

13 February 2017

## HOUSING COMMITTEE

A meeting of the Housing Committee will be held on **TUESDAY 21 FEBRUARY 2017** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00 pm.**



David Hagg  
Chief Executive

**Please Note:** This meeting will be filmed for live or subsequent broadcast via the Council's internet site ([www.stroud.gov.uk](http://www.stroud.gov.uk)). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

### AGENDA

- 1 APOLOGIES**  
To receive apologies for absence.
- 2 DECLARATIONS OF INTEREST**  
To receive declarations of interest.
- 3 MINUTES**  
To approve the minutes of the meeting held on 24 January 2017.
- 4 PUBLIC QUESTION TIME**  
The Chair of Committee will answer questions from members of the public submitted in accordance with the Council's procedures.  
**DEADLINE FOR RECEIPT OF QUESTIONS**  
**Noon on THURSDAY 16 FEBRUARY 2017.**  
Questions must be submitted in writing to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and sent by post or by Email: [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk)

- 5 WORK PROGRAMME**  
To consider and update the work programme.
- 6 PERFORMANCE MONITORING**  
To receive an update on performance monitoring.
- 7 THE COMBINED TENANCY AND ESTATE MANAGEMENT POLICY**  
To consider the draft policy.
- 8 AFFORDABLE HOUSING THRESHOLD FOR SMALL SITES AND RURAL DESIGNATION FOR RIGHT TO BUY**  
To seek approval from Committee for the submission of an application to DCLG.
- 9 OLDER PEOPLE'S HEALTH AND HOUSING PLAN**  
To consider the plan.
- 10 UPDATE ON THE HOUSING WHITE PAPER**  
To receive a verbal update on the White Paper.
- 11 UPDATE ON TENANT CONSULTATION MECHANISM**  
To receive a verbal update on the work of the Task and Finish Group set up in June 2016 to review the effectiveness of tenant consultation.
- 12 MEMBERS' QUESTIONS**  
See Agenda Item 4 for deadline for submission.

### **Members of Housing Committee**

**Councillor Mattie Ross (Chair)**  
**Councillor Chas Townley (Vice-Chair)**

Councillor Catherine Braun  
Councillor Miranda Clifton  
Councillor Colin Fryer  
Councillor Julie Job

Councillor Norman Kay  
Councillor Phil McAsey  
Councillor Jenny Miles  
Councillor Liz Peters  
Councillor Tom Skinner  
Councillor Debbie Young

### **Tenant Representatives**

Ian Allan  
Sadie Tazewell

## HOUSING COMMITTEE

24 JANUARY 2017

7.00 pm – 8.55 pm  
Council Chamber, Ebley Mill, Stroud

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### Minutes

#### Membership

Councillor Mattie Ross **	P	Councillor Norman Kay	P
Councillor Chas Townley *	P	Councillor Phil McAsey	A
Councillor Catherine Braun	P	Councillor Jenny Miles	P
Councillor Miranda Clifton	P	Councillor Elizabeth Peters	P
Councillor Colin Fryer	P	Councillor Tom Skinner	P
Councillor Julie Job	A	Councillor Debbie Young	P

\*\* = Chair \* = Vice Chair  
P = Present A = Absent

#### Tenant Representative

Ian Allan P

#### Other Councillors in Attendance

Councillor Steve Lydon

#### Officers in Attendance

Strategic Head (Tenant and Corporate Services)	Head of Asset Management
Head of Housing Contracts	Accountancy Manager
Head of Housing Management	Democratic Services Officer
Asset Manager	

#### HC.042

#### APOLOGIES

Apologies of absence were received from Councillor Julie Job.

#### HC.043

#### DECLARATIONS OF INTEREST

There were no declarations of interest.

#### HC.044

#### PUBLIC QUESTION TIME

There were none.

#### HC.045

#### MINUTES – 20 DECEMBER 2017

#### **RESOLVED**

**That the minutes of the meeting held on 20 December 2017 are confirmed and signed as a correct record.**

**HC.046****WORK PROGRAMME**

The work programme was discussed and the following items were highlighted:

- Update on small sites, garages and disposals – 28 March 2017.
- Review the effectiveness of tenant consultation mechanisms – 21 February 2017.

