

OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 27 August 2020 at 5.30 pm via Online Viewing Only.

Present: Councillor Robert W Bayford (Chairman); Councillors Campbell, Boyd, Huxley, Keen, Moore, Paul Moore, L Piper, Rattigan, Roper, Rusiecki, D Saunders and Scott

In Attendance: Councillor Rogers

249. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Coleman-Cooke, substituted by Councillor David Saunders.

250. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

251. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Paul Moore seconded and Members agreed the minutes as a correct record of the Panel meeting held on 21 July 2020.

252. DRAFT EMPTY HOMES PLAN 2020-23

Councillor Whitehead, Deputy Leader and Cabinet Member for Housing and Community Services introduced the report and made the following comments:

- Housing is the foundation for the council's duties and services. The necessity of housing feeds into many community functions;
- Tackling empty properties is an important part of the strategy for providing housing to the local communities;
- Empty properties attract anti social behaviour and other criminal activities to an area, like squatting, graffiti, arson and fly tipping;
- The value of neighbouring properties is also negatively affected by creating an impression of neglect and decline of that area;
- Such resources are a waste in times of great housing demand;
- It is therefore against this background that the current work of the Empty Properties Team should be appreciated;
- There were a significant number of empty homes in Thanet. One hundred and fifty nine long term empty homes had been brought back into use through council intervention in the 2019/20 financial year;
- The draft Empty Homes Plan was intended to address the issue of long term empty homes and provide a strategy for bringing empty homes into use.

Members asked questions and made comments as follows:

- Why was Medway only included in one table (long term empty homes in Kent) and not in the other table on empty homes brought back into use?
- Was there a difference between empty properties brought back into use and empty properties?
- Wasn't the demolition of the listed building a criminal offence?
- Did the TDC database include empty shops and empty flats that were located above shops? If they were not, could these be included in the database?

- Could brownfields sites in the three town centres be included? For example, in East Cliff Ward, there were five empty brownfields sites that have been in that state for the last 30 years or so;
- Had officers approached other councils to learn and adopt best practices of bringing empty homes/properties into use?
- Why was there a slow turn around in interest free loans and was the 5 year stay in the property being fulfilled?
- Could the council conduct a publicity drive to encourage residents to identify any empty properties in the area?
- Ramsgate Town Council has a community magazine that goes out monthly to about 18,000 residents. TDC could use that magazine to publish the activities of the Housing team regarding empty homes brought back into use and ask residents to report any empty properties in Ramsgate;
- Credit should be given to the Housing team for their work on the empty homes programme;
- Owner/Occupier loans – was there a waiting list for this?
- Were the targets in the Plan realistic? How did we arrive at such targets?
- A contrary view was that since the council would be charging 400% council tax for empty properties, would the council want to bring them into use or make more money from the tax instead?
- Currently there were only two officers. Could a case be made for an extra officer to be appointed to the team?
- Since EDMOs were very difficult to process successfully, could officers not spend their time on other more manageable targets?
- Enforced sale – Would TDC get its costs covered if the council got involved in enforced sale?

Cllr Whitehead and Richard Hopkins, Empty Homes Team Manager responded as follows:

- Information on the first table was publicly available on the Gov.UK website and the second table was prepared by KCC which collected data for all the councils that work with KCC on the “No Use Empty Campaign”. However Medway was a unitary authority, which did not necessarily work with KCC on these matters;
- The Housing team works largely with empty homes which they attempt to bring back into use. There were occasions when formerly commercial property which had become derelict would be targeted if it had the potential to be turned into residential accommodation;
- Unauthorised demolition of a listed building would be a criminal offence. Any demolition referred to in the report would require planning permission. There were times when an empty home would be a listed building. A listed buildings repair notice must be served as part of the process of applying for a certain type of compulsory purchase order;
- Most of the information in the database came from council tax data. Accommodation above shops is often included in the empty property database. Some empty shops that could be used for residential accommodation are included. However it should be noted that there were limited powers for the council as having an empty property was not unlawful in itself;
- Some brownfields sites in town centres were included in the database for monitoring, but these are challenging to deal with;
- Best practice: - TDC officers attended county wide meetings where experiences were shared regarding managing empty properties. The Kent wide empty properties officers network and the Kent Housing Technical Group met quarterly;
- KCC had a small team that was working with all Kent local authorities (minus Medway) to try and get all long term empty properties back into use;
- KCC’s No Use Empty interest free loans were intended for landlords and developers. This is a £5million revolving fund, which had to be paid back to be lent out again.

