays to delivery and like other grant recipients the Council has requested extensions to complete delivery of works within the next financial year. In relation to SHDF, the Council is now utilising the majority of the grant monies due to issues encountered by the other Registered Providers. As a result of some other changes in the programmes, overall 432 homes in the borough will now benefit from energy efficiency works.

The report also details a bid for HUG 2 funding – a two year funding programme running from 1 April 2023 to 31 March 2025. This funding will again target the worst performing private homes, with 317 homes due to benefit. The Council will again

appoint E.On Energy Solutions to deliver the grant works, should the Council's bid be successful.

Cllr Wells thanked for the report and was pleased to acknowledge the work done on sustainable warmth in Great Yarmouth Borough Council. He added that based on his discussions in various other forums and meetings across Norfolk, GYBC is ahead of many other regions in delivering on these projects.

RESOLVED:-

That the Housing and Neighbourhoods Committee noted the report and recommended to Full Council:

1. Acceptance of the Homes Upgrade Grant 2 (HUG2) funding for 2023-24 and 2024-25 should the Council's bid be successful.

2. Note the prior completion of the Memorandum of Understanding in relation to the potential HUG2 funding in 2023-25 and the completion of any variations to the Memorandum of Understandings and contracts in relation to the extension of timescale for delivery of the existing funding programmes.

3. Delegation of all decisions on the use of and spend of the HUG 2 funding in accordance with the requirements of the Memorandum of Understanding to the Director of Housing Assets.

4. Update the 2023-4 and 2024-5 General Fund capital budgets, should the bid be successful to reflect the HUG2 funding and Housing Revenue Account 2022-23 and 2023-4 as set out in this report.

11 ANY OTHER BUSINESS

There were no other business for consideration.

The Chair thanked everyone for their attendance and gave well wishes for all the Members for the upcoming elections.

The meeting ended at: 20:15