A query was raised regarding a possible checklist for Housing Officers to use when they need to help tenants with difficult tasks. The Head of Housing Management will look into this.

**RESOLVED**

**To update the Work Programme, accordingly.**

**HC.047****GENERAL HOUSING: HOUSING REVENUE ACCOUNT (HRA) MEDIUM TERM FINANCIAL PLAN 2017/18 – 2020/21**

The Accountancy Manager presented the report and explained that the budget had been prepared noting the legislative changes which are now in place. The budget over the next 4 years will reduce significantly as specified in the report and appendices.

During questions the following issues discussed:

- Queens Court and the sale of the whole site.
- Garages – detailed work is needed to review the garage sites.
- RTB sales in future years to be kept under review.
- Savings only show in the MTFP when they have been realised.
- Spending on kitchen, bathrooms and roofing.
- Service charges – officers working with registered providers regarding this issue.
- Community Land Trusts.
- Capital Receipts on sales of land.
- It is good that the revenue is available for green and amber schemes for sheltered housing.

**RECOMMENDED  
TO STRATEGY  
AND  
RESOURCES  
COMMITTEE**

- a) (i) **The revised HRA budget for 2016/17 and original HRA revenue and capital budgets for 2017/18 are approved;**
- (ii) **The movements to and from balances and capital reserve as detailed in Appendices B and C are approved;**
- b) **That from 01 April 2017:**
- i) **Social rents and affordable rents are decreased by 1% (equivalent to 83p per week at the average rent level), as calculated in accordance with legislation.**
- ii) **Garage rents are increased by 2% (equivalent to 24p per week), as detailed in paragraph 28 and Appendix A);**
- iii) **Other landlord service charges at general needs properties are increased by between 2% and 3%, as detailed in paragraph 29 and Appendix A;**
- iv) **Landlord service charges at Sheltered Housing Schemes are increased by 2% (equivalent to 47p**

per week). As detailed in paragraph 30 and Appendix A.

- c) That the Capital Programme for 2016/17 to 2020/21 be approved, as detailed in Appendix C.

**HC.048**

**GENERAL HOUSING: DEVELOPMENT OF THE HRA DELIVERY PLAN**

The Head of Housing Management presented the report and explained that it sets out an action plan of the key aspects of delivery and challenges that face the service. Performance against the plan will be recorded on the Council performance management system and reviewed every six months. Performance will be reported back to Committee.

During questions the following issues were discussed:

- A good proposal which brings everything together.
- The Housing Strategy will be reviewed later in the year taking into account the White Paper.

**RESOLVED**

1. To approve and implement the HRA Delivery Plan presented to this committee
2. To note that this plan will be reviewed every 6 months, to analyse and update it with new or obsolete: strengths, weaknesses, opportunities and threats, develop responses to these, model their financial impact and update the projected financial position as a result, making recommendations to this committee on any budget changes +/-

**HC.049**

**COUNCIL HOUSING: DEVELOPMENT OF THE TENANCY POLICY**

The Head of Housing Management presented the report and explained that the Housing and Planning Act 2016 brings an end to lifetime tenancies, this excludes sheltered housing. The Act will bring in Fixed Term tenancies for all new tenancies; it doesn't affect existing lifetime tenancies. The guidance is awaited.

A Task and Finish group will be set up to discuss the issues. Members on the group will be: Councillors Townley, Fryer, Young and Kay and the tenant representatives Ian Allan and Sadie Tazewell (following her appointment at Full Council on 9 February 2017).

**RESOLVED**

1. To develop a tenancy policy for the councils own housing stock on the administration of fixed term tenancies following the receipt of guidance on this aspect of the HPA 2016, this may include considering policy on any aspects devolved for local determination.
2. To set up a T&F group to undertake this review, and bring a recommendation back to this Committee to consider, at the first opportunity after guidance on the implementation of fixed term tenancies has been issued by DCLG.

**HC.050****COUNCIL HOUSING: RENT AND SERVICE CHARGES REVIEW**

The Head of Housing Management presented the report and explained that target rents are based on the average income of people who live in the district, the Council is required to charge a target rent. Currently service charges are part of the rent that tenants pay. It is proposed that the Council change the way in which it sets and recovers service charges and rents.

During questions the following issues were discussed:

- Make sure there is an effective apportionment of service charges. It should also be more transparent on how the charges are spent.
- The Council cannot charge owners of ex-council houses a service charge, but when a RTB sale takes place it incorporates a contribution towards service charges.
- Much of the review work will be carried out by officers. The Head of Housing Management will investigate the cost of consultants and report back to Committee in February.
- The committee's tenant representative has been invited by the tenants to talk about sheltered service charges.
- How we spend the service charge should be more transparent.

**RESOLVED**

1. **To approve the increase in rent of all new lettings to that of the government's local formula rent level.**
2. **To approve the commencement of a project to investigate further, the viability, benefit and regulatory requirement upon us to de-pool service charges from rents, and charge these separately and transparently.**
3. **Following on from (2) above, to approve a review of rent setting options with a report on the findings, brought back to this committee for debate and direction in June 2017.**

**HC.051****MEMBERS' QUESTIONS**

Member questions had been received from Councillor Young. Supplementary questions had been asked, they would be responded to in writing following the meeting.

The meeting closed at 8:55 pm.

Chair

**STROUD DISTRICT COUNCIL****AGENDA  
ITEM NO****HOUSING COMMITTEE****21 FEBRUARY 2017****5****WORK PROGRAMME**

<b>Date of meeting</b>	<b>Matters to be considered at the meeting</b>	<b>Notes</b>
28.03.17	Work Programme	Leads: Chair and Strategic Head Tenant and Corporate Services
	Energy Strategy	Lead: Asset Manager
	Performance Monitoring	Leads: Councillors Braun and Young
	Budget Monitoring 2016/17 – Quarter 3	Lead: Accountancy Manager
	Update on small sites, garages and disposals.	Lead: Head of Asset Management / Strategic Head Tenant and Corporate Services

**Information sheets sent to Committee Members**

<b>Date sent and ref no.</b>	<b>Topic</b>	<b>Notes</b>
16.09.2016 H-2016/17-001	Sheltered Housing Modernisation Project Update	Sheltered Housing Project Manager
27.09.2016 H-2016/17-002	Small Sites, Garages and Disposals Update	Principal Estates Surveyor
27.09.2016 H-2016/17-003	Progress Report on the Development of a Business Plan for the HRA	Head of Housing Management
05.12.2016 H-2016/17-004	Homelessness Prevention Strategy – Review 2016	Housing Advice Manager
06.12.2016 H-2016/17-005	New Homes and Regeneration Update	Business Development Manager
06.12.2016 H-2016/17-006	Sheltered Housing Modernisation Project Update	Sheltered Housing Project Manager
24.01.2017 H2016/17-007	Update on Queens Court, Brimscombe	Head of Asset Management

STROUD DISTRICT COUNCIL

AGENDA  
ITEM NO

HOUSING COMMITTEE

21 FEBRAURY 2017

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<b>Report Title</b>	<b>THE COMBINED TENANCY AND ESTATE MANAGEMENT POLICY</b>
<b>Purpose of Report</b>	To inform committee of the contents of this draft policy which has been revised from our current policy
<b>Decisions</b>	The Committee <b>RESOLVES</b> to: 1. Adopt the revised Tenancy and Estate Policy with any amendments determined by the committee, added. 2. The committee gives delegated authority to the Head of Housing Management to make minor amendments, as necessary, and identified by the committee to the report, and to circulate the final document to committee members.
<b>Consultation and Feedback</b>	Tenants and Residents Forum (13 February 2017)
<b>Financial Implications and Risk Assessment</b>	There are no financial implications Simon Merrett – Interim Principal Accountant Email: <a href="mailto:simon.merrett@stroud.gov.uk">simon.merrett@stroud.gov.uk</a>
<b>Legal Implications</b>	Given the policy will set out reasonable expectations of tenants in respect to how the Council manages its estates, it is important that there is clarity within the policy in terms of the obligations of the Council. Subject to committee's approval of the principle of the policy and the substantive contents, the policy would benefit from some further redrafting and as such the committee may wish to resolve that the Head of Housing Management be authorised to make appropriate and relatively minor amendments before its adoption. Karen Trickey, Legal Services Manager Email <a href="mailto:karen.trickey@stroud.gov.uk">karen.trickey@stroud.gov.uk</a>
<b>Report Author</b>	Pat Andrade, Tenancy Operations Manager Tel: 01453 754190 Email: <a href="mailto:pat.andrade@stroud.gov.uk">pat.andrade@stroud.gov.uk</a>
<b>Background Papers/ Appendices</b>	<b>Appendix A: Tenancy and Estate Management Policy (proposed)</b>



## **1.0. Introduction**

- 1.1. The Council has a duty to ensure its tenancies and estates are managed in line with the relevant housing legislation regulation, effectively manages its assets and maintains good relationships with its tenants, stakeholders and potential customers.
- 1.2. Presently Stroud has circa 5000 homes of which 14% are classified as sheltered accommodation.
- 1.3. We seek to remain a responsible landlord and be transparent in how our tenancies and estates are managed.
- 1.4 The revision to the existing Estate Management Policy ensures the Council is keeping pace with the current services it supplies to both its tenancies and on its estates.

## **2.0. Background**

- 2.1 The draft Estate Management Policy was written in 2010 but was not formally adopted by Housing Committee.
- 2.2 The original document identified areas on the Council's estate to be managed:

- Abandoned vehicles
- Abandoned Possessions
- The Letting and Management of Allotment Sites
- Cleaning of communal area (Flats)
- Emergency access to Tenants Homes
- Encroachment on Housing Land
- Environmental Improvements
- Estate Inspections
- The Lettings and Management of Garages
- Ground Maintenance
- Pest Control
- Pets
- Property Inspection and the Deterioration of Premises
- Removal of litter
- Unauthorised Occupation

- 2.3 Although this document was robust at the time; over a 5 year period as elapsed and the Council currently provides broader services.

### **3.0 Revisions**

3.1 The Estate Management Policy has been revised and now includes the addition of tenancy matters making the services the Council provides more transparent. This policy now includes:

- Details on the types of tenancies provided by the Council
- Assignment
- Branch of Tenancy
- Allowing access to a Council property
- Decant
- Door Fobs
- Ending a Tenancy
- Hoarding
- Home Content Insurance
- Improvement Works
- Mutual Exchanges
- Property Alterations
- Rechargeable Works
- Right to Buy
- Subletting
- Tenancy Fraud
- Unauthorised Occupation
- Services specific to Sheltered Accommodation
- CCTV
- Communal Bin Stores
- Anti Social Behaviour
- Community Involvement
- Parking
- Play Areas

3.2 This policy will be periodically reviewed to make sure it keeps up to date with legislation, regulation and local requirements

**STROUD DISTRICT COUNCIL**

**AGENDA  
ITEM NO**

**HOUSING COMMITTEE**

**21 FEBRUARY 2017**

**8**

<b>Report Title</b>	<b>AFFORDABLE HOUSING THRESHOLD FOR SMALL SITES AND RURAL DESIGNATION FOR RIGHT TO BUY</b>
<b>Purpose of Report</b>	To seek approval for the submission of an application to DCLG for the relevant parishes in the Stroud District to be formally designated as rural under s.157 of the Housing Act.
<b>Decision(s)</b>	<b>The Committee RESOLVES to:</b> <b>(1) Apply to DCLG for rural designation under Section 157 of the Housing Act for qualifying rural parishes.</b> <b>(2) Following designation, implement s.157 restriction on Right to Buy sales in the relevant parishes.</b>
<b>Consultation and Feedback</b>	The Head of Asset Management has been consulted and comments around the impact of the s.157 restriction on right to buy resales and workload are set out in the report.
<b>Financial Implications and Risk Assessment</b>	There are no direct financial implications arising from this report. There may be some impact on the constraint of resale values of SDC stock, due to a wider restriction of the designated areas. Adele Rudkin Tel: 01453 754109 Email:adele.rudkin@stroud.gov.uk
<b>Legal Implications</b>	There are no material legal implications arising from this report. Consideration could also be given to imposing the restrictive covenant on voluntary disposals pursuant to s32 of the Housing Act 1985. Hilary Holden: Legal Assistant Tel: 01453 754365 Email: hilary.holden@stroud.gov.uk
<b>Report Author</b>	Pippa Stroud, Policy Implementation Manager Tel: 01453 754099 Email: @stroud.gov.uk
<b>Options</b>	Relevant parishes could remain without this formal rural designation. However, this could leave these rural parishes vulnerable to future planning policy changes.
<b>Performance Management Follow Up</b>	Information will be circulated within six months to Members to update on the DCLG designation progress.
<b>Background Papers/ Appendices</b>	Appendix A: Qualifying parishes Appendix B: Map showing AONB and qualifying parishes.

## **1. INTRODUCTION / BACKGROUND**

2. The recent reintroduction of the Written Ministerial Statement dealing with site size thresholds for affordable housing has again brought focus on those areas which are designated as rural by the Secretary of State. Designated rural areas can seek a financial contribution for affordable housing from market housing sites of between 6 and 10 dwellings, while for those areas not enjoying this status the threshold is 10 dwellings.
3. There are a number of definitions of 'rural', but the definition being relied upon for this aspect of planning policy has been confirmed as being s.157 of the Housing Act, which is more normally used to restrict onward sales of council properties purchased under the Right to Buy by limiting such sales to people with a local connection to the District of Stroud.
4. Section 157 of the Housing Act 1985 allows local authorities to impose a restrictive covenant in a Right to Buy sale of a property in:
  - a National Park
  - an Area of Outstanding Natural Beauty (AONB) or
  - an area designated by order of the Secretary of State as a rural area
5. This Council currently imposes the restrictive covenant on Right to Buy sales on property in the AONB. This limits the sale of the property to purchasers who meet certain residency/employment criteria.
6. This is the first time that this Housing Act definition has been applied to national Planning Policy, but it would be sensible to infer that this may occur again in future policy changes.

## **7. ISSUES FOR CONSIDERATION**

### **Affordable Housing**

8. The Stroud District currently has no designated rural areas within its boundaries under s.157 of the Housing Act, but local authorities can apply to the Secretary of State for this designation to be applied to specified areas. The criteria are that:
  - There should be a population density of no more than two persons per hectare (2.0 PPH), and
  - Towns with more than 3,000 inhabitants are ineligible.
9. ONS figures show that, while Stroud as a district has a population density of 2.4 persons per hectare overall, very rural parishes such as Frocester have a density as low as 0.2 PPH. A full list of qualifying parishes can be found at Appendix 1

### **Right to Buy**

10. At present the Council has a policy in place to restrict the resales of properties bought under the Right to Buy (RTB) within the Cotswolds Area of Outstanding Natural Beauty. These restrictions impose a local connection covenant on the property, meaning that any subsequent purchaser must demonstrate to the Council that they have lived or worked within the district for the past three years.

Theoretically, this acts as a brake on the value of a property and prevents its purchase as a second or holiday home

11. The AONB covenant adds to the RTB team's workload because of the checks that have to be made on prospective purchasers. The extension of the RTB restriction to all rural areas would have an impact on resources, especially at a time when RTB sales are increasing.
12. There are currently 966 council properties located in the AONB in Stroud District. The Council does not have any figures for onward private sales.
13. Listed below are the numbers of applications approved for the disposal of a property in an AONB
  - 2014/15: 22
  - 2015/16: 25
  - 2016/17: 18 (up to 30/01/17)
14. The Council's RTB valuers have advised that there seems little evidence that the s.157 covenant reduces values generally in a buoyant market. The effect does vary, dependent upon locality and catchment area with the demand on resale for ex-local authority houses tending to come from buyers that already live in the area. In an adverse market, though, prices would be adversely affected by the covenant.