- Owner occupier loans: the intention was for the council to come up with an additional facility (of about £20k per application) to the county wide scheme. The council was the only one in Kent to offer this additional loan scheme. As the funding pot is small, and the repayment period is ten years, it takes time to replenish the fund. Any non payment of the loan would always be pursued through the legal process available to the council;
- Council took part in an empty homes programme on BBC1 involving Matt Allwright. Officers also produced and published a video on the work of the team;
- Officers would explore the offer to advertise in the Ramsgate Town Council community magazine;
- A waiting list for owner occupier loans was held by the council. This allowed potential applicants who intended to access the loan facility to be offered a loan when there was money available to lend out;
- In previous years, the council did not have a dedicated empty property officer. Currently the team has one, as well as a support officer to assist this officer. The targets proposed reflect the increasing experience of the empty property officer, and the fact that a new job share support officer joined the council this year. The team are keen to meet the new proposed targets;
- Regarding the interplay between social gains and financial gains, there was a need to have functioning communities where housing plays an important part. There was need to increase housing in Thanet, hence to bring back into use empty homes;
- EDMOs were very difficult to secure and the law was changed and had made it even harder. Once you have secured the EDMO, the council would need to invest money into refurbishing the property. They are labour intensive and they represent a financial risk to the council. However, where an EDMO was not too much of a risk financially, the council could consider it. The terminology could be amended to reflect the fact that EDMOs would only be pursued in certain circumstances;
- Enforced sale – yes the council would recover their costs from the sale proceeds. Enforced sales receipts would need to be kept in perpetuity in case of a claim.

Members noted the report, subject to officers taking note of the Panel comments and points which they may include as they finalise the Empty Homes Plan for 2020-23.

253. TENANT AND LEASEHOLDER SERVICE TRANSITION UPDATE

Councillor Whitehead led the discussion with the following opening remarks:

- This was one of the council's important tasks currently and it was being ably managed by the Housing Department, working together with East Kent Housing (EKH);
- The key report updates included:
 - How the council was ensuring that there was adequate staffing for the housing service, once it is in-house from 01 October 2020;
 - The induction of staff during the transition period;
 - Informing and involving tenants during this process;
 - On going work by ICT to separate the housing management systems amongst the four councils and supporting the staff to train for the new systems;
 - The work being done by the Communications team to keep staff and customers informed about the changes;
 - The winding up of EKH.
- How the council manages the transition and keeping all stakeholders informed was important for the success of the project;
- The basis for continued success of an in-house system would be providing a secure base, competent and coherent systems to manage ongoing responsibilities;
- The ongoing work by Housing has been exemplary;

- The council was laying a new foundation for a continued relationship with tenants and leaseholders;
- As the landlord, the council was also laying the groundwork for competent monitoring of housing services going forward.

Members asked questions and made comments as follows:

- This was a very positive report;
- What if things do not go according to plan?
- Did EKH have any worries that the 1st October deadline would not be met for the move over of services from EKH to TDC?
- Was TDC going to get the number of staff that it expected?
- Were the transition costs still expected to stay within the agreed £250,000 budget?
- What method had been used to engage tenants and leaseholders? What had been the feedback? Have they expressed any particular worries?
- Was there a process for monitoring the transition of the service on the ongoing service provided by in-housing service?
- What was the difference between the services TDC was offering to the one offered by EKH?
- One of the main objectives of the setting up EKH was making savings? Would this still be the case once the service was brought in-house?