## **CONCLUSION / RECOMMENDATION**

15. The areas designated as an AONB in Stroud District and the extent of the areas of the district that would be covered by the s.157 rural designation are shown on the plan at Appendix 2.
16. It seems possible that an application could be made for this rural designation for Stroud's rural parishes, but without a restriction on resales being formally implemented. However, this does go against the spirit of the Housing Act, and detailed legal advice would be required on this before progressing.
17. Alternatively, Members may feel that using this designation could help constrain resale values of sold SDC stock and maintain properties as more affordable to local residents, and would provide a more consistent approach than the AONB designation provides.
18. Whilst the impact of the s.157 restriction on RTB resales is hard to quantify, the benefits for rural parishes in using the rural designation and increasing the financial contributions for affordable housing are important and other rural planning policy benefits may materialise in future.
19. It should also be noted that the s.157 restriction cannot be imposed retrospectively on properties that have already been purchased via the Right to Buy, only on purchases made following any rural s.157 designation by DCLG.

**20. Recommendation:**

- a. Applying for formal rural designation for the relevant parishes should be pursued so that these parishes can benefit from the rural aspects of planning policy.
- b. As a secondary benefit, this designation may act as a brake on the resale value of RTB properties as purchasers of properties in these areas would have to demonstrate a local connection to the District of Stroud.

**STROUD DISTRICT COUNCIL**

**AGENDA  
ITEM NO**

**HOUSING COMMITTEE**

**21 FEBRUARY 2017**

**9**

<b>Report Title</b>	<b>OLDER PEOPLE'S HEALTH AND HOUSING PLAN</b>
<b>Purpose of Report</b>	To report on the development of the Older People's Health and Housing Plan.
<b>Decision(s)</b>	<b>The Committee RESOLVES to adopt the Older People's Health and Housing Plan</b>
<b>Consultation and Feedback</b>	This plan has been developed in consultation with the Older People's Health and Housing Group (including Health and Housing SDC officers and cross party elected members from the Community Services & Licensing and Housing committees), Gloucestershire Older Person's Association, GP Patient Participation Groups, NHS Active Balance Patients, GP Locality Executive Group and Gloucestershire Care Services, Stroud Locality. This final draft has been welcomed by the older people and professional partners we consulted.
<b>Financial Implications and Risk Assessment</b>	The recommendation is to formally adopt a process currently in place, any associated costs are already encompassed within existing Officer roles. Funding for CAB has been previously agreed for the next 3 years. Future costs that may occur around the 'access to Rally Round app' would have to obtain further approval from this Committee. Adele Rudkin Accountant Tel: 01453 754109 Email:adele.rudkin@stroud.gov.uk
<b>Legal Implications</b>	The Plan contributes towards the Council meeting its legal obligations in respect to older persons (e.g. within the Human Rights Act and international treaties) which help to: secure access to, for example, adequate housing; provision of services etc. to enable individuals to live within their own homes for longer; enable people to maintain and regain optimum levels of physical, mental and emotional well being; and prevent discrimination. Karen Trickey, Legal Services Manager Email: karen.trickey@stroud.gov.uk

<b>Report Author</b>	Emma Keating Clark, Health & Wellbeing Development Coordinator Tel: 01453 754177 Email: emma.keatingclark@stroud.gov.uk
<b>Options</b>	The Committee could choose not to adopt the Plan but this would impact on the vulnerable older people the Plan aims to support.
<b>Performance Management Follow Up</b>	This Plan covers 2017-2020. Performance of the Plan will be monitored quarterly in accordance with Council performance management systems.
<b>Background Papers/ Appendices</b>	Appendix A – Older People’s Health and Housing Plan

## **1. BACKGROUND**

- 1.1 This Older People’s Health and Housing Plan (Appendix A) was developed at the request of elected members who sought a strategic response to the ageing demographic of our district.
- 1.2 The Plan seeks to promote to individuals and our communities generally how the Council takes the needs of older people seriously.
- 1.3 By 2035 Stroud District is projected to have the oldest population in Gloucestershire. Thinking now about how we make Stroud District an age friendly place to work and live will help current Stroud residents and will pave the way for the more significant changes that may be required for the next generation of older residents.

## **2. KEY POINTS**

- 2.1 This plan does not create new commitments for the Council but rather pulls existing work streams into one place to ensure that the needs of older people are clearly identified and as such more readily addressed by promoting better coordination of the Council’s work.
- 2.2 As will be noted when reviewing the Plan, the Council’s ten priorities and the actions required to secure delivery of the priorities are detailed. All the actions specified have been allocated resources, the latter of which fall within existing staff job descriptions and work objectives.