In response Councillor Whitehead and Ms Sally O'Sullivan, Tenant and Leaseholder Services Manager said the following:

- The portfolio holder had some concerns about how the service would wind down, how tenants and leaseholders feel listened to and have works attended to during the transition period. Council officers are meeting with resident representatives every three weeks to discuss progress on the transition;
- The council was doing everything possible to make the transition as smooth as is possible;
- The Council is trying to mitigate risk during this transition period. This included tackling the issue of inadequate office accommodation for staff at TDC main offices. The Covid-19 regulations that require social distancing and other risk management measures in office settings have made this more complex;
- There were limited number of staff allowed in the offices at any one time and this had impacted on the induction programme, as staff were having to split into smaller groups;
- With regards to ICT: There had been delays in completing the set up, due to the complexity of the systems in question (Novation documents and maintaining change control);
- If ICT falls behind, it did not pose a significant risk to the transition as staff would be able to continue to give front line services to tenants; it does delay the future plans to improve the system;
- There were no worries that the 1st October deadline would not be met. There are EKH staff transferring to the Council who will bring with them the procedural and operational knowledge required to cover the vital areas in housing management;
- Individual meetings were being held to cover operational and caseload handovers. These meetings with individual staff had been quite positive;
- In the new structure the Council will get just over 50% of the staff it required. A large recruitment campaign over the last 4 months has filled a majority of the remaining posts that would enable the council to deliver the service as expected;
- Service Managers have started work already, which helps to give them a good head start of organising their teams and check out the systems they would using;
- Yes, the transition costs would be within the agreed budget;
- The council had been holding much more regular meetings with tenants and leaseholders to discuss what they wanted from an ongoing service;

- Tenants expressed their desire to feel that they were being heard by their representatives and that they were being represented fully and that they could be able to track any progress regarding their queries (repairs). They were aware that there would no be vast improvements on day one of the transition, but were optimistic;
- The difference needs to be that the services needed to be coherent and having individuals responsible for particular geographical areas;
- Effective communication and effective system for tenant participation was needed;
- A comprehensive review was going to be conducted of the entire service to take stock of what was currently being offered. This would lead to the drafting of an action plan. Tenants and leaseholders would be involved in this process;
- The action plan would be jointly monitored by both TDC and tenants and leaseholders to ensure that the improvements were actually taking place
- Quarter 2 performance indicators from EKH would be used by TDC as the baseline for monitoring moving forward.

Mr Tim Willis, Deputy Chief Executive and S151 Officer advised the meeting as follows:

- The part of the success of the transition so far was down to the Transition Project Manager, Ms O'Sullivan. Ms O'Sullivan had since been appointed to the role of Tenants and Leaseholder Services Manager at TDC. This would help with the transition and continuity of running the service thereafter;
- One of the reasons why EKH not being as successful as it could have been was running it as a shared service was the TDC priorities and objectives did not always translate to those of EKH on the ground. Bringing the service back in-house, would overcome some of those obstacles;
- The council was mindful of the risk of the service deteriorating during the transition. The issue was on the risk register and the council was working on addressing the risk throughout the process;
- There was a significant amount of funding into housing stock in the capital programme, over the next 2-3 years;
- The council would work towards providing a better service within limited, even diminishing resources.

Thereafter Members noted the report.

254. REVIEW THE OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2020/21

The Chairman advised Members that the membership for the Memorials Working Party had been confirmed. The group is expected to meet in September. As part of their work, the working party could include a member of the public as a co-optee on its membership and could take witness statements as part of its work.

One Member indicated that a topic on Your Leisure was missing from the list of proposed scrutiny topics. The Chairman advised that the issue ought to have a main question that needed to be addressed and requested that the Member forwards the specific question the review would addressing.

Nick Hughes advised members that the implementation period for these reviews would cut across a number of municipal years, if the Panel still felt the need to review these identified topics.

The Panel agreed the results of the scoring matrix for the proposed scrutiny review projects and noted the report.

255. FORWARD PLAN & EXEMPT CABINET REPORT LIST

Members noted the report.

Meeting concluded: 6.34 